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**Town of Gorham**  
PLANNING BOARD

RECEIVED FEB 19 1998

**DECISION DOCUMENT**

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Applicant: **KASPRZAK LANDBANK, INC. - GATEWAY COMMONS SUBDIVISION**

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Pursuant to the standards contained in Chapter I, Zoning Regulations, Chapter II, General Standards of Performance, and Chapter III, Subdivision of the Gorham Land Use and Development Code, Kasprzak Landbank, Inc. (the Applicant) sought approval from the Gorham Planning Board (the Board) of an application for a 76-lot clustered residential subdivision, to be known as Gateway Commons located off Main Street in Gorham. The property is zoned Suburban Residential and shown on Tax Map 30, Lot 6.

**Decision**

Based upon the applicant's presentation, and the application and supporting documents submitted by the Applicant, the Planning Board granted final approval of the proposed subdivision plan on January 26, 1998, with the following conditions of approval:

1. That this approval is dependent upon and limited to the proposals and plans contained in the application and supporting documents submitted and affirmed by the Applicant and that any variation from the plans, proposals and supporting documents is subject to review and approval by the Planning Board except for de minimus changes which the Director of Planning and Zoning may approve;
2. That complete sets of the final subdivision plans shall be submitted to the Code Enforcement Officer, Town Engineer, Public Works Town, and Town Planner prior to the commencement of any earth-moving activities or site improvements, application for a sewer permits, building permits or driveway permits, whichever occurs first;
3. That prior to the commencement of any site improvements and/or earth-moving activities, representatives of the developer, general contractor, site contractor, and the site design engineer shall arrange for a pre-construction meeting with the Town Planner and other staff members to review the proposed schedule of improvements, conditions of approval and site plan requirements;
4. That the developer is responsible for obtaining any local, state and federal permits required for the development of this subdivision prior to the commencement of work;
5. That each building lot will be provided with two off-street parking spaces exclusive of the space within the garage;
6. That the developer shall revise the homeowners' association documents to specify the rights and responsibilities of each lot owner for maintenance, repair, and plowing of the subdivision streets. This revision is subject to review by the Town's Attorney and shall be recorded in the Cumberland County Registry of Deeds within 30 days of final approval;
7. That prior to the issuance of an occupancy permit the Code Enforcement Officer shall verify that each houses is properly numbered with the numbers being visible from the street year round;


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8. That the actual placement of the hydrants shall be approved by the Fire Chief prior to installation by the developer;
9. That all driveways shall be paved;
10. That the location and initial installation of mailbox posts by the developer shall be subject to the review and approval of the Public Works Director;
11. That copies of the recorded Homeowners Association documents and the Declaration of Restriction Affecting the Property shall be provided to the Planning Office prior to the issuance of any building permits for the lots within the subdivision;
12. That the developer shall replace the existing bituminous curbing and install granite curbing along Route 25 between Libby Avenue and Gateway Commons Drive as part of the sidewalk construction project associated with this development;
13. That the applicant shall modify the proposed stormwater pond maintenance easement to give the Town "the right, but not the obligation to maintain the pond," and also to provide that the Homeowners Association will be responsible for the cost of maintaining the pond and should they fail to do so a provision will be written that allows the Town to conduct the maintenance and then to assess the homeowners;
14. That the applicant will clarify in the Homeowners Association Documents how out conveyances of common land will be achieved; and
15. That these conditions of approval and the Final Plan shall be recorded at the Cumberland County Registry of Deeds within thirty (30) days of the Planning Board's endorsement of the final plan, and a dated copy of the recorded Decision Document shall be returned to the Town Planner prior to the commencement of any earth-moving activities or site improvements.

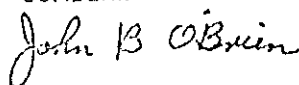
Dated: February 6, 1998

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 1998 FEB 19 PM 12: 24

  
**Deborah F. Fossum**  
 Director of Planning and Zoning  
 Town of Gorham

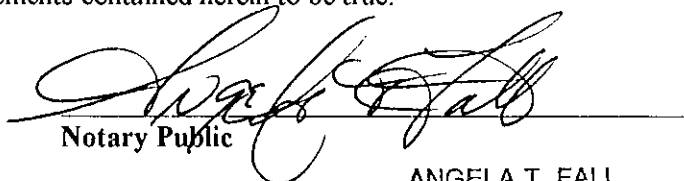
**STATE of MAINE**  
**CUMBERLAND, ss.**

CUMBERLAND COUNTY



Date: February 6, 1998

Personally appeared before me the above-named Deborah F. Fossum and acknowledged the above to be her free act and deed and swore the statements contained herein to be true.

  
 Notary Public

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ANGELA T. FALL  
 NOTARY PUBLIC, STATE OF MAINE  
 My Commission Expires November 10, 2001