



**PLANNING BOARD MINUTES
October 5, 2015**

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
LEE PRATT**

Staff Present

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

Members Absent

RACHEL SUNNELL

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

APPROVAL OF THE SEPTEMBER 14, 2015 MINUTES

Mr. Zelmanow noted that the minutes from this meeting are not as yet ready, due to the short turnaround time between meetings.

COMMITTEE REPORTS

A. Ordinance Review Committee – Mr. Herrick reported that this Committee met the morning of September 22, 2015, to discuss the Gorham Village off-premise sign ordinance, which is on the Board’s agenda this evening as Item #4, continued from the September 14, 2015 Planning Board meeting.

B. Streets and Ways Subcommittee – Ms. Shain reported that this Subcommittee has not met.

CHAIRMAN’S REPORT

Mr. Zelmanow welcomed Lee Pratt as the Board’s 7th and final member and thanked Mr. Pratt for volunteering to serve on the Board.

Planner. Motion CARRIED, 5 ayes (Rachel Sunnell absent; Lee Pratt recused). [7:16 p.m.]

Edward Zelmanow MOVED and Melinda Shain SECONDED a motion to take Item 4 out of order. Motion CARRIED, 6 ayes (Rachel Sunnell absent). [7:17 p.m.]

ITEM 4 Public Hearing – Land Use and Development Code Amendment – Amendment to Chapter II, Section III (Signs) of the Land Use and Development Code, to allow an off-premises sign and dimensional variation in limited situations in Gorham Village.

Mr. Poirier reminded the Board that this item was moved at the September 14, 2015 to the Board's Ordinance Committee for its review and recommendations. That Committee has made the changes shown in the Board's packet item.

In reply to a query from Mr. Anderson, Mr. Poirier explained that the total of a shared sign would be 72 square feet, with one business being allowed 28 square feet and all other businesses being allowed a maximum of 16 square feet. In reply to a question from Ms. Shain, Mr. Poirier said that the original size of 56 square feet came from the application of the applicant at 109 Main Street, and once it became apparent that another business might be added to that sign, increasing the size to 72 square feet seemed appropriate. It is also in line with the signage at the Village Mall.

Mr. Zelmanow proposed the following changes: E. Performance Standards, 14 – "...lots utilizing the shared driveway " be changed to "...lots utilizing the shared entrance..." Also in that section, Mr. Zelmanow recommended deleting the final sentence "No internally illuminated sign shall be allowed." In the second paragraph of 14, Mr. Zelmanow suggested deleting the first sentence "Only one Shared Entrance sign is allowed per street." In the next sentence in that paragraph, Mr. Zelmanow suggested adding the word "only" before "... one Village Shared Entrance sign is allowed..." He also recommended changing the first sentence in the second-to-last paragraph as follows: "Business signage on the Village Shared Entrance..." should be changed to "Business signage on any Village Shared Entrance..." and adding the word "sign" after the words "Village Shared Entrance."

PUBLIC COMMENT PERIOD OPENED: None offered.

PUBLIC COMMENT PERIOD ENDED.

Melinda Shain MOVED and George Fox SECONDED a motion to recommend adoption by the Town Council of the proposed amendment to allow for Village Shared Entrance Sign(s) as amended this evening by the Planning Board. Motion CARRIED, 6 ayes (Rachel Sunnell absent). [7:26 p.m.]

ITEM 1 Public Hearing – Site Plan Amendment – Master Sign Plan – Jon Smith of JCS4, LLC, request for approval of the Master Sign Plan for 109 Main Street, utilizing the Village Share Entrance sign format, for property located on the corner of Main Street and New Portland Road, Map 102, Lot 153, Urban Commercial zoning district.

Mr. Zelmanow confirmed that the traffic information will be submitted on the 190 daily trips figure. Mr. Anderson and Mr. Morrell discussed the 5-foot reduction in the existing 30 foot drainage easement, due to the modification of the earlier storm drain construction when the road was built. The easement therefore is much larger than it needs to be, and the 5 extra feet will provide a greater buildable area for lot 1. Mr. Herrick asked about the 200' setback, whether any other parties would benefit from that so releases would be required.

Mr. Zelmanow commented about landscaping with the church lot, which the applicant does not propose, even though cars parked in the church lot would be visible to these lots. Mr. Morrell confirmed that a site walk would be beneficial to determine whether landscaping in that area is justified. Ms. Shain said there should be some landscaping there to benefit the lots, and asked why the applicant does not want to do so. Mr. Morrell replied that the applicant would like the Board to come out and take a look at it. He said that 2 street trees are proposed per lot. Mr. Zelmanow suggested some trees between the lots as well.

Mr. Poirier asked Mr. Morrell if the 5 feet to be removed is from an existing easement. Mr. Morrell confirmed that the easement is existing. Mr. Morrell said he would do more research on the easement as to who it went to, agreeing that he would need permission to remove the 5 feet from whoever the easement went to.

Mr. Zelmanow directed staff to schedule a site walk. Mr. Zelmanow asked that the back property lines be staked out.

PUBLIC COMMENT PERIOD OPENED: None offered.

PUBLIC COMMENT PERIOD ENDED.

Melinda Shain MOVED and James Anderson SECONDED a motion to table further review of the item pending responses to remaining issues and the sitewalk. Motion CARRIED, 6 ayes (Rachel Sunnell absent). [7:45 p.m.]

Melinda Shain MOVED and James Anderson SECONDED a motion to recuse Lee Pratt from participation in the discussion on the item. Motion CARRIED, 5 ayes (Rachel Sunnell absent, Lee Pratt recused). [7:47 p.m.]

ITEM 3 Public Hearing – Site Plan Amendment – DDI/Susan Duchaine – Request for approval for expanded office space and a 48' x 60' garage for Design Dwelling's corporate office, located at 166 Narragansett Street, Map 39, Lot 44, Narragansett Development District.

Mr. Poirier reminded the Board that at the September 14, 2015 meeting the Board asked the applicant to submit additional information. After that meeting, staff met with the applicant and the applicant's engineer and recommended that the existing trees be identified according to species and sizes; that information has been added to the plan, as well as some additional buffering.

Mr. Poirier referred to comments from Board member Rachel Sunnell, who is unable to be at the meeting tonight:

PUBLIC COMMENT PERIOD OPENED: Eileen Kalikow, 162 Narragansett, asked for confirmation of the location of the fence between her property and that of the applicant, and if the applicant's parking area would be repaved. She asked about the end of the trail; Mr. Zelmanow replied that the trail cannot go beyond the Bypass. She asked about the purpose of the fuel storage tank and why is it not located in or near the building and traffic flow to the fuel tank.

Mr. Morrell replied that the fence location as shown is on the applicant's property. The existing parking area on the front of the facility will be repaved in its current configuration and location. None of the paving or the fence will be on the abutter's property. The applicant's employees have tanks on their pickup trucks that are taken to the job site every day; the above-ground fuel tank will be used to fill those tanks, as well as the personal vehicles used by the applicant. All applicable State Fire Marshal requirements regarding the fuel storage tank will be met.

Ms. Kalikow asked for further information about setbacks for the repaving of the parking lot and the fence. Mr. Zelmanow said there is a requirement that the fence be set off the property line so that maintenance can be done on both sides of the fence.

David Lourie, attorney for Ms. Kalikow. Mr. Lourie confirmed that the shrubs are gone along the property line, and was advised by Ms. Duchaine that the fence will be set two feet back from the Kalikow property line on Ms. Duchaine's property line. Mr. Lourie questioned staff's conclusions about parking on site, with large vehicles passing in both directions behind angled parking and said that a traffic study should have been done. Mr. Poirier said that a traffic study is not typically done in a parking lot, they are usually done by traffic engineers looking at traffic impacts of vehicle trips to and from the site. Mr. Poirier said that the 24' width parking aisle is typical in parking lots with two-way traffic and parking on both sides. Mr. Anderson commented that the parking spaces are not angled but are perpendicular to the road. Mr. Zelmanow noted that the Board reviews the application under Chapter IV, Section IX, and D. Internal Vehicular Circulation is the criterion to which Mr. Lourie refers. Mr. Zelmanow said that the Board's experience helps guide it in determining the adequacy of the site to meet the requirement in D.

Mr. Lourie next brought up a question about the fueling station, saying that it is an "outdoor storage area" and should be located in the building. As proposed now, it is not an enclosure, it is simply a roofed structure. Mr. Lourie suggested that the applicant will use the outside areas for storage, regardless of the representations made. He said that Findings of Fact and conditions need to be created that prohibit any such outside storage to reflect those representations and that he had drafted such a finding. Mr. Zelmanow advised Mr. Lourie that the finding he intended to present to the Board would not be accepted because neither the Board or staff would have the time to read it.

Mr. Lourie said the Board has to make a finding as to why they are allowing the proposed paving and gravel areas on the representation that they won't contain outside storage. Mr. Zelmanow noted that there is no need for a condition of approval dealing with outside storage as that is not a permissible use and would become a violation and an enforcement issue should it occur. Mr. Bower said that standard Condition of Approval #1 incorporates any representation that has been made to the Board, ("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 is sufficient, and if there are problems afterward, they become an enforcement issue.

Melinda Shain MOVED and Scott Herrick SECONDED a motion to recuse Lee Pratt from participation in the discussion of the item. Motion CARRIED, 5 ayes (Rachel Sunnell absent, Lee Pratt abstaining). [8:55 p.m.]

ITEM 5 Site Plan Amendment – Casco Federal Credit Union – request for approval of the construction of a new credit union with drive-through lanes and associated parking, located at 393 Ossipee Trail, Map 77, Lot 15, Roadside Commercial zoning district.

Mr. Poirier reminded the Board that this item was on the Board's September 14, 2015 agenda. At that meeting there was discussion regarding traffic movements and DOT needing to sign off on the new exit on to Route 25, resulting in a meeting between DOT, planning staff and the Public Works Director. It appears that DOT will approve the exit as originally designed for the project. Comments have been received from an abutting property owner, which are included with the Board's packet this evening. Mr. Poirier noted that for a number of reasons the applicant was unable to submit revised plans, but is asking for conditional approval based on the final plan meeting all of staff's required changes.

Mr. Zelmanow said he has no revised plans to look at and said he would not be comfortable approving anything this evening without plans. He said this is the first time an applicant has ever asked for approval without a plan.

Will Conway, Sebago Technics, introduced Jim Stone and Katie O'Brien from Casco Credit Union, as well as Brian Curley, Portland Design Team architects. Mr. Conway said he asked Mr. Poirier if they could come this evening and ask for conditional approval; they would not ask the Board to sign the plans until staff was satisfied that all the necessary changes have been made to the plans. Mr. Poirier said that they could ask the Board for conditional approval and see what the Board's decision was. Mr. Conway said they have agreed to the Public Works Director's request for a paving overlay on Shaws Mill Road from Route 25 to the new driveway, but other details such as landscaping and adding an easement to an abutter he believes are minor.

Ms. Shain said the Board cares about all aspects of the plan, including small details such as types and locations of fences and types and locations of trees and other landscape plantings, and she does not feel comfortable granting approval without plans at hand, even though they may not be substantially different from those already submitted. She also mentioned that she would like to hear the applicant's response to abutter Kitty Faulkner's comments.

Jim Stone, President of Casco Federal Credit Union, came to the podium and said that the plans are exactly the same as previously reviewed by the Board and they have taken care of all the minor details. He said that nothing has changed.

Mr. Anderson said that some things have changed from the original plan, such as the Nicely connection, which is not shown on the original plan, nor the overlay requested by the Public Works Director. Mr. Anderson said that those notes need to be incorporated on a plan signed by the Board.

Mr. Poirier said that if the Board is not comfortable granting conditional approval, the item can be placed on as a consent agenda item, provided that the applicant addresses all staff comments and then have the mylar brought to that meeting for the Board to sign it. Getting the Board back in

ITEM 8 Discussion – Sketch Plan – Shaw Brothers’ Industrial Campus – proposal to expand the aggregate handling area, stockyard and laydown areas to the undeveloped properties, located at 341, 351, 355, 359 and 363 Mosher Road, Map 31, Lots 9-14, Industrial zoning district.

Mr. Poirier said that this application will be coming forward for a gravel pit amendment and a site plan amendment approval. The applicant has recently obtained properties located at 351, 355, 359 and 363 Mosher Road, which have been rezoned to Industrial. The applicant intends to use this property along with undeveloped property south of the quarry for additional aggregate storage areas, laydown areas and stockyard areas.

Danny Shaw, co-owner of Shaw Brothers, explained that Sebago Technics will be representing them, but tonight he wanted to discuss the concept of the project with the Board. Mr. Shaw said they have run out of room and have bought land to accommodate new laydown and stockyard areas. He said that the quarry goes by gravel pit hours of operation, 6:00 a.m. to 6:00 p.m. Monday through Friday and 8:00 a.m. to 2:00 p.m. on Saturday, but the warehouse, shop, asphalt plant are on industrial hours, or 24x7. The laydown areas will go by the asphalt plant hours of operation. He said that this new area being proposed would need to be industrial hours as well, but the crushers, working between both areas, would be kept at the quarry hours of operation. A new access is being proposed directly across from Grondin’s Olde Canal Business Park. Mr. Shaw pointed out where a berm will be constructed for both visual and noise abatement.

Ms. Shain disclosed that she resides in Gateway Commons, and feels that she can be impartial in her review of this application. Mr. Poirier said blasting notification has to be 800 feet from the property boundary. Ms. Shain confirmed with Mr. Shaw that all wooded areas will be cleared except around the residential properties. In reply to Mr. Zelmanow, Mr. Shaw said they may have to move or extend the fence. Mr. Anderson confirmed that the quarry area is not expanding. In reply to Mr. Zelmanow Mr. Shaw said there is a snowmobile trail goes along the pipeline, but does not believe there are any snowmobile trails through the property.

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

Mr. Zelmanow remarked that noise will probably be an issue. Ms. Shain encouraged leaving as much wooded area as possible. Mr. Shaw said that the first thing they need to do is clear and fill the site. Mr. Zelmanow and Mr. Shaw discussed the potential truck traffic using the new access road, and Mr. Shaw said they will look at the need for a deceleration lane. Mr. Shaw noted that there will be detention ponds for washing aggregate.

Mr. Poirier said that the application will be site plan and gravel pit amendments, run concurrently.

The Board concurred that no site walk will be necessary.

ADJOURNMENT

Melinda Shain MOVED and James Anderson SECONDED a motion to adjourn. Motion CARRIED, 6 ayes (Rachel Sunnell absent). [9:41 p.m.]

CONSENT AGENDA SITE PLAN AMENDMENT – USM – SOFTBALL FIELDS

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

The Planning Board, following review of the Site Plan Amendment Application, 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.

CHAPTER IV, 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 applicant is proposing to reconstruct the existing softball field facilities. 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 additional parking space.

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.

Access to the site is from Ossipee Trail (State Route 25), School Street (State Route 114), and College Avenue. Ossipee Trail is identified as a minor arterial and School Street is identified as a major urban collector by the Maine Department of Transportation. College Avenue is identified as an urban access road by the Town.

No increase in the amount of vehicle trips is proposed as part of the reconstruction of the ball fields.

Finding: Ossipee Trail, School Street, and College Avenue 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.

Access into the site is via three access driveways, one from each road on which the college fronts: Ossipee Trail, School Street and College Avenue.

No changes are proposed to any of the site's existing driveways.

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.

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 with public water from the Portland Water District. A 4" waterline will supply water to the bathroom building.

The concession stand will be supplied with a 4" waterline.

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 with public sewer from the Portland Water District. A 4" sewer stub will supply sewer service to the bathroom building.

The concession stand will be supplied with a 4" sewer stub.

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 press box will be served from underground utilities extended from existing underground utilities.

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 majority of the area has already been previously disturbed by construction of the softball field. Some additional clearing is proposed to the north and west of the existing softball field. No wetlands or other natural features are proposed to be removed.

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

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 stated that it has dedicated funds to complete the project. The applicant has hired an engineering firm, Harriman, to represent it during the design and construction of the proposed improvements.

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 development is located within the University of Southern Maine's parcel and is not within view of abutting properties. No buffering is required to define street edges and protect abutting properties.

Finding: The development provides buffering to screen service and 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 ballfields are located in the Urban Residential District, which places the project in the Residential District for noise. The A-weighted sound level limits in the Residential District are 60 dBA daytime (7 am-7 pm) and 50 dBA nighttime (7 pm-7 am). The uses at the site are required to meet the A-weighted hourly equivalent sound level limits of 60 dBA daytime (7 am-7 pm) and 50 dBA nighttime (7 pm-7 am).

The speakers will be placed on the score board and directed back toward the University of Southern Maine.

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

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 all site construction shall be carried out in conformance with the Maine Erosion and

**ITEM 3 SITE PLAN AMENDMENT – SUSAN DUCHAINE/DDI – 166
NARRAGANSETT STREET**

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

The Planning Board, following review of the Site Plan Amendment Application, 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.

CHAPTER IV, 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 applicant is proposing to construct 8,875 square feet of gravel pad and 1,600 square feet of concrete apron to support a garage building. The proposed development will be accessed by an existing internal 23' gravel drive aisle.

The applicant is proposing to use the gravel area for maneuvering area around the garage building. No outside storage of large commercial trucks, equipment, supplies, or materials of any kind are allowed on the site. All material and equipment will need to be stored inside the garage.

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.

Access to the site is via Narragansett Street, State Route 202/4. Narragansett Street is considered a principal arterial by the Maine Department of Transportation.

The applicant estimates that 28 trips are entering and leaving the site on a daily basis. The busiest a.m. hour is between 8:00 am and 9:00 am with 6 round trips. The busiest p.m. hour is between 3:00 pm and 4:00 pm with 6 round trips.

Finding: Narragansett Street, State Route 202/4, has 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.

The existing paved driveway is 26' wide and is located on the northern corner of the lot. The existing sight distance at the intersection with Narragansett Street, State Route 202/4 is 400' looking southwesterly and 500' looking northeasterly. No changes are proposed to the existing driveway entrance from Narragansett Street, State Route 202/4.

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

The Site Plan, Sheet 2, shows the location and types of erosion and sedimentation controls to be installed on the site. The applicant has provided an Erosion Control Details Plan, Sheet 3, which identifies how and when the erosion control devices need to be installed on the site.

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 existing building has two water stubs into the building: the domestic water stub, which is a ¾" diameter copper service line; and a 6" diameter ductile iron fire service which supplies the building's sprinkler system. The applicant is proposing to run a water service from the existing office building to the proposed garage.

The applicant has provided an ability-to-serve letter dated October 28, 2014, from Glissen Havu, E.I., Design Engineer with the Portland Water District.

Finding: *The proposed development has provided sufficient water supply available for present and future needs as reasonably foreseeable.*

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 existing site is served by a 4" sewer stub from the sewer main located in Narragansett Street, State Route 202/4. The applicant is proposing to run sewer from the existing office building to the garage.

The applicant has provided an ability-to-serve letter dated October 28, 2014, from Glissen Havu, E.I., Design Engineer with the Portland Water District.

Finding: *The proposed development has provided for adequate solid and sewage waste disposal for present and future needs as reasonably foreseeable.*

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

The applicant is proposing to serve the proposed garage building with underground cable, telephone, and power. The underground utilities will be extended from the existing office building.

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

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 the existing shrubs located along the shared property line with the abutter to the north. The shrubs are to be replaced with 125 feet of 6' high decorative vinyl fence. A crab apple tree is proposed to be installed in the northeast corner of the lot

No change to the existing landscaping located in front of the office building is proposed.

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 dated August 17, 2015, to the Director of Public Works, from Frederick G. Proctor, Vice President with Gorham Savings Bank, regarding the applicant's financial capacity.

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 existing trees and vegetation are to remain in the buffer areas to screen the proposed garage building and gravel maneuvering areas from abutting properties and streets. The applicant is also proposing to locate 27 mugo pine shrubs in the buffer area to supplement the existing trees.

The common open space shall be allowed to reforest with no clearing or mowing permitted. No clearing of trees is allowed in the buffer area or the open space except for dead, diseased, or dying trees with the approval of the Code Enforcement Officer.

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

the garage building, unless the Land Use and Development Code is amended to allow such use and the applicant meets all applicable requirements set forth in the amended ordinance;

10. That the buffer area and reserved open space areas shall be allowed to grow into woodlands with no clearing of vegetation except for removal of dead, diseased, or dying trees with the approval of the Code Enforcement Officer;
11. That all relevant conditions of approval from the past approval shall remain in effect;
12. That prior to the issuance of a certificate of occupancy for the garage building being used, the applicant shall provide to the Planning Department a recorded copy of the Maine Department of Transportation release of the drainage easement;
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.