

Town of Windham

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MEMO

DATE: March 23, 2017

TO: Windham Planning Board
FROM: Ben Smith, Planning Director *BWS*
Cc: Dustin Roma, DM Roma Consulting Engineers
Development Review Team

RE: 17-07, Gambo Public Boat Launch, Amended Site Plan
Planning Board Meeting - March 27, 2017

Overview –

This application is for a new boat launch facility located off the existing parking area for the Gambo Road Soccer Field facility, owned by Windham Youth Soccer Association. The boat launch would be constructed by S.D. Warren, in accordance with dam licensing requirements. This application is an amendment to the Gambo Soccer Fields site plan, last amended in 2009.

Tax Map: 5; Lot: 7. Zone: Industrial (I) and Resource Protection (RP).

SITE PLAN REVIEW

Staff Comments:

1. Waivers:
None requested.
2. Complete Application:

MOTION: The application for project 17-07 Gambo Public Boat Launch is found complete in regard to the submission requirements based on the application checklist, but the Planning Board retains the right to request more information where review criteria are not fully addressed.

3. Public Hearing: A public hearing has not been scheduled for this project.
4. Site Walk: A site walk has not been scheduled for this project.

Findings of Fact and conclusions for the

Windham Planning Board,

MOTION: The Site Plan & Shoreland Zoning Use application for 17-07 Gambo Public Boat Launch on Tax Map: 5, Lot: 7, is to be (**approved with conditions/denied**) with the following findings of fact and conclusions.

FINDINGS OF FACT

Utilization of the Site

- J The overall property has been developed as a soccer field facility with associated parking. The portion of the property identified as the location for the boat launch facility is located at the far western end of the existing parking area and is currently wooded between the parking area and the Presumpscot River.

Vehicular and Pedestrian Traffic

- J The new access to the boat launch facility will be almost 300 feet long, with the first 255 feet to be gravel surface, and final 40 feet to the water will be paved.
- J Seven (7) new parking spaces are to be constructed in an parking area on the access to the launch facility.

Sewage Disposal and Groundwater Impacts

- J No new subsurface wastewater disposal systems are proposed as part of this amendment to the plan.

Stormwater Management

- J This project has received a NRPA permit by rule from the Maine DEP dated March 7, 2017.
- J This project will require a permit from the Army Corps of Engineers.
- J Jon Earle, PE, Town Engineer, offered the following comments on the submission in an email dated March 13, 2017:
 - J Extending the limits of paving would help reduce the chance of erosion of the ravel road over slopes approaching 7% and steeper.
 - J Discharge from the level lip spreaders on either side of the boat ramp exceed the slope required for treatment in the BMPs. The maximum slope allowed is 15:1 and existing slopes scale to approximately 6:1 to 8:1.

Erosion Control

- J Silt fence location is shown on the site plan.

-) This project will require a soil erosion permit from Code Enforcement prior to construction activities.
-) Jon Earle, PE, notes in an email comment dated March 23, 2017 that there is a construction entrance detail included in the plan set, but no construction entrance is shown on the site plan. Clarification is requested.

Utilities

-) No utilities are proposed as part of this amendment.

Financial Capacity

-) Applicant has estimated project costs at \$80,000, and indicated that the project will be self-financed.

Landscape Plan

-) The project is within a wooded area between existing playing fields and the Presumpscott River.
-) No new landscaping is proposed as part of this amendment.

Conformity with Local Plans and Ordinances

1. Land Use
 -) This amendment does not have an impact on the zoning standards in Section 400 of the Land Use Ordinance.
2. Comprehensive Plan
 -) This project meets the goals and objectives of the 2003 Comprehensive Plan.
3. Others:

Impacts to Adjacent/Neighboring Properties

-) No lighting is proposed as part of the new boat launch facility.

SHORELAND ZONING PERMIT REVIEW

1. Will maintain safe and healthful conditions;

The proposed boat launch facility will clear a small area for development and will maintain the existing character of the parcel. The facility will not interfere with the general health of any neighboring properties.

2. Will not result in water pollution, erosion, or sedimentation to surface waters;

Appropriate measures have been incorporated into the site plan to minimize any potential water pollution associated with the use of the facility. The applicant will obtain a soil and erosion control permit prior to starting construction activities.

3. Will adequately provide for the disposal of all wastewater;

No wastewater facilities or disposal areas are proposed as part of this plan amendment.

4. Will not have an adverse impact on spawning grounds, fish, aquatic life, bird or other wildlife habitat;

The project involves minimal disturbance below the waterline of the Presumpscot River. A precast concrete pad will be placed below waterline. This portion of the Presumpscot is impounded by the dam at Gambo Falls. There are not wetlands or mapped wading bird habitat mapped in the project area.

5. Will conserve shore cover and visual, as well as actual, points of access to inland waters;

Clearing of vegetation in a Resource Protection district is limited to that which is necessary for the proposed use. Vegetation clearing limits are shown on the site plan. This proposal will result in a new point of public access to the Presumpscot River.

6. Will protect archaeological and historic resources as designated in the comprehensive plan;

No portions of the property or the project area are within a mapped "Area of Known or Expected Pre-Historic Archeological Sites" in the 2003 Comprehensive Plan. There are no historic structures or sites on the property.

7. Will avoid problems associated with flood plain development and use; and

A portion of property located along the river appears to be located within the mapped 100 year floodplain.

8. Is in conformance with the provisions of Section 199-15, Land Use Standards.

A. Minimum Lot Standards/B. Principal and Accessory Structures

There are no new lots or structures associated with this application.

C. Piers, Docks, Wharves, Bridges, and Other Structures and Uses

The boat launch facility meets the standards for structures extending below the normal high water line in this section of the Shoreland Zoning Ordinance.

D. Campgrounds

This application does not include any campgrounds.

E. Individual Private Campsites

This application does not include any individual private campsites.

F. Commercial and Industrial Uses

This application does not include any commercial or industrial uses.

G. Parking Areas

The seven (7) parking spaces are more than 50-feet away from the shoreline, as required by this section. The spaces are sized for regular vehicles that are “car-topping” canoes and kayaks to the facility. Vehicles hauling boats would be required to utilize spaces in the larger parking area as proposed.

H. Roads and Driveways

No new roads or driveways are proposed as part of this application.

I. Signs

This application does not include any proposed signs.

J. Storm Water Runoff

The applicant shall obtain a soil and erosion control permit from Code Enforcement when obtaining a building permit. See Site Plan Amendment comments above for more detail.

K. Septic Waste Disposal.

There are no existing septic systems on the property, and none proposed through this amendment.

L. Essential Services

The applicant is not proposing to install any new electrical poles, transmission lines, satellite dishes, generators, hydrants etc.

M. Mineral Exploration and Excavation Permits

The application is not for mineral exploration or any other mining or gravel pit operations.

N. Agriculture

The applicant is not proposing any livestock grazing areas, mature stockpiles or any agriculture activities within the parcel.

O. Timber Harvesting (Repealed)

P. Clearing or Removal of Vegetation for Development Other Than Timber Harvesting

Vegetation clearing limits are shown on the site plan.

Q. Erosion and Sedimentation Control

The applicant shall obtain a soil and erosion control permit from Code Enforcement when obtaining a building permit.

R. Soils

There are no subsurface disposal systems located on the property.

S. Water Quality

The proposed use will not discharge pollutants on or into the ground or to waters of the State.

T. Archaeological Sites

The parcel and abutting parcels do not appear to be associated with any archaeological or historic resources and are not listed on the National Register of Historic Places.

U. Home Occupations

This application does not include a home occupation.

V. Animals in Shoreland Zone

This application does not include any animals in the shoreland zone.

CONCLUSIONS

1. The plan for development **reflects** the natural capacities of the site to support development.
2. Buildings, lots, and support facilities **will** be clustered in those portions of the site that have the most suitable conditions for development.
3. Environmentally sensitive areas, including but not limited to, wetlands; steep slopes; flood plains; significant wildlife habitats, fisheries, and scenic areas; habitat for rare and endangered plants and animals; unique natural communities and natural areas; and, sand and gravel aquifers **will** be maintained and protected to the maximum extent.
4. The proposed site plan **has** sufficient water available for the reasonably foreseeable needs of the site plan.
5. The proposed site plan **will not** cause unreasonable soil erosion or a reduction in the land's capacity to hold water so that a dangerous or unhealthy condition results.
6. The proposed use and layout **will** be of such a nature that it will make vehicular or pedestrian traffic no more hazardous than is normal for the area involved.
7. The proposed site plan **will** provide for adequate sewage waste disposal.
8. The proposed site plan **conforms** to a duly adopted site plan regulation or ordinance, comprehensive plan, development plan, or land use plan.
9. The developer **has** adequate financial capacity to meet the standards of this section.
10. The proposed site plan **will not** alone or in conjunction with existing activities, adversely affect the quality or quantity of ground water.
11. The proposed site plan **will** provide for adequate storm water management.
12. The proposed location and height of buildings or structure walls and fences, parking, loading and landscaping shall be such that it **will not** interfere or discourage the appropriate development in the use of land adjacent to the proposed site or unreasonable affect its value.
13. On-site landscaping **does** provide adequate protection to neighboring properties from detrimental features of the development that could be avoided by adequate landscaping.

CONDITIONS OF APPROVAL

1. Approval is dependant upon, and limited to, the proposals and plans contained in the application dated March 6, 2017, as amended _____, and supporting documents and oral representations submitted and affirmed by the applicant, and conditions, if any, imposed by the Planning Board, and any variation from such plans, proposals and supporting documents and representations are subject to review and approval by the Planning Board or the Town Planner in accordance with Section 814.G. of the Land Use Ordinance.