



**Town of Gorham
February 4, 2013
PLANNING BOARD MINUTES**

LOCATION: Burleigh H. Loveitt Council Chambers, 75 South Street, Gorham, Maine

Members Present:

**EDWARD ZELMANOW, Chairman
CHRISTOPHER HICKEY, Vice-Chair
JAMES ANDERSON
GEORGE FOX
MELINDA SHAIN
COREY THERIAULT**

Members Absent

THOMAS HUGHES

Staff Present:

**THOMAS M. POIRIER, Town Planner
BARBARA C. SKINNER, Clerk of the Board**

Edward Zelmanow, Chairman, called the meeting to order at 7:04 p.m. The Clerk called the roll, noting that Thomas Hughes was absent.

APPROVAL OF THE JANUARY 7, 2013 MINUTES

Melinda Shain MOVED and George Fox SECONDED a motion to approve the minutes of January 7, 2013 as written and distributed. Motion CARRIED, 5 ayes (Thomas Hughes absent, Christopher Hickey abstaining as not having been present at the January 7 meeting). [7:06 p.m.]

COMMITTEE REPORTS – Mr. Theriault reported that the Ordinance Review Committee met after the January meeting on the matter of the reorganization/recodification of the Land Use Code and staff was directed to revise the structure of the table of contents of the Code. Mr. Theriault said that the Code will be recodified and not reorganized, with the plan being that the Committee will meet every month and review one section at a time.

Ms. Shain reported that the Streets and Ways Subcommittee has not met since the last Board meeting.

CHAIRMAN’S REPORT – Mr. Zelmanow said there is no Chairman’s report this evening.

ADMINISTRATIVE REVIEW REPORT – Mr. Poirier said that there is nothing new to report.

Mr. Hickey asked about the deadline for aging project such as the Sawyer project and Allen Acres. Mr. Poirier replied that the Sawyer Estates project is before the Town Council’s Ordinance Committee to discuss contract zone language, in particular negotiating terms involving the use of the fees an applicant would pay in the Development Transfer Overlay District to construct a pump station on South Street, just north of the Water Street intersection, to serve the Sawyer Estates development as well as Heartwood. Mr. Poirier said he would check on the status of the Allen Acres project and report back to the Board at the next meeting. Mr. Hickey suggested revising the tracking sheet to reflect the Sawyer Estates information.

ITEM 1 PUBLIC HEARING - SITE PLAN AMENDMENT - Mega Industries

Request for approval of an amendment to build a 7,400 square foot pre-engineered steel building addition to the existing 30,000 square foot building, located at 28 Sanford Drive, Gorham Industrial Park, Map 12 Lot 33.014, in the Industrial zoning district.

Mr. Poirier said this applicant met with the Board at the January 7, 2013 meeting as a pre-application item. At that meeting, the Board decided not to hold a site walk for the project. The applicant is requesting a waiver for the Code's requirement to provide evidence of adequacy of public and waste disposal. A full application has been submitted and reviewed by staff; the Board has been provided with proposed Findings of Fact and Conditions of Approval. The item will need to be opened for public comment.

Mr. Poirier explained to the Board that the applicant would like the Board to consider two plans this evening. Plan A has been designed to meet the current setbacks of the Industrial District as presently approved. In addition, the applicant would like the Board to look at Plan B, which is contingent on the Town Council's approving revisions to the industrial setbacks as follows: reducing front setbacks from 50' to 30' and side and rear setbacks from 30' to 20'. If the proposed zoning amendment for these setbacks is sent through the zoning amendment process and is adopted, the applicant would like to be able to utilize those reduced industrial zone setbacks, which would allow the applicant to increase the size of its loading dock from the 17½ feet in Plan A to 25 feet. The size of the loading dock is the only difference between Plans A and B.

Mr. Poirier said that staff has discussed with the Town Attorney the Board's ability to review and approve both Plans A and B. If the changes to the setbacks are adopted, because of timing constraints, the applicant would like to use the reduced setbacks with staff conducting the review process instead of the Planning Board. The Town Attorney has said that while the Board cannot approve Plan B prior to the proposed zoning change being adopted, the Board can review Plan B and delegate its future review to the Site Plan Review Committee, provided that the proposed plan being reviewed by staff is not fundamentally different from the plan being shown to the Board as Plan B. Staff has drafted a new Condition of Approval #1 to allow Town staff to conduct the proposed site plan amendment review of what is shown as Plan B. Mr. Poirier read Condition of Approval #1 as follows:

“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 that an amendment substantially similar to the one shown to the Planning Board as Plan B shall be reviewed and approved by the Site Plan Review Committee, except for minor changes which the Town Planner may approve”

Mr. Poirier replied to Ms. Shain that the proposed setback ordinance changes will not pertain to all industrial lots, but only those industrial lots or uses which abut other industrial uses. He confirmed that if approved, the current setback requirements of 50' front and 30' side/rear would be reduced to 30' front and 20' side/rear. In response to Mr. Hickey, Mr. Poirier said that it would be at least a three-month process for adoption of the proposed changes. Mr. Poirier replied to Mr. Fox that once the proposed setbacks have been approved, the applicant could submit Plan B to Town staff for review, which is a 10-day process. Ms. Shain confirmed that if the Board approves Plan A tonight,

the applicant would have all of its approvals this evening under the existing ordinance to go forward.

Peter Anania, president of Mega Industries, came to the podium and introduced his partner Jeff Tounge and CEO Peter Matthews. He said that the difference in the setbacks will mean the difference between a 17½ foot wide loading dock or a 25 foot wide loading dock. He said that the 25 foot wide dock is preferable as it keeps trucks away from the embankment to be created along the building. Mr. Anania said that the truck turning radii information requested by the Board has been provided.

In reply to Mr. Anderson, Mr. Anania said that the more restrictive lot line was used. Mr. Hickey and Mr. Anania discussed why the determination was made that the granite monumentation supersedes the older original iron monumentation, with Mr. Anania surmising that perhaps the surveyor, Stephen Martin, noted the granite monumentation of the property across the street.

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

Mr. Zelmanow summarized the waiver request of the requirements in Chapter IV, Section VIII, Subsection c.2 to submit evidence of the adequacy for public water and public sewer, noting that the applicant states that public water and public sewer have already been built and the addition will not add or stress the current systems. Mr. Fox asked if the anticipated increased employment count would increase demand on the systems; Mr. Anania replied that the anticipated employment count of between 40 and 50 is about what it was when the systems were originally built. In response to a question from Mr. Hickey, Mr. Poirier replied that the Code Enforcement Office does look at the Plumbing Code when the building layout is done, including waste lines in the building and waste connections into the system.

Melinda Shain MOVED and Christopher Hickey SECONDED a motion to grant Mega Industries Realty, LLC's request to waive the Site Plan Submission requirements under Chapter IV, Section VIII, Subsection c, 2: submission of evidence of the adequacy of water supply and wastewater disposal. Motion CARRIED, 6 ayes (Thomas Hughes absent). [7:05 p.m.]

In reply to a question raised by Mr. Hickey, Mr. Poirier noted that the Conditions of Approval will be added to the plan, and Condition of Approval #15 should provide the information Mr. Hickey is concerned about: "That all site construction 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." Mr. Anania asked about Condition #13 and the 125% performance guarantee requirement; Mr. Poirier said it refers to the stairs and pavement; the entire building addition is not included as part of the performance guarantee amount.

Melinda Shain MOVED and James Anderson SECONDED a motion to grant Mega Industries Realty, LLC's request for site plan amendment approval to expand the existing building on the site, Map 12, Lot 33.014, in the Industrial zoning district, with Findings of Fact and Conditions of Approval as written by the Town Planner. Motion CARRIED, 6 ayes (Thomas Hughes absent). [7:31 p.m.]

ITEM 2 PUBLIC HEARING - SITE PLAN AMENDMENT - PATCO Construction for Castle Rock LLC

Request for approval of the 4th Site Plan Amendment for Helical Solutions facilities to expand the current building by 3,955 square feet, located at 29 Sanford Drive in the Gorham Industrial Park, Map 12, Lot 33.015, Industrial zoning district.

Mr. Poirier said that the turn-around to be built as part of the new service driveway is designed for access for a box-style delivery truck such as UPS, FedEx or USPS vehicles but will not serve WB-40 trucks, as there is a delivery dock in the back of the building to handle larger deliveries. The applicant is requesting a waiver from the submission requirements of Chapter IV, Section VIII, Subsection c.2 to submit evidence of the adequacy for public water and public sewer. Planning staff has identified some minor changes that are needed before the Board signs the final plan; staff will make sure that those changes are added to the final plan.

Shawn Frank, Sebago Technics, appeared on behalf of the applicant and introduced Dennis Waters of PATCO Construction. Mr. Frank said that the tenant of the space is Helical Solutions, a manufacturer of high performance carbide cutting tools. Presently Helical has been shipping the cutting tools to Massachusetts for a cleaning process; the building expansion will allow Helical to perform this process on site. The proposed addition will resemble the current building and the new service driveway is to allow UPS or FedEx vehicles to pull in and exit quickly. No parking is proposed there, and some type of “no parking” signage can be installed. Two large pine trees will be removed but some new landscaping will be provided. Mr. Frank said that the expansion will not add any new employees and as there is sewer and water for the building, they are asking for the waiver request mentioned by Mr. Poirier.

Mr. Theriault confirmed that the new curb cut meets site distance requirements. Mr. Zelmanow suggested a “deliveries only” sign. Mr. Anderson confirmed that plan note #9 should refer to 50 existing parking spaces. Mr. Frank replied to Mr. Zelmanow that the two new light fixtures will be full cut-off wall pack fixtures, with one light next to an emergency exit. Mr. Poirier told Mr. Hickey that the Code Office does not consider a concrete pad for an air conditioner or generator a “structure” that needs to meet a setback requirement. Mr. Zelmanow asked if the relocated air conditioner will be protected; Mr. Hickey suggested that there be two bollards on the front corners. Ms. Shain asked if the addition of bollards and signage about deliveries only should be reflected in the conditions of approval. Mr. Poirier said if the Board is comfortable with the applicant adding those items to the plans, staff can check the plans before signature. Mr. Frank and Mr. Hickey discussed the cleaning process that will be utilized, with Mr. Frank saying he believes it will be a solvent type of bath and will not be a high water use.

The Board concurred that a site walk is not necessary.

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

Mr. Zelmanow summarized the applicant’s request for waiver of the requirements in Chapter IV, Section VIII, Subsection c.2 to submit evidence of the adequacy for public water and public sewer,

noting that the applicant states that public water and public sewer have already been built and there is no expected increase due to the proposed addition. Mr. Fox asked if the new addition will be a significant enough change in the sprinkler system that the water demand would be different than originally constructed. Mr. Frank said that a 4,000 foot addition to a 21,000 foot building would not impact the sprinkler system, but if it did impact the system, that would be part of the Fire Chief's review.

Melinda Shain MOVED and James Anderson SECONDED a motion to grant PATCO Construction's request to waive the Site Plan Submission requirements under Chapter IV, Section VIII, Subsection c.2: submission of evidence of the adequacy of water supply and wastewater disposal. Motion CARRIED, 6 ayes (Thomas Hughes absent). [7:45 p.m.]

The Board had no changes to the Findings of Fact and Mr. Frank indicated that the applicant is satisfied with the Conditions of Approval.

Melinda Shain MOVED and James Anderson SECONDED a motion to grant PATCO Construction's request for site plan amendment for a 3,955 square foot addition to the existing building and a new driveway for delivery vehicle use at 29 Sanford Drive, Map 12, Lot 33.015, in the Industrial zoning district, with Findings of Fact and Conditions of Approval as written by the Town Planner. Motion CARRIED, 6 ayes (Thomas Hughes absent).. [7:50 p.m.]

OTHER BUSINESS – Staff will provide the Board with copies of the 2013 meetings calendar. Ms. Shain and Mr. Hickey both requested that the Board be made aware of any changes approved to a plan during a Board meeting before the Board signs the plan.

Mr. Poirier commented that if the proposed reduced setback changes in the Industrial zone are approved, the Helical Solutions Facilities lot could also expand if it chose to do so.

ANNOUNCEMENTS – None

ADJOURNMENT

Melinda Shain MOVED and James Anderson SECONDED a motion to adjourn. Motion CARRIED, 6 ayes (Thomas Hughes absent). [7:55 p.m.]

Respectfully submitted,

Barbara C. Skinner, Clerk of the Board
_____, 2013

**ITEM 1 PUBLIC HEARING - SITE PLAN AMENDMENT - Mega Industries
28 Sanford Drive, Map 12/L33.014, Industrial Zoning District**

FINDINGS OF FACT

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

The Planning Board, following review of the Site Plan Application Amendment, makes these findings based on the Site Plan Review criteria found in Chapter IV, Section IX – Approval Criteria and Standards of the Town of Gorham Land Use and Development Code.

A. Utilization of the Site: The plan for the development will reflect the natural capabilities of the site to support development.

The site plan, site plan application, and accessory information provided show that the lot can support the proposed building expansion to the existing building. No disturbance is proposed to any existing natural features.

Finding: The plan for the development reflects the natural capabilities of the site to support the development and the natural features and drainage ways are preserved to the greatest extent practical.

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 along Sanford Drive which is accessed off Hutcherson Drive. The applicant estimates 30 round trips to the site on a daily basis with the busiest a.m. time between 6:30 a.m. and 8:30 a.m. and the busiest p.m. time between 3:30 p.m. and 5:00 p.m.

Finding: Sanford Drive and Hutcherson Drive have adequate capacity to accommodate the traffic generated by the development.

C. Access into the Site: Vehicular access into the development will provide for safe and convenient access.

Entrance/exit to the site is through a 26' wide driveway located on the northwestern corner of the site. The existing driveway has adequate site distance and is located to avoid hazardous conflicts with existing traffic on Sanford Drive. No changes are proposed for the existing access into the site.

Finding: The plans provide for safe and convenient vehicular access into the development.

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

The new loading dock to be constructed in the proposed addition area is to be located so that trucks are allowed to turn around within the existing parking lot aisle and have the ability to back up to the loading dock. No changes are proposed to the existing parking lot layout or access.

Finding: *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.

A pedestrian door and stairs are proposed to be installed adjacent to the loading dock to allow pedestrian access into the proposed building addition. The new door will allow delivery personnel safe access to the building after parking trucks at the loading dock. No other changes to the site's existing pedestrian circulation are proposed.

Finding: *The plans provide a system of pedestrian circulation within the development.*

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.

The site is located within the Gorham Industrial Park which was approved with a comprehensive storm water plan.

The current site drainage allows storm water to sheet flow across the site to a vegetated ditch along the southern and southwestern property boundaries. No changes are proposed to the site's existing grades and storm water from the new proposed building is proposed to be directed to the ditches located along southern and southwestern property boundaries.

Finding: *The storm water run-off will not have adverse impacts on abutting or downstream properties and the biological and chemical properties of the receiving waters downstream will not be degraded.*

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.

Construction of the building will be required to comply with the "Maine Erosion and Sediment Control Handbook for Construction: Best Management Practices," Maine Department of Environmental Practices.

Finding: *The plan utilizes existing topography and desirable natural surroundings to the fullest extent possible.*

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 site is served by public water from Sanford Drive. No changes to the water supply are proposed.

Finding: *The development provides a system of water supply that provides for adequate supply of water meeting the standards of the State of Maine for drinking water.*

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.

The site is served by public sewer from Sanford Drive. No changes to the sewage disposal are proposed.

Finding: *The development provides for sewage disposal for the anticipated 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 lot is served by natural gas and overhead power, cable and phone from Sanford Drive. No changes to the existing utilities are proposed on the site.

Finding: *The development will provide for adequate electrical and phone service to meet the anticipated use of the project.*

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 proposed site improvements are located on areas previously disturbed with the initial construction on the site. No trees, shrubs, or natural features will be disturbed with the proposed building expansion.

Finding: *The development of the site will preserve the existing vegetation to the greatest extent practical during construction.*

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 building expansion construction and use of the site for manufacturing will not adversely impact the groundwater table on or off the site.

Finding: *The proposed development will not adversely impact either the quality or quantity of the groundwater available to abutting properties or public water supply systems.*

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

Any lighting located along the existing building in the area of the expansion will be moved to the new proposed addition. The lighting is required to be full cut-off lighting.

Finding: *The proposed development provides for adequate exterior lighting to provide for the safe use of the development during nighttime hours.*

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

The applicant is currently contracting waste disposal through a licensed trash hauler. No changes to the site's existing methods of waste disposal and no additional hazardous materials are proposed to be stored on the site.

Finding: The proposed development provides for adequate disposal of solid wastes 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 applicant is not proposing to remove any of the vegetation or natural features on the site. No changes to the site's existing landscaping are being proposed.

Finding: The proposed landscaping will provide landscaping to soften the appearance of the development.

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 is not located in the Shoreland Overlay District.

Finding: The development will not adversely affect the water quality or shoreline of any adjacent body of water.

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 of financial capacity from Catherine Buffum, Vice President Commercial Lending, Androscoggin Bank, dated January 16, 2013 identifying that Mega Industries Realty, LLC has the financial capacity to complete the project. The applicant has also provided a letter from Jeffery G. Tounge, Director of Development, Anania & Associates Investment Company, LLC outlining that Mega Industries Realty, LLC's parent company has completed several large industrial buildings over the past couple of years ranging in size from 13,000 to 22,000 square feet and is familiar with the process and oversight required to complete the project.

Finding: The applicant has the financial and technical capacity to complete the project in accordance with Gorham's Land Use and Development 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 site currently has a 50' vegetated buffer along the southern property boundary serving to buffer the Rural-Manufactured Housing District from the Industrial District. No cutting or changes are being proposed to the 50' vegetated buffer area.

Finding: *The development provides buffering to screen storage areas.*

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 expanded use of the site for indoor manufacturing will comply with the A-weighted hourly equivalent sound level limits of 70 dBA daytime (7am-7pm) and 60 dBA nighttime (7pm- 7am).

Finding: *The development will comply with the A-weighted hourly equivalent sound level limits of 70 dBA daytime (7am-7pm) and 60 dBA nighttime (7pm- 7am).*

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 that an amendment substantially similar to the one shown to the Planning Board as Plan B shall be reviewed and approved by the Site Plan Review Committee, except for minor changes which the Town Planner may approve;
2. That prior to the commencement of construction of the site plan, 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 any proposed use on the site shall meet the sound level requirements outlined under Chapter IV, Section IX, T. Noise;
5. That the applicant shall have a professionally licensed surveyor mark the location of the foundation prior to building construction to ensure the building is located within the allowed building envelope;
6. That a complete set of building construction plans shall be provided to the Gorham Fire Department and the State Fire Marshal's office for review and permitting;
7. That a copy of the State Construction permit shall be supplied to the Fire Department before a building permit is issued;
8. That the building shall be completely sprinkled meeting all applicable sections of the Town of Gorham's Sprinkler Ordinance;
9. That the building shall meet all applicable sections of the NFPA 101 Life Safety Code and the NFPA Fire Prevention Code 1;

10. That sprinkler plans shall be submitted to the Gorham Fire Department and the State Fire Marshal's Office for review and permitting and the plans shall be submitted at least two weeks prior to the start of installation of the system;
11. That a complete listing of hazardous products and their MSDS sheets on a disk shall be supplied to the Gorham Fire Department;
12. That if a fire alarm system is required then the designer of the system shall meet with the Gorham Fire Department for review of the system;
13. That prior to the pre-construction meeting the applicant will establish the following: a performance guarantee totaling 125% of the costs to complete the construction and an escrow for field inspection meeting the approvals of Town Staff and the Town's Attorney;
14. That prior to the commencement of any site improvements, the applicant, their earthwork contractor, and the design engineer shall arrange a pre-construction meeting with the Town's Review Engineer, Public Works Director, Fire Chief, Code Enforcement Officer and the Town Planner to review the proposed schedule of improvements, conditions of approval, and site construction requirements;
15. That all site construction 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;
16. That the Planning Board Chairman is authorized by the Planning Board to sign the Findings of Fact on behalf of the entire Board; and
17. 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.

ITEM 2 PUBLIC HEARING - SITE PLAN AMENDMENT - PATCO Construction for Castle Rock LLC – 29 Sanford Drive, M12/L33.015, Industrial Zoning District

FINDINGS OF FACT

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

The Planning Board, following review of the Site Plan Application Amendment, makes these findings based on the Site Plan Review criteria found in Chapter IV, Section IX – Approval Criteria and Standards of the Town of Gorham Land Use and Development Code.

A. Utilization of the Site: The plan for the development will reflect the natural capabilities of the site to support development.

The applicant is proposing a 3,955 square foot addition to the southern edge of the existing building for additional manufacturing space. The building addition will be constructed to the very edge of the site's front yard setback. An additional 1,035 square feet of paved area is proposed for an additional driveway to serve box-style delivery vehicles. The applicant has provided the Planning Board with a site plan sheet set, site plan application, and accessory information showing that the lot can support the proposed lot improvements for the sales and service of equipment.

Finding: The plan for the development reflects the natural capabilities of the site to support the development and the natural features and drainage ways are preserved to the greatest extent practical.

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 along Sanford Drive which is accessed from Hutcherson Drive. Currently the site has 50 round trips entering the site on a daily bases with the heaviest a.m. hour being between 6:00 - 7:00 a.m. and the busiest p.m. hour being between 3:00 – 4:00 p.m. No increase in traffic volume is anticipated with the new building addition.

Finding: Gorham Industrial Parkway, Main Street (State Route 25) and Laurence Drive have adequate capacity to accommodate the traffic generated by the development.

C. Access into the Site: Vehicular access into the development will provide for safe and convenient access.

Currently all vehicles enter exit the site through a 20' wide driveway located on the northwestern corner of the site. The existing driveway has adequate site distance and is located to avoid hazardous conflicts with exiting traffic on Sanford Drive.

The new driveway for box-truck deliveries (UPS, FedEx, and USPS) will be through a 25' wide driveway located in the center of the southern property boundary. The plan set details that the driveway will have adequate site distance and will have an adequately sized turnaround so box-trucks will not have to back out onto Sanford Drive.

Finding: The plans provide for safe and convenient vehicular access into the development.

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

The existing layout of the two access driveways keeps the passenger and tractor trailer delivery vehicles separate from the box-truck vehicles entering the site. Both access driveways will allow for emergency vehicle access to the building. The visitor parking spaces are located on the eastern side of the parking lot with employee parking spaces being located in the center and western side of the parking lot.

Finding: 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.

A pedestrian door is proposed to be located on the east side of the new building addition to meet safety egress requirements. An overhead garage door and pedestrian door are to be located on the south side of the building addition to allow for safe access of delivery personnel to the building.

The new delivery driveway will remove the need for trucks to drive through the existing parking area located on the north end of the site. This will allow for safer use of the parking lot by employees and visitors using the lot and accessing the main building entrance.

Finding: The plans provide a system of pedestrian circulation within the development.

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.

The site is located within the Gorham Industrial Park which was approved with a comprehensive storm water plan.

Storm water from the building will be directed to a stone drip edge with an underdrain located along the southern edge of the building expansion. The new underdrain will be connected to the existing building drain which directs the storm water run-off to the northern edge of the western edge of the property.

Finding: The stormwater run-off will not have adverse impacts on abutting or downstream properties and the biological and chemical properties of the receiving waters downstream will not be degraded.

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.

Grading and Utility Plan: Sheet 3 of 4 shows the location and installation details for erosion control best management practices to be installed on site, and Details Sheet: Sheet 4 of 4 identifies parameters for erosion control and winter erosion control measures to be utilized on site. The applicant will also comply with the “Maine Erosion and Sediment Control Handbook for Construction: Best Management Practices,” Maine Department of Environmental Practices.

Finding: The plan utilizes existing topography and desirable natural surroundings to the fullest extent possible.

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 site is served by public water from Sanford Drive and no increase in the amount of public water used on the site is anticipated. No changes to the water supply are proposed.

Finding: *The development provides a system of water supply that provides for an adequate supply of water meeting the standards of the State of Maine for drinking water.*

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.

The site is served by public sewer from Sanford Drive and no increase in the amount of sewage used on the site is anticipated. No changes to the sewage disposal are proposed.

Finding: *The development provides for sewage disposal for the anticipated 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 lot is served by natural gas and overhead power, cable and phone from Sanford Drive. No changes to the existing utilities are proposed on the site.

Finding: *The development will provide for adequate electrical and phone service to meet the anticipated use of the project.*

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 proposed site improvements are located on areas previously disturbed with the initial construction on the site. Two pines trees located in front of the existing building will be removed as part of the building construction. No shrubs or other natural features will be disturbed with the proposed building expansion.

Finding: *The development of the site will preserve the existing vegetation to the greatest extent practical during construction.*

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 building and driveway expansion will not impact the groundwater table on the site. The applicant is proposing to allow stormwater to continue to flow and recharge the groundwater as was approved in the Gorham Industrial Park approvals.

Finding: *The proposed development will not adversely impact either the quality or quantity of the groundwater available to abutting properties or public water supply systems.*

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 new addition will have two full cut-off wall pack lights. One light will be located over the 10' by 10' overhead garage door and the other light will be located on the east side of the building over the pedestrian door.

Finding: The proposed development provides for adequate exterior lighting to provide for the safe use of the development during nighttime hours.

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

The site is served by a concrete dumpster pad located in the northwestern corner of the lot. The pad is screened by a fence. No increase in the amount of waste material is anticipated and no changes to the site's waste disposal infrastructure are proposed.

Finding: The proposed development provides for adequate disposal of solid wastes 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 applicant is proposing to remove two existing pine trees located between Sanford Drive and the southern edge of the existing building. The applicant has submitted landscape details for the site on the Fourth Amended Site Plan, Sheet 2 of 4, which details a list of trees, shrubs and plants to be installed between the proposed building addition and Sanford Drive.

Finding: The proposed plan will provide landscaping to soften the appearance of the development.

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 is not located in the Shoreland Overlay District.

Finding: The development will not adversely affect the water quality or shoreline of any adjacent body of water.

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 from Matthew W. Early, Senior Vice President, Commercial Services, Gorham Savings Bank, dated January 23, 2013, identifying that Castle Rock LLC has the financial capacity to complete the project. PATCO Construction has provided a letter of technical capacity detailing its 26 years of construction experience, specialization in pre-engineered metal buildings, and that it has completed over 500 commercial projects with 10 projects being

constructed in the Town of Gorham.

Finding: *The applicant has the financial and technical capacity to complete the project in accordance with Gorham's Land Use and Development 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 abutting properties are developed by existing commercial uses, and the applicant is proposing to buffer the new southern portion of the site with a variety of trees, shrubs, and plants. No changes are proposed to the existing white pine trees located along the eastern property which buffer the existing parking lot.

Finding: *The development provides buffering to screen storage areas.*

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 expanded use of the site for indoor manufacturing will comply with the A-weighted hourly equivalent sound level limits of 70 dBA daytime (7am-7pm) and 60 dBA nighttime (7pm- 7am).

Finding: *The development will comply with the A-weighted hourly equivalent sound level limits of 70 dBA daytime (7am-7pm) and 60 dBA nighttime (7pm- 7am).*

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 or Site Plan Review Committee, except for minor changes which the Town Planner may approve.;
2. That prior to the commencement of construction of the site plan, 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 any proposed use on the site shall meet the sound level requirements outlined under Chapter IV, Section IX, T. Noise;
5. That the turn-around located within the front setback shall not be utilized for the off-street parking of vehicles;

6. That the applicant shall have a professionally licensed surveyor mark the location of the foundation prior to building construction to ensure the building is located within the allowed building envelope;
7. That a complete set of building construction plans shall be provided to the Gorham Fire Department and the State Fire Marshal's office for review and permitting;
8. That a copy of the State Construction permit shall be supplied to the Fire Department before a building permit is issued;
9. That the building shall meet all applicable sections of the NFPA 101 Life Safety Code and NFPA Fire Prevention Code 1;
10. That the building shall be sprinkled meeting the requirements of the Town of Gorham's Sprinkler Ordinance;
11. That the sprinkler plans shall be sent to the Gorham Fire Department and the State Fire Marshal's Office for review and permitting with the plans being submitted to the Gorham Fire Department at least two weeks prior to the start of installation of the system;
12. That any natural gas meters or propane meters shall be protected by bollards;
13. That the MSDS sheets shall be provided to the Gorham Fire Department for any hazardous substance used or stored on site;
14. That prior to the pre-construction meeting the applicant will establish the following: a performance guarantee totaling 125% of the costs to complete the construction and an escrow for field inspection meeting the approvals of Town Staff and the Town's Attorney;
15. That prior to the commencement of any site improvements, the applicant, their earthwork contractor, and the design engineer shall arrange a pre-construction meeting with the Town's Review Engineer, Public Works Director, Fire Chief, Code Enforcement Officer and the Town Planner to review the proposed schedule of improvements, conditions of approval, and site construction requirements;
16. That all site construction 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;
17. That the Planning Board Chairman is authorized by the Planning Board to sign the Findings of Fact on behalf of the entire Board; and
18. 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.