



Town of Gorham
November 1, 2010
PLANNING BOARD MINUTES

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

Members Present:

EDWARD ZELMANOW, Chairman
THOMAS HUGHES, Vice Chairman
LAUREN CARRIER
THOMAS FICKETT
GEORGE FOX
CHRISTOPHER HICKEY

Members Absent:

ANDREW MCCULLOUGH

Staff Present:

THOMAS POIRIER, Town Planner
BARBARA SKINNER, Clerk of the Board

Edward Zelmanow, Chairman, called the meeting to order at 7:00 p.m.. The Clerk called the roll, noting that Andrew McCullough was absent.

APPROVAL OF THE OCTOBER 4, 2010 MINUTES

Thomas Hughes **MOVED** and Thomas Fickett **SECONDED** a motion to approve the minutes of October 4, 2010 as written and distributed. Motion **CARRIED**, 6 ayes (Andrew McCullough absent). [7:04 p.m.]

COMMITTEE REPORTS

A. Ordinance Review Committee

In the absence of this Committee's chairman, Mr. McCullough, Mr. Poirier reported that discussed at the last committee meeting were the buffer requirements for parking in the front yard setback sent by the Town Council, an amendment removing the street frontage from the Rines section of the Gorham Bypass as legal street frontage, and an amendment about keeping of farm animals in the Urban Residential district. The street frontage requirement and the keeping of farm animals amendment will come to the Planning Board at the next meeting, one for public hearing and one for workshop review, and the Ordinance Review Committee will discuss the front yard setback parking requirements after some changes have been implemented.

B. Streets and Ways Sub-Committee – Mr. Hughes stated that this committee has not met.

CHAIRMAN'S REPORT – Mr. Zelmanow said there is no report this week.

ADMINISTRATIVE REVIEW REPORT

Mr. Poirier reported that there are no projects currently under review. The site plan amendment of Helical has been approved and they will be moving forward with construction shortly.

ITEM 1: **PUBLIC HEARING CONTINUED** - Amendments to the Gorham Land Use & Development Code relating to Small Wind Energy Systems. **CHAPTER II -- GENERAL**

**STANDARDS OF PERFORMANCE, Section XII – Small Wind Energy Systems; and
CHAPTER IV – SITE PLAN REVIEW, Section C. – Submission Requirements.**

Mr. Poirier reported that the Planning Board's ordinance committee has been working on changes to the Small Wind Energy Systems ordinance proposed by the Town Council. For consideration by the Board this evening is version A, the Council version, and version B, the language proposed by the Planning Board. Mr. Poirier noted that this is a continuation of a public hearing to be opened again this evening. Mr. Poirier confirmed to Mr. Hughes that the two versions are available on the Town's web page for the public to review.

Mr. Poirier explained that staff reviewed the requirements for small wind energy systems of five municipalities: Yarmouth, Scarborough, Saco, Windham and Standish. Yarmouth has a requirement that any small wind energy systems (SWES) under 75 feet are reviewed under minor site plan application with SWES having a total height under 75' being reviewed under Minor Site Plan Application and SWES having a total height between 75' to 125' being reviewed by the Planning Board. In Scarborough, SWES are limited to a height of 175' from the finished grade to the highest point of the SWES and only require a building permit from the Code Enforcement Officer. Saco's: SWES are limited to 100' as measured from ground level to the center of the turbine, and only require a building permit from the Code Enforcement Officer. Windham's SWES having a generation capacity below 20kw and a system height of less than 100' are reviewed by the Code Enforcement Officer, and SWES having a rated generation capacity from 20kw to 120 kw and a system height between 100' to 120' are reviewed by the Planning Board. Standish's SWES require the review and approval of the Planning Board and have a maximum height of 120'.

After discussion, the Board concurred that the proposed maximum turbine height shall be one hundred twenty feet to the tip of the rotor blade.

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

Christopher Hickey MOVED and Thomas Hughes SECONDED a motion to recommend adoption by the Town Council of the proposed ordinance amendments to Chapter II, GENERAL STANDARDS OF PERFORMANCE, Section XII – Small Wind Energy Systems, and Chapter IV, SITE PLAN REVIEW, Section VII, C, as amended by the Planning Board. Motion CARRIED, 5 ayes (Ms. Carrier absent from the dais for the vote and Andrew McCullough absent from the meeting). [7:30 p.m.]

ITEM 2: SITE PLAN REVIEW - 274 New Portland Road by John Pompeo, Owner.
A proposal to construct a lay down yard for storage of earthwork equipment and material on 2.78 acres at 274 New Portland Road, Map 12 Lot 17.008, in the Industrial (I) zoning district.

Mr. Poirier gave a brief overview of the project, noting that the applicant was last before the Board at the September 13, 2010 meeting. The applicant has resubmitted plans and information and staff has updated the Planning Staff Notes with the revised changes. He recommended that the Board go through the site plan approval criteria as they will become the findings of fact for the project upon completion.

Owens McCullough of Sebago Technics appeared on behalf of the applicant and described the proposed project. Landscaping has now been added to the plan and it is proposed to retain the existing eastern buffer. Stormwater treatment ponds will be constructed in future phases. There will be blasting as part of the project, with preblast surveys being done and abutters being notified. Mr. Zelmanow noted that the plans

provided to the Board do not show any of the buffering; it was determined that the plans Mr. McCullough referred to are dated October 29, 2010, whereas the most recent copies provided to the Board are dated September 17, 2010. Mr. McCullough provided a current plan for the Town Planner to review and to be placed on the easel at the podium for the Board to review. Mr. Hughes called Mr. McCullough's attention to Condition of Approval #7 requiring compliance with the Town's Post-Construction Stormwater Management Ordinance.

In response to Mr. Zelmanow's question about soil test pits for a future subsurface sewage disposal system, Mr. McCullough said no buildings are proposed to be built which would require sanitary sewer but there is an area where the overburden will be left to reserve it in the event the applicant wishes to come back before the Board to pursue a site plan to put a building up at some future date.

Mr. Poirier said his only concern after review of the most recent plan of October 29, 2010 is that the buffering is shown within the right of way boundaries, and if Public Works wanted to clear cut that, they could do so and there would be no buffering for that site. The jurisdiction of that right of way is owned by the Town of Gorham. Mr. McCullough said that it could be possible to slide the buffering back to within the first 15 feet or so of the property lines as the right of way is fairly wide. Mr. McCullough asked if they could check with the Public Works Director and if that was an issue, perhaps it could be made a condition of approval that they would move the buffering back on to the property line. Mr. Poirier said he would rather see the item return as a consent agenda item because buffering is involved, and the Town Attorney frowns on delegating review to staff. Mr. Poirier recommended that the item be a consent agenda item so that the applicant can discuss the buffering with the Public Works Director and the Board can see the buffering and approve it.

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

NOW THEREFORE, based on the entire record before the Board and Pursuant to the applicable standards set out in the Land Use and Development Code, the Board makes the following factual findings:

FINDINGS OF FACT

Chapter IV, SITE PLAN REVIEW, Section IX, Approval Criteria and Standards –

- A. **Utilization of the Site** - The plan for the development will reflect the natural capabilities of the site to support development.
The existing topography is rolling hills with open fields and shrub vegetation. The site has a maximum elevation of 140 with the lowest elevation being 116, a difference of 24'. The proposal is to excavate a majority of the site to an elevation ranging from 120 to 124.
- B. **Access to the Site** - Vehicular access to the site will be on roads which have adequate capacity to accommodate the additional traffic generated by the development.
The Public Works Director has concerns that the total number of truck trips required to remove the amount of excess material on the site may create impacts to the existing road conditions. The developer will photo document and video the condition of New Portland Road prior to the start of construction to establish a benchmark. Any damage attributable to the project will be repaired to the satisfaction of the Public Works Director.
Vehicular access to the site is from New Portland Road, which has adequate capacity to accommodate the additional traffic generated by the development.
- C. **Access into the Site** - Vehicular access into the development will provide for safe and convenient access.
The applicant is proposing to construct a temporary access driveway during the construction of phases 1 and

2. The permanent access driveway will be constructed during phase 3. The temporary and permanent access driveways will be 18' wide and have paved aprons.

- D. **Internal Vehicular Circulation** - The layout of the site will provide for the safe movement of passenger, service and emergency vehicles through the site.

Once constructed, the site will be open and flat to allow a wide array of vehicles to access and move about the site eliminating the need for vehicles to back out onto New Portland Road. The large gravel area will also allow for the storage of material associated with an earthwork contractor's yard.

- E. **Pedestrian Circulation** - The development plan will provide for a system of pedestrian circulation within and to the development.

The only pedestrians utilizing the site will be employees of the applicant's earth working business. The site will be constructed so as to be predominately open and flat to allow employee circulation throughout the site.

- F. **Storm water Management** - Adequate provisions will be made for the disposal of all storm water collected on streets, parking areas, roofs or other impervious surfaces through a storm water drainage system and maintenance plan which will not have adverse impacts on abutting or downstream properties:

FINDING TO BE PROVIDED TO THE BOARD AT ITS NEXT MEETING.

- G. **Erosion Control** - For all projects, building and site designs and roadway layouts will fit and utilize existing topography and desirable natural surroundings to the fullest extent possible.

The applicant has identified the location of silt fences for each phase of construction and has provided the typical erosion control details on sheets 11 and 12.

- H. **Water Supply** - The development will be provided with a system of water supply that provides each use with an adequate supply of water meeting the standards of the State of Maine for drinking water.

The applicant is not proposing to provide a source of water supply to serve the site. No water supply is required for the proposed development of the site.

- I. **Sewage Disposal** - A sanitary sewer system will be installed at the expense of the developer if the project is located within a sewer service area as identified by the sewer user ordinance. The Site Plan Review Committee or Planning Board may allow individual subsurface waste disposal systems to be used where sewer service is not available.

FINDING TO BE PROVIDED TO THE BOARD AT ITS NEXT MEETING.

- J. **Utilities** - The development will be provided with electrical and telephone service adequate to meet the anticipated use of the project.

The applicant is not proposing to install any utilities to serve the site. No utilities are required to meet the anticipated use.

- K. **Natural Features** - The landscape will be preserved in its natural state insofar as practical by minimizing tree removal, disturbance and compaction of soil, and by retaining existing vegetation insofar as practical during construction.

FINDING TO BE PROVIDED TO THE BOARD AT ITS NEXT MEETING.

- L. **Groundwater Protection** - The proposed site development and use will not adversely impact either the quality or quantity of groundwater available to abutting properties or public water supply systems.

The grading of the site for an earthwork laydown area will not adversely impact the quality or quantity of the groundwater available to abutting properties or the public water supply system.

- M. **Exterior Lighting** - The proposed development will provide for adequate exterior lighting to provide for the safe use of the development in nighttime hours.

The applicant is not proposing any exterior lighting as part of the proposed development. No exterior lighting is required to provide for the safe use of the development.

- O. **Waste Disposal** - The proposed development will provide for adequate disposal of solid wastes and hazardous wastes.

The applicant is not proposing to store any solid or hazardous wastes on site. No provisions are required to provide for the adequate disposal of solid and hazardous waste

- P. **Landscaping** - The development plan will provide for landscaping to define street edges, break up parking areas, soften the appearance of the development and protect abutting properties from adverse impacts of the

development.

FINDING TO BE PROVIDED TO THE BOARD AT ITS NEXT MEETING..

- Q. **Shoreland Relationship** - The development will not adversely affect the water quality or shoreline of any adjacent water body. The development plan will provide for access to abutting navigable water bodies for the use of occupants of the development.

The lot (M12/L17.008) is not located in the Shoreland Overlay District.

- R. **Technical and Financial Capacity.** The applicant has demonstrated that he has the financial and technical capacity to carry out the project in accordance with this Code and the approved plan.

The applicant has provided a letter dated September 17, 2010 from TD Bank regarding his financial capacity.

Per Chapter II, Section V, I, 1) – The applicant is required to establish a performance guarantee for the site improvements prior to the start of construction.

- S. **Buffering** - The development will provide for the buffering of adjacent uses where there is a transition from one type of use to another use and to screen service and storage areas. The buffer areas required by the district regulations will be improved and maintained.

FINDING TO BE PROVIDED TO THE BOARD AT ITS NEXT MEETING..

- T. **Noise** – The applicant has demonstrated that the development will comply with the noise regulations listed in Table 1, Sound Level Limits, and the associated ordinances.

The lot is abutted on all sides by Industrial zoned property. The required hourly A weighted equivalent sound levels at the property line are:

Daytime 70 (7:00 a.m. to 7:00 p.m.)

Nighttime 60 (7:00 p.m. to 7:00 a.m.)

The proposed use of the site as a contractor's laydown area will meet the noise regulations listed in Table 1 – Sound Level Limits.

Mr. Hickey discussed the need for a performance guarantee with the Town Planner, which would include such items as landscaping. Mr. Zelmanow confirmed with the applicant is satisfied with the Conditions of Approval.

Mr. Poirier asked Mr. McCullough for confirmation that there is a stormwater permit required for the site, but not for this stage of the development. Mr. McCullough said that the stormwater permit would be required once they trip one acre of non-revegetated surface, and the first few phases will not get to that level. Once that level is reached, perhaps in phase 4 of phase 5, Mr. McCullough said the applicant will apply for a stormwater permit through the DEP. Mr. Pompeo said it would be when phase 3 is reached. Mr. Poirier suggested a new condition of approval “That prior to the start of construction on phase 3, the applicant will submit a stormwater permit to staff for review and approval,” to be included in the conditions of approval for the next meeting. Mr. Hughes confirmed that the Planner and the applicant will meet to satisfy the incomplete site plan criteria before the next meeting. Mr. Poirier agreed that if the Board is satisfied with the buffer and the stormwater criteria and the conditions of approval, the application can be approved as a consent agenda item.

Thomas Fickett MOVED and Lauren Carrier SECONDED a motion to continue the item to the Consent Agenda for the Planning Board’s December 6, 2010 meeting. Motion CARRIED, 6 ayes (Andrew McCullough absent). [7:45 p.m.]

ITEM 3: SITE PLAN REVIEW – Facility Management’s Maintenance & Grounds Buildings by USM – A request for site plan amendment to demolish the existing Facility Management Maintenance and Grounds buildings at M40/L17 on the Gorham Campus and to replace with one larger building to consolidate maintenance operations. Zoned Urban Residential (UR) (M40/L13-18; M41/L35 & 36; M100/L17; M101/L5-8; M102/L1-3; and M105/L36).

Mr. Poirier explained that this project is before the Board for the first time for final plan review. There was a sketch plan review with the applicant on October 4, 2010 and a site walk on October 25, 2010. The project will be reviewed under site plan and special exception, and staff has prepared notes with site plan approval criteria as well as special exception approval criteria for the Board's review.

Joe Laverriere, DeLuca-Hoffman, introduced Dana Gray, USM Department of Facilities. Mr. Laverriere gave a brief overview of the project, describing which buildings will be demolished and noting that there will be a slight reduction in impervious surface and all utilities will be underground. He noted that three parking spaces will be provided for visitors. The proposed building will be a prefabricated metal building similar to the one across from it.

Mr. Zelmanow noted that no building colors are given, which is not necessarily a requirement of the Board. Mr. Hughes indicated that inasmuch as the project is within USM property, it is probable that it will match the buildings already there. Mr. Laverriere said that the existing building has a white façade and a green metal roof, and that is probably the color palate that USM will stay with. The Board members concurred that the applicant does not need to provide information about building colors.

Mr. Zelmanow referred to Site Plan criterion F, Stormwater Management, and the comments of the Town's review engineers, Woodard & Curran. Mr. Poirier said that a condition of approval concerning Woodard & Curran's comments can be "That the applicant shall revise the plans per Woodard and Curran's review dated October 21, 2010."

Mr. Laverriere confirmed to Mr. Hughes that USM is already subject to the MS4 requirements of the post construction stormwater management ordinance and files annual reports, which could be provided to the Town.

Mr. Zelmanow asked about Site Plan criterion M, Exterior Lighting. Mr. Poirier noted that the Board has the option to waive that requirement if the Board is satisfied. Mr. Laverriere described the proposed lighting, saying it is intended to be similar to existing security lighting, and indicated that it will be included on the plans. Ms. Carrier confirmed that the building will be sprinkled.

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

FINDINGS OF FACT

CHAPTER I, SECTION IV, E. Special Exception Standards

1. The proposed use will not create or aggravate hazards to vehicular or pedestrian traffic on the roads and sidewalks, both off-site and on-site, serving the proposed use as determined by the size and condition of such roads and sidewalks, lighting, drainage, and the visibility afforded to pedestrians and the operators of motor vehicles on such roads.
The proposed development will not create or aggravate hazards to vehicular or pedestrian traffic both off-site and on-site.
2. The proposed use will not cause water pollution, sedimentation, erosion, contaminate any water supply nor reduce the capacity of the land to hold water so that a dangerous or unhealthy condition results.
The proposed development will not cause water pollution, sedimentation, erosion, contaminate any water supply nor reduce the capacity of the land to hold water so that a dangerous or unhealthy condition results.
3. The proposed use will not create unhealthful conditions because of smoke, dust, or other airborne contaminants.

The proposed development will not create unhealthful conditions because of smoke, dust, or other airborne contaminants.

4. The proposed use will not create nuisances to neighboring properties because of odors, fumes, glare, hours of operation, noise, vibration or fire hazard or unreasonably restrict access of light and air to neighboring properties.

The proposed development will not create nuisances to neighboring properties because of odors, fumes, glare, hours of operation, noise, vibration or fire hazard or unreasonably restrict access of light and air to neighboring properties.

5. The proposed waste disposal systems are adequate for all solid and liquid wastes generated by the use.
The existing waste disposal system is adequate for all solid and liquid wastes generated by the proposed development.
6. The proposed use will not result in damage to spawning grounds, fish, aquatic life, bird, or other wildlife habitat, and, if located in a shoreland zone, will conserve (a) shoreland vegetation; (b) visual points of access to waters as viewed from public facilities; (c) actual points of access to waters; and (d) natural beauty.
The proposed development will not result in damage to spawning grounds, fish, aquatic life, bird, or other wildlife habitat, and natural beauty.

Mr. Fickett and Mr. Laverriere discussed the distance of Alden's Pond to the proposed site, some 500 to 600 feet.

FINDINGS OF FACT

CHAPTER IV, SITE PLAN REVIEW, SECTION IX, Approval Criteria and Standards

- A. Utilization of the Site** – The plan for the development will reflect the natural capabilities of the site to support development.
The plans and associated documents submitted for redevelopment of the facilities and ground maintenance buildings reflect the natural capabilities of the site to support the development.
- B. Access to the Site** – Vehicular access to the site will be on roads which have adequate capacity to accommodate the additional traffic generated by the development.
Vehicular access to the site is provided from State Street (State Route 25), School Street (State Route 114), and College Avenue. No additional traffic is proposed to be generated by the development and the three roads providing access to the site have adequate capacity to accommodate the existing traffic.
- C. Access into the Site** – Vehicular access into the development will provide for safe and convenient access.
Vehicular access into the development is provided through three named driveways: Campus Avenue with access from School Street, University Way with access from College Avenue, and Husky Drive with access from State Street. No changes to any of the driveways are proposed, and all driveways provide for the safe and convenient access into the site.
- D. Internal Vehicular Circulation** - The layout of the site will provide for the safe movement of passenger, service and emergency vehicles through the site.
Paved access driveways will be constructed allowing vehicles to enter the maintenance building through three overhead garage doors. The layout of the site provides for the safe movement of passenger, service, and emergency vehicles through the site.
- E. Pedestrian Circulation** – The development plan will provide for a system of pedestrian circulation within and to the development.
Visitor parking spaces are located near the entrance of the building to allow for safe pedestrian circulation into the maintenance building.
- F. Storm water Management** - Adequate provisions will be made for the disposal of all storm water collected on streets, parking areas, roofs or other impervious surfaces through a storm water drainage system and maintenance plan which will not have adverse impacts on abutting or downstream properties.

Adequate provisions have been made for the disposal of all storm water collected on parking areas, roofs and other impervious surfaces through a storm water drainage system and maintenance plan which will not have adverse impacts on abutting or downstream properties.

- G. **Erosion Control** – For all projects, building and site design and roadway layouts will fit and utilize existing topography and desirable natural surroundings to the fullest extent possible.
The layout of the buildings will utilize the existing topography and natural surroundings to the fullest extent possible.
- H. **Water Supply** – The development will be provided with a water supply system that provides each use with an adequate supply of water meeting the standards of the State of Maine for drinking water.
The building will be served by public water. A 4" and a 2" water supply service will be installed from the University of Southern Maine's existing 8" water service. The proposed water supply system is adequate to meet the proposed use of the site.
- I. **Sewage Disposal** – A sanitary sewer system will be installed at the expense of the developer if the project is located within a sewer service area as identified by the sewer use ordinance. The Site Plan Review Committee or Planning Board may allow individual subsurface waste disposal systems to be used where sewer service is not available.
The building will be served by public water. A 6" sanitary sewer line will drain into the University of South Maine's existing 10" sanitary sewer system. The proposed sewer supply system is adequate to meet the proposed use of the site.
- J. **Utilities** – The development will be provided with electrical and telephone service adequate to meet the anticipated use of the project.
The building will be supplied with underground electrical and telephone services from the University of Southern Maine's existing utilities.
- K. **Natural Features** – The landscape will be preserved in its natural state insofar as practical by minimizing tree removal, disturbance and compaction of soil, and by retaining existing vegetation insofar as practical during construction.
The project is a redevelopment of an existing disturbed area and the applicant is proposing to retain the existing vegetation to the greatest extent practical.
- L. **Groundwater Protection** – The proposed site development and use will not adversely impact either the quality or quantity of groundwater available to abutting properties or public water supply systems.
The proposed site development will not adversely impact either the quality or quantity of the groundwater available to abutting properties.
- M. **Exterior Lighting** – The proposed development will provide for adequate exterior lighting to provide for the safe use of the development in nighttime hours.
The proposed development provides for adequate exterior lighting to provide for the safe use of the development in nighttime hours.
- O. **Waste Disposal** – The proposed development will provide for adequate disposal of solid wastes and hazardous wastes.
No change to the University of Southern Maine's waste disposal is proposed. The existing waste disposal system for the University of Southern Maine is adequate for the disposal of solid and hazardous wastes.
- P. **Landscaping** – The development plan will provide for landscaping to define street edges, break up parking areas, soften the appearance of the development and protect abutting properties from adverse impacts of the development.
The development is located within the University of Southern Maine's parcel and is not within view of abutting properties. No landscaping is required to define street edges and protect abutting properties.
- Q. **Shoreland Relationship** – The development will not adversely affect the water quality or shoreline of any adjacent water body. The development plan will provide for access to abutting navigable water bodies for the use of occupants of the development.
The development is not located in the Town's Shoreland Overlay District.
- R. **Technical and Financial Capacity** – The applicant has demonstrated that he has the financial and technical capacity to carry out the project in accordance with this Code and the approved plan.

The applicant has demonstrated that it has the financial and technical capacity to carry out the project in accordance with the Code and the approved plan.

- S. **Buffering** – The development will provide for the buffering of adjacent uses where there is a transition from one type of use to another use and to screen service and storage areas. The buffer areas required by the district regulations will be improved and maintained.

The proposed redevelopment is located within the University of Southern Maine's lot and not visible from the abutting properties. No modifications to the existing buffer areas are proposed or required.

- T. **Noise** – The applicant has demonstrated that the development will comply with the noise regulations listed in Table 1.

The lot is abutted on all sides by the University of Southern Maine property. The required hourly A weighted equivalent sound levels at the property line are:

Daytime 70 (7 a.m. – 7 p.m.)

Nighttime 60 (7 p.m. – 7 a.m.)

The proposed use of the site will meet the noise regulations listed in Table 1 – Sound Level Limits.

Thomas Hughes MOVED and Thomas Fickett SECONDED a motion that the Gorham Planning Board adopts each of the foregoing Findings of Fact and grants approval of the proposed Special Exception Use and Site Plan request of the University of Southern Maine to construct a 5,760 square foot facilities and grounds maintenance building with associated site improvements off Campus Avenue, located on Map 40, Lot 17, in the Urban Residential Zone, with conditions of approval as posted prior to the meeting, discussed with the applicant and modified this evening. Motion CARRIED, 6 ayes (Andrew McCullough absent). [8:20 p.m.]

Ten Minute Break to 8:30 p.m.

ITEM 4: PRE-APPLICATION CONFERENCE - SUBDIVISION PLAN AMENDMENT – Middle Jam Road Subdivision by Grondin Aggregates, LLC. A request for an 11-lot subdivision off Middle Jam Road on 23 acres of the reclaimed Middle Jam Pit. The parcel is located on Map 97, Lot 31 and Map 98, Lots 1, 2 & 6 in the Rural (R) district.

Mr. Poirier explained that a pre-application conference is a discussion among the Board members and the applicant. This is the second time that the applicant has been before the Board, but the applicant never moved forward with the actual subdivision submission, so this is the second pre-application conference. The plan submitted for review shows a clustered subdivision, which can be approved by the Board provided it is proved that it is a better form of development compared to a conventional subdivision. A site walk will be required, and the Board should discuss any features they would like to see marked for that site walk.

Larry Grondin, R.J. Grondin & Sons, gave a history of the project, saying that the site is currently a sand and gravel pit which originally started in the 1950s or perhaps even earlier; Grondin has been operating the pit since the early 1990s. In 2005 Grondin was considering a possible pit expansion to the north to the Busque pit in Standish, eliminating the buffer, but the plan was not regarded favorably by the neighbors or the Town. In 2008 it was decided that perhaps a better use would be to subdivide the pit, essentially a reclamation of the pit. Currently it is still an active pit. At that time there was a pre-application conference with the Board, a site walk was held, and it was decided that a clustered subdivision would work better on the site. Board comments from the site walk are incorporated into the current plan, the most notable being a change in the configuration of the road. Mr. Grondin said that currently they are negotiating with their closest neighbor to deal with the issue of their well, which is right on the property line, and to make some of the lots more regular in shape. He indicated that some of the lots may be difficult to grade.

Owens McCullough, Sebago Technics, discussed various issues with the Board, including fire protection to consists of sprinklers and drilled wells, nitrate plume analyses, and the steep slopes on certain lots. The proposed road will be built to the rural road standard, 22 feet wide, no curbing, 2 foot wide shoulders with ditches, and is to be some 1400 feet long, which does not trip the stormwater requirements for a DEP permit. Electrical lines are proposed to be overhead instead of underground, but Mr. Grondin said they will work with the Board if undergrounding is preferable. Mr. Zelmanow and Mr. Grondin discussed the number of lots in the development. Mr. Hickey asked Mr. Poirier about the deduction of unreclaimed portions of the pit from the net residential density. Mr. Grondin indicated that it will take a lot of work to bring down some of the slopes to 3:1. Mr. Grondin replied to Mr. Hughes that there are no vernal pools on site. Access to the open space was discussed, as well as the disposition of one of the lots to a Grondin employee. A conventional subdivision plan will also be submitted.

Mr. Poirier told Mr. Zelmanow that notice is sent to the Standish Town Planner, who then notifies the Standish abutters of the proposal. Mr. Poirier noted that comments have been forwarded to the applicant and Mr. McCullough from Tim Ventimiglia. Ms. Carrier discussed with Mr. Grondin the possible land "swap" to buffer the Ventimiglia well.

Mr. Fox discussed with Mr. McCullough where access to the pit currently takes place relative to the proposed development road location. Mr. Hickey asked that the plans to be expanded to show property lines. Mr. Poirier said that staff will provide aerial photos to show undeveloped abutting land, based on Chapter II, Section V of the Code dealing with access to adjoining land.

Mr. Zelmanow said that a site walk will be scheduled when an application has been submitted.


OTHER BUSINESS **None**

ANNOUNCEMENTS **None**

ADJOURNMENT

Thomas Hughes MOVED and Lauren Carrier SECONDED a motion to adjourn. Motion CARRIED, 6 ayes (Andrew McCullough absent). [9:15 p.m.]

Respectfully submitted,


Barbara C. Skinner, Clerk of the Board
November 1, 2010

ITEM 3: SITE PLAN REVIEW – Facility Management’s Maintenance & Grounds Buildings by USM – A request for site plan amendment to demolish the existing Facility Management

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 Town Planner may approve;
2. That prior to the commencement of construction, 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 Town Planner prior to the pre-construction meeting;
4. That the building shall meet all applicable sections of the N.F.P.A 101 Life Safety Code and the N.F.P.A Fire prevention Code 1;
5. That the buildings sprinkler system 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 the installation of the system;
6. That a complete set of building construction plans shall be provided to the State Fire Marshal’s Office and the Gorham Fire Department. A copy of the State Fire Marshal’s construction permit shall be forwarded to the Gorham Fire Department before building construction starts;
7. That the sprinkler controls and alarm panel shall be in a separate room that has an outside door labeled SPRINKLER ROOM;
8. That the natural gas meters, and valves on the outside of the building shall be protected with bollards;
9. That the sprinkler flow test and test papers shall be provided at the time the certificate of occupancy is issued;
10. That all site construction work shall be carried out in conformance with the Maine Erosion and Sediment Control Best Management Practices, Maine Department of Environmental Protection, latest edition and in accordance with the Erosion and Sedimentation Control information contained in the application;
11. That prior to the commencement of any site improvements and/or earth-moving activities, representatives of the developer, general contractor, site contractor, and the site design engineer shall arrange for a pre-construction meeting with the Town Planner and other staff members to review the proposed commencement date of the project, the overall schedule of improvements, conditions of approval, and site plan requirements;
12. That the applicant shall revise the plans per Woodard & Curran’s peer review dated October 21, 2010;
13. That the Planning Board Chairman is authorized by the Planning Board to sign the Findings of Fact on behalf of the entire Board; and

14. That these conditions of approval must be added to the site plan and the site 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 mylar copy of the recorded site plan shall be returned to the Town Planner prior to the pre-construction meeting.