



Town of Gorham  
May 4, 2015

## PLANNING BOARD MINUTES

LOCATION: Municipal Center, Burleigh H. Loveitt Council Chambers  
75 South Street, Gorham, Maine 04038

### Members Present

**EDWARD ZELMANOW, CHAIRMAN**  
**MELINDA SHAIN, VICE CHAIRMAN**  
**JAMES ANDERSON**  
**GEORGE FOX**  
**SCOTT HERRICK**  
**RACHEL SUNNELL**

### Staff Present:

**THOMAS POIRIER, Town Planner**  
**MARK BOWER, ESQUIRE, Town Attorney**  
**BARBARA C. 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 everyone was present.

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### APPROVAL OF THE APRIL 6, 2015 MINUTES

**Melinda Shain MOVED and James Anderson SECONDED a motion to approve the minutes of April 6, 2015 as written and distributed. Motion CARRIED, 5 ayes (Scott Herrick abstaining as not having been present at the meeting).**

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### ANNUAL ELECTION OF OFFICERS

The Clerk opened the nominations for the position of Chairman. Melinda Shain nominated Edward Zelmanow for the position of Chairman. There being no other nominations, the nomination of Edward Zelmanow as Chairman carried, 5 ayes (Edward Zelmanow abstaining).

The Chairman opened the nominations for the position of Vice Chairman. George Fox nominated Melinda Shain for the position of Vice Chairman. There being no other nominations, the nomination of Melinda Shain as Vice Chairman carried, 5 ayes (Melinda Shain abstaining).

Mr. Zelmanow noted that the Board's Ordinance Review committee has only two members, himself and Mr. Herrick as Chair, and suggested that any other Board member could join.

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### COMMITTEE REPORTS

**A. Ordinance Review Committee** – Mr. Herrick reported that the committee met on April 27, 2015 to discuss garages as principal uses and the proposed increase in size of permitted accessory apartments and said that both items will be on for public hearing at the Board's June meeting.

**B. Streets and Ways Subcommittee** – Ms. Shain reported that this subcommittee has not met since the last Board meeting.

## CHAIRMAN'S REPORT

Mr. Zelmanow noted that there is still a vacancy on the Planning Board and suggested that anyone interested in joining the Board should contact the Clerk's office for an application.

## ADMINISTRATIVE REVIEW REPORT

Mr. Poirier said there are no new administrative review projects. In response to Mr. Zelmanow, Mr. Poirier said he will contact PineCrest later this month to determine if they have finished their plan, and said that the applicant's engineer is looking into the Caruso matter to see if they will be moving forward.

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**ITEM 1**      **Final Subdivision Review – Stonefield IV Subdivision – Gilbert Homes** request for approval of a 36-lot clustered subdivision off Ichabod Lane with a 2,900' roadway to connect to Stonefield II and III and a 400' dead end road to support 4 lots, located on Map 50. Lot 6, Rural, Shoreland Overlay, and Resource Protection Sub-District zoning districts.

Mr. Poirier advised the Board that this item is on for final subdivision approval. He said that the Portland Water District has reviewed the latest plans before the Board, with the applicant submitting a revised set of plans to the Water District. However, there have been no comments from the Water District on the latest plans. The applicant has received both DEP and Army Corps of Engineers' approval.

Andrew Morrell, BH2M Engineers, explained that there was a 30 foot existing easement with a 48 inch concrete water main running through the front of some of the proposed lots. Investigation revealed that the water main is outside the existing right-of-way, and it was determined that the District has a prescriptive easement over the right-of-way, 15 feet on either side. As a result, the location of the 30 foot easement was altered to be inside the right-of-way; subsequently the roadway was moved between 15 and 20 feet easterly away from the revised easement. The change occurred between lots 44 and 62, with the grades, stormwater and utilities all relocated and the underground electric moved to the other side of the street. The District had some 6 or 8 comments needing to be addressed, which has been done, but as yet the District has not replied.

Ms. Sunnell asked about street trees, but it was concluded that issue was never discussed. Mr. Morrell confirmed to Ms. Shain that they still waiting for comments from the District about the revised plans.

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

Mr. Morrell confirmed that the conditions of approval are satisfactory.

Because it is possible that further comments from the Water District can change, Mr. Zelmanow suggested that the item be placed on the Consent Agenda, and staff can complete Finding of Fact d) regarding water supply.

**Melinda Shain MOVED and George Fox SECONDED a motion to place this item on the Consent Agenda for the Board's next meeting. Motion CARRIED, 6 ayes. [7:21 p.m.]**

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**ITEM 2**      **Pre-application Discussion – Gravel Pit Amendment/Major Site Plan – Central Maine Power** – request for two approvals: gravel pit amendment to the existing Pike Industries gravel pit to split off 5.3 acres and a site plan review to upgrade the 34.5/12.47 kV substation on Shaws Mill Road on 5.3 acres of land conveyed from Pike Industries, Inc., located between Buck Street and Shaws Mill Road on Map 30, Lot 41 and Map 81, Lot 37, Suburban Residential zoning district.

Mr. Poirier explained that this item is on for discussion between the Board and the applicant; the plans have not been circulated as yet for comment. Mr. Poirier said that the applicant will be moving forward with two separate approvals, one for a gravel pit amendment to the Pike Industries gravel pit and the second for a site plan approval of a new substation. CMP is looking to purchase a parcel of land from Pike Industries, which currently has an active gravel pit on that parcel, hence the need for a gravel pit amendment to break the parcel off to insure that the Pike parcel boundary will have all required setbacks from abutting properties. CMP can move forward with the gravel pit amendment and the site plan concurrently, but the gravel pit amendment will need to occur prior to site plan approval. The applicant is looking for a waiver from the requirement for a boundary survey for the gravel pit approval.

Heather Storlazzi-Ward, Boyle Associates, appeared on behalf of the applicant and introduced Darrel Speed of LaBella Engineering and Alfonso Mugueta of CMP. She said the purpose of the project is to construct a new 34.5/12.47 kV substation, which will replace the existing substation and increase reliability to the power grid. The site is located on 5.3 acres conveyed by Pike Industries to CMP on Shaws Mill Road and is zoned Suburban Residential. The site was reviewed for protected natural resources and there are no wetland streams or vernal pools; therefore, there is no need for a NRPA permit. Construction will involve less than one acre, so no DEP permitting will be required. The site is forested and fairly flat. Access to the site is by way of the existing driveway; there may be some minor improvements but it essentially will remain as is. There will be two entrances into the substation pad off the existing driveway. The pad footprint will be 183 feet by 120 feet, composed of crushed stone and surrounded by chain link fencing, and will be set back 92 feet from Shaws Mill Road. There will be a small control house, 32 feet by 12 feet, on the front of the pad. She said that the existing substation sits partially within the Stream Protection district of the north branch of the Little River; when it is removed to ground level, it will be stabilized and there will be sediment and erosion control measures that will be placed around the work area.

In reply to Mr. Zelmanow, Ms. Storlazzi-Ward said she is not sure what the lighting will be. Ms. Storlazzi-Ward told Ms. Shain that there will be no improvements to the existing drive beyond the second entrance to the substation. Ms. Storlazzi-Ward said that generally CMP retains vegetation to a particular height below transmission lines. The forested area will remain as it is. An area shown in green on the plans reflect the distribution lines and is not part of this application; Mr. Zelmanow said that if it is not part of the current plan submission it should be removed. Ms. Shain asked if the abutters across Shaws Mill Road have been contacted; Ms. Storlazzi-Ward said she has had no contact with them.

**PUBLIC COMMENT PERIOD OPENED:** Kimber Cross, 198 Shaws Mill Road, asked about the "green area" distribution lines and if they look like what is already there, is it cleared or wooded. Darrel Speed, project manager for LaBella, said originally the green area represented distribution lines as visible from the road, but as of last week CMP is looking at doing an underground service. He described the lines going in and coming out of the substation.

**PUBLIC COMMENT PERIOD ENDED.**

In answer to Mr. Zelmanow, Ms. Storlazzi-Ward said due to the land conveyance from Pike to CMP, Pike Industries has to apply for a gravel pit amendment for the modified boundary of that portion of the lot. The waiver requests is for a boundary survey of the entire Pike lot and is attached to the gravel pit request, not the site plan review. Instead of a full boundary survey, the applicant is proposing to supply a partial boundary survey which would show the common boundary between the CMP and Pike Industries lot, along with the 200 foot buffer to the CMP lot.

Ms. Sunnell recommended that the applicant share light pollution information from other substations.

The Board agreed that a decision on scheduling a site walk should be made after an application has been received.

**ITEM 3      Pre-application Discussion – Major Site Plan – Douces Wild, LLC – Thirsty Turf Irrigation facility** – request for approval to construct a pre-engineered 10,700 sf building and 2,700 sf office building with associated parking and storage, located on Lot F, Gorham Industrial Park Subdivision, Map 12/Lot 23.006 in the Industrial zoning district.

Mr. Poirier said this item is on for pre-application discussion this evening. The applicant is seeking approval for a building and gravel storage in the back of the site. Because this lot is abutted by industrial and commercial uses all the way around, front setbacks are reduced to 30' and side/rear setbacks to 20'. Fencing needs to be located so that it can be maintained on both sides from the applicant's property.

Stephen Harding, Sebago Technics, introduced Josh Doucette, president of Douces Wild and operator of Thirsty Turf Irrigation. Mr. Harding said that Thirsty Turf, in addition to doing standard irrigation in residential homes and recreational fields, also make temporary water supply systems, such as the blue pipes sometimes seen at construction sites. The applicant is proposing to relocate from Portland to Gorham to Lot F in the Industrial Park. The parcel in question is 300' wide by 572' long, 3.9 acres, with rolling topography. Mr. Harding commented that some of the contour lines taken from LiDAR sources are not shown correctly on the plans, so the current fairly significant drop in the site is not accurate as a field survey of the property will show. Proposed is a pre-engineered metal building, with an 8,000 sf warehouse and a 2,700' office portion footprint in the front of a two story structure, or 5,400 sf, for a 13,400 sf total. Proposed are 21 parking spaces in the front, a paved area in the back and a recycled asphalt surfaced area for materials storage, sand and gravel. A canopy covering 800 sf is proposed on the north side of the warehouse for pipe rack storage. Mr. Harding pointed out the 6,600 sf of wetlands on the site but said that not all of that would be impacted. There will also be a 1,000 gallon above-ground tank for diesel storage.

Mr. Harding said that survey information will be forthcoming in the next week, and they are still working on stormwater treatment.

Mr. Herrick confirmed with Mr. Harding that a conversion error was made on the elevations shown on the plans before the Board. In reply to Mr. Zelmanow, Mr. Harding said there is a site sign proposed at the entrance. Mr. Doucette said that any fleet maintenance will be done in the 8,000 sf warehouse, ranging from Ford transits to service utility vehicles, snow plow equipment. Mr. Doucette said the diesel fuel will be for off-road vehicles and there will be no other hazardous materials stored on site. There will be some site lighting for security and a photometrics plan will be supplied. Ms. Shain asked what will be stored in the back; Mr. Doucette replied that excavators, loaders, 20-foot trailers, which take up quite a bit of room. Ms. Sunnell asked about buffering and asked that a professional landscape architect select appropriate materials. Mr. Harding pointed out a grove of pines that will be cleared out and said some landscaping will be developed in front of the building. Mr. Harding and Mr. Fox discussed the specifics of the topography of the site.

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

The Board concurred that once an application has been received, a site walk should be scheduled.

**ITEM 4      Pre-application Discussion – Site Plan Amendment – Reali Realty, LLC** – request for approval to demolish existing building at 21 Main Street in order to reconfigure/expand existing Amato's Sandwich Shop paved parking area, located at 21 Man Street, Map 102, Lot 105, Gorham Village Center zoning district.

Mr. Poirier told the Board that this item is on for a pre-application discussion between the Board and the applicant and nothing has been distributed for review. In addition to the standards in Chapter II and IV, the

proposal must meet the Village performance standards. One of those standards deals with vehicular circulation between parking lots, which will need to be addressed. The applicant is looking to purchase this parcel from the Town of Gorham, and one of the conditions of sale is that a professional traffic engineer must look at the "right turn only" exit; once that engineer's traffic has been presented to staff, staff will forward the information to the Town's peer review traffic engineer and the Public Works Director for comments. Another condition of sale is that prior to the demolition of the building, the applicant must give written notice to the Town and allow at least 90 days for someone to move the building off the premises to another location.

Caitlyn Abbott, Sebago Technics, gave the Board an overview of the project. She said that the parcel currently owned by the Town at 21 Main Street is approximately .11 of an acre with a structure of approximately 1,090 sf of pervious area. Once purchased, the applicant will put out the stipulated 90 day notice for someone to move the building off site. If no one is interested in moving the building, it will be demolished to create an area for additional parking. Amato's is accessed off South Street by customers as well as employees, with 15 parking spaces along Amato's building, as well as along an existing laundromat, which is also owned by Dominic Reali. The addition of this proposed parking area will allow for 28 spaces on the parcel, as well as using the current driveway as a connection to Main Street. It would be a right-turn only into Main Street, so there will be "do not enter" signs as well as a "one way" sign to control traffic. A landscaped area is proposed with grass and trees, and two picnic tables will be added to allow for outdoor eating. Two dumpsters will also be relocated to a dumpster pad. Interconnectivity will also be provided to the existing non-residential parking lot next door. There will only be a very slight impact on impervious area, and grading will be done to the two catch basins.

Ms. Shain asked about the interconnection to the adjacent parcel. Ms. Abbott said that it is not currently shown on the plans because there are very mature trees in the area and some 3 or 4 will need to be removed. Mr. Zelmanow said that even though the connection cannot be made at this time, it needs to be shown on the plans as a future connection in the event the adjacent lot comes before the Board. Mr. Poirier noted that the abutter under discussion is the Marsha Weeks Traill office building at 31 Main Street.

Mr. Fox confirmed that South Street will be for both entrance and exit and the Main Street will be exit only, right turn only. Current parking spaces will be re-stripped and made straight in instead of angled, which will add one more spot. Mr. Zelmanow confirmed that the current handicapped parking spot will remain. Ms. Sunnell asked whether the ramp could be improved by having a curved edge and asked what the travel-way distance is. Mr. Reali said there is alley way with delivery doors and there has never been an issue with distance between the two buildings. Ms. Sunnell said the distance needs to be clarified and it may be necessary to remove a parking space. Ms. Abbott said she would check that out.

**PUBLIC COMMENT PERIOD OPENED:** Marsha Traill, owner of 31 Main Street, abutter, came to the podium and introduced her husband Peter. She said their building was built in 1789 and converted well to office space. Ms. Traill said they contemplated buying the building at 21 Main Street and change its use, but the cost involved was prohibitive. As they are not interested in buying it now either, they are not opposed to the demolition of the building, although she believes it was moved once, is quite old and has a full tailor shop in the basement. She said her concerns now are about buffer. There is a substantial hedge between their building and 21 Main but the two buildings are very close. She said this is the first she has heard about interconnectivity. They did have a meeting last year with David Galbraith, Zoning Administrator, Jeff Mason and the Realis about connecting all of the parking lots, but it was a "no-go" with everyone. She said their parking lot was dedicated to their tenants, and while foot traffic is fine, the thought of vehicular traffic gives them great concern.

**PUBLIC COMMENT PERIOD ENDED.**

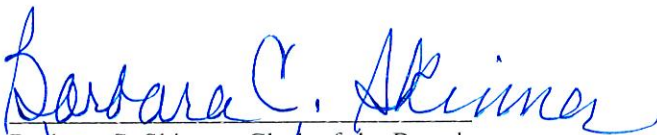
Ms. Abbott said they are proposing to keep the hedge buffer between the two buildings, but if the house is going to be demolished, that could impact parts of that buffer so that is why they have added the 12 trees as

well. Ms. Sunnell said she is tired of seeing arbor vitae on plans, as there are thousand of plants that could be used. She suggested using the landscape architects at Sebago Technics, please ask a professional, not an engineer, to propose alternative landscaping. She said to work with the neighbors to see what is complementary to what is existing. She asked Ms. Abbott about the location of the picnic tables and said a site walk could provide a clearer idea of where the tables might go.

The Board concurred that a site walk will be scheduled after an application has been received.

**Melinda Shain MOVED and George Fox SECONDED a motion to adjourn. Motion CARRIED, 6 ayes. [8:25 p.m.]**

Respectfully submitted,

  
Barbara C. Skinner, Clerk of the Board  
May 4, 2015