



**Town of Windham
Planning Department**

8 School Road
Windham, Maine 04062
Tel: (207) 894-5960 ext 2
Fax: (207) 892-1916
www.windhammaine.us

MEMO

DATE: August 17, 2021

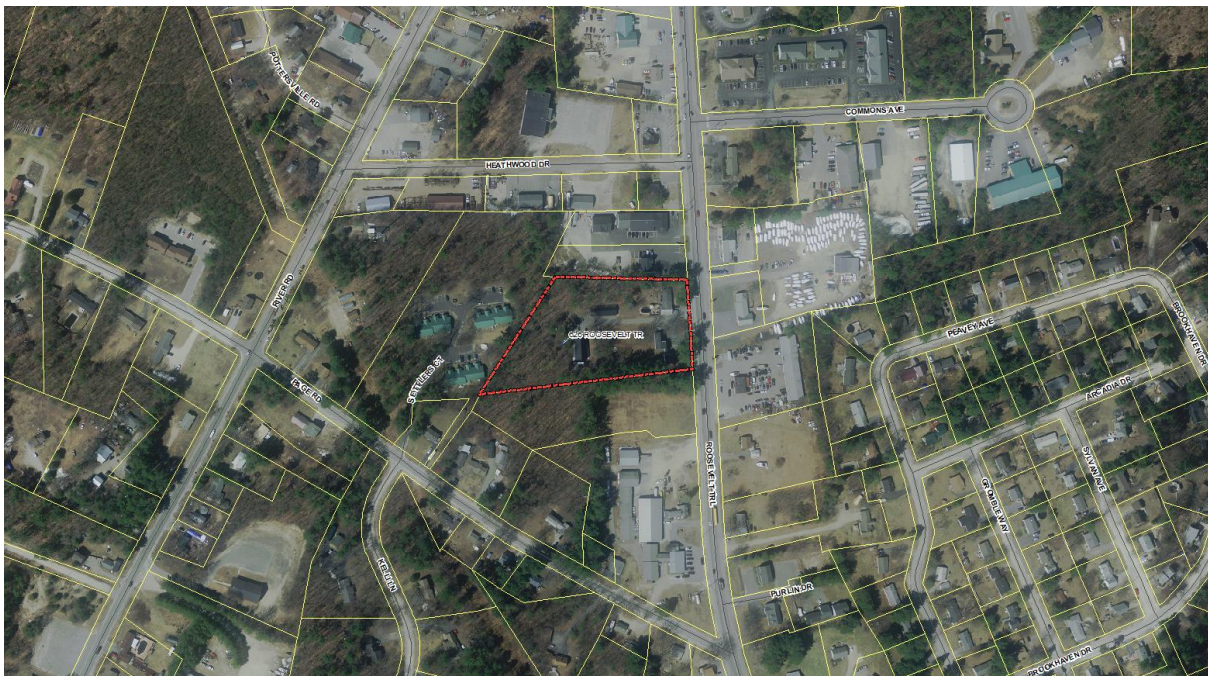
TO: Windham Planning Board
FROM: Steve Puleo, Town Planner
Cc: Dustin Roma, DM Roma Consulting Engineers
PTG Properties, Inc., Applicant
Development Review Team

RE: 21-13 – Vintage Drive Subdivision: Major Site Plan and Major Subdivision, Sketch Plan Review
Planning Board Meeting: August 9, 2021

Overview –

The application is for an amendment of the 2020 approved minor subdivision known as PTG Properties Subdivision. The proposal is to revise the location of Vintage Drive ROW and lot lines of Lots 3 and 4. The proposal is to develop Lots 3 and 4 with 30 residential dwelling units, and Lots 1 and 2 will remain for future commercial developments. The property is currently developed with two single-family homes and two detached garage structures, along with other minor accessory structures, which are proposed to be demolished and removed. The property in question is located at 626 Roosevelt Trail Street.

A Development Review Team meeting was held on July 27, 2021. Comments received during the meeting are reflected in the memo below.



Aerial View of the subject parcel relative to surrounding properties and street network.

Tax Map: 52, Lot 24. Zone: Commercial District 1 (C1).

SITE PLAN AND SUBDIVISION REVIEW

Staff Comments:

1. Waivers: None requested
 - a. At the Development Review Team Meeting, the applicant stated that they would not need a waiver from the Planning Board.
1. Complete Application: *N/A with Sketch Plan*

~~**MOTION:** The major subdivision and site plan application for the Vintage Drive Subdivision project 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.~~

2. Public Hearing: No public hearing has been scheduled for this project. The Planning Board must determine whether to hold a public hearing on the application.
3. Site Walk: A site walk has not been scheduled for this project. The Planning Board should determine if a site walk is necessary for this project.

Findings of Fact and conclusions for the

Windham Planning Board,

~~**MOTION:** The major subdivision and site plan application for the Vintage Drive project on Tax Map: 52, Lot 24 is to be (approved with conditions/denied) with the following findings of fact and conclusions:~~

FINDINGS OF FACT

812. - MAJOR SITE PLAN PERFORMANCE STANDARDS

812.A. - Utilization of the Site

- The subject parcel is approximately 3.7 acres (161,182 SF) The site is currently occupied by two single-family homes and two detached garage structures, along with other minor accessory structures.
- The existing structures are proposed to be demolished and removed.
- The property was recently timber harvested but no soils were disturbed.
- There are no wetlands identified on the property.

812.B. - Vehicular Traffic; 812.C. - Parking and Loading; 812.D. - Pedestrian Traffic

- The subject parcel has approximately 250 feet of frontage on Route 302.
- The site currently has two driveway openings on Route 302. In accordance with Section 406.E.6.d, new, enlarged or rebuilt uses on an arterial road, shall be limited to one (1) curb cut.

- The proposed project will be served by a new public street connecting to Rt 302, to be constructed to the Commercial Street standard and the minor local street road base.
- A sidewalk is shown on the sketch plan.
- The two existing curb cuts will be closed.
- The proposed access drive location in proximity to the southern property line would allow for a connection to the undeveloped parcel to be able to develop a street network to comply with the C-1 block standards.
- At the Development Review Team Meeting on July 27, 2021, Town Engineer Mark Arienti and Fire Chief Brent Libby requested a turn radius diagram for fire trucks, school bus and similar vehicles to be able to circulate through the property.
- Development in the C-1 zoning district is subject to the Sidewalk Impact Fee (Section 1201).
- Sight distances for the entrance must be shown on the final plan review.
- Driveway entrances on adjacent abutting properties should be shown on the final plan review.
- The Unnamed Street (shown as Vintage Drive) shall be connection the abutting Fielding Common ROW. The connection shall be provided for the final plan review.
- The sketch plan shows 76 parking spaces. The ordinance does not have a minimum number of spaces required but the applicant shall demonstrate that the number of spaces provided onsite will meet the needs of the proposed uses. Section 812.C.(1)(d) requires 30% of the parking spaces to be 10'x20'.
- A traffic impact study must be submitted with the final plan set if the project will generate fifty (50) or more trips during the a.m. or p.m. peak hour.
- If the project generates over 100 peak hour trips and requires a Traffic Movement Permit from the Maine Department of Transportation, it must be submitted with Final Plan.
- The project may be subject to the North Route 302 Road Improvements Impact Fee (Section 1204). Traffic analysis shall be conducted in order to determine the traffic impact and requisite impact fee total, as measured by additional vehicle trips to be generated by a development project that passes through the North Route 302 Capital Improvement District in the peak commuter hour.

812.E. - Stormwater Management; 812.F. - Erosion Control

- The property is located in the Little Sebago Flowage Watershed.
- Per Section 812.E., a stormwater plan needs to be submitted that meets the standards DEP Chapter 500 Stormwater Management.
- This project requires a Maine Department of Environmental Protection (DEP) Chapter 500 Stormwater Permit, which must be submitted with the final plan review.
- Per Section 812.F.1., the applicant will be minimized impacts to the site to the fullest extent possible. The proposed site improvements will preserve the natural vegetation as much as possible.
- This project is in the NPDES (National Pollutant Discharge Elimination System) area as designated by the Environmental Protection Agency for the Town of Windham.
- As a result, there will be additional construction inspection requirements and ongoing requirements for reporting of stormwater infrastructure maintenance as there is more than one (1) acre of development proposed. See recommended Condition of Approval #2.
- The applicant will provide a plan for Erosion and Sedimentation Control practices during the site improvement construction activities that will meet the Basic Standards per Section

4(A) of the MeDEP Chapter 500 Stormwater Rules as outlined for the final plan review, per Section 812.F.2. and 2(a).

812.G. - Water Supply Provisions; 812.H. - Sewage Disposal Provisions

- The redevelopment proposal will utilize domestic and sewer services of the Portland Water District (PWD).
- The Deputy Chief stated that the nearest fire hydrant is 500-feet from the site within the High Street ROW.
- Per the Fire Department requirements, the building will have a fire suppression system installed. The applicant will be providing an "Ability to Serve" as required for the final review, per Section 807.F.1.(e).

812.I. - Utilities

- The proposed residential buildings will be connected via underground utility lines (electrical, telephone, and telecommunication services).
- The project will be served by domestic water and sewer service.
- The closest fire hydrant on Route 302 is just north of the Page Road intersection. The hydrant location should be shown on the final plan.
- The project will require a road opening permit from the Town where the public right of way connection of the underground utility service, a final connection plan will be provided for the final plan review.
- Based Fire Chief's requirements and use, the applicant will install a sprinkler system and a fully addressable alarm system.

812.J. - Groundwater Impacts; 812.K. - Water Quality Protection

- The project will be served by Portland Water District sanitary disposal system; therefore, the proposal will not have a negative impact on the groundwater. "Ability to Serve" letter from PWD will be provided in the final review.
- The site is not located in a watershed of a "body of water at risk from development," as designated by MeDEP.

812.L. – Hazardous, Special and Radioactive Materials

- The proposed residential will not handle, store or use any material identified by the federal or state as hazardous, special, or radioactive.

812.M. – Shoreland Relationship

- The proposed residential is not located in a shoreland zoning district.

812.N. - Technical and Financial Capacity

- Evidence of financial capacity must be provided as part of the final submission
- Evidence of technical capacity must be provided as part of the final submission.

812.O. – Solid Waste Management; 812. P. – Historical and Archaeological Resources;

812.Q. - Floodplain Management

- The construction debris will include clean wood, material packaging, cardboard, etc. The applicant will provide the final construction material plan for final review.
- There are no known historic and archaeological resources onsite.
- The proposed building is not in the FEMA floodplain.

812.R. – Exterior Lighting; 812.S. - Noise

- A Photometric Plan will be provided in the final plan set, and details of fixtures cut sheets are in the application.
- The proposed residential use will not exceed 65 dB between 7:00 AM to 10:00 PM and 55 dB between 10:01 PM to 6:59 AM.

812.T. – Storage of Materials and Screening (Landscape Plan)

- The final submission should include a landscape plan and planting schedule.
- The snow storage area must be identified on the final plan review.

813 Commercial District Design Standards for the Commercial 1 (C1)

813.A. - Architecture/Building (Required for Final Plan Review)

- Per Section 813.A.1.a. for building style.
- Per Section 813.A.2.a. for the materials.

Per Section 813.B.2.b. for awnings and canopies.

- Per Section 813.A.3.a. for Façade colors.
- Per Section 813.A.4.b. for non-traditional roof forms.
- Per Section 813.A.4.c. for flat roofs.
- Per Section 813.A.4.d. for parapets use.
- Per Section 813.A.4.e. for Roofing materials will not include high gloss roofing materials.
- Per Section 813.A.4.f. for Rooftop equipment will include new mechanical units and screening from view.
- Per Section 813.A.5a. for facades that face public streets.
- Per Section 813.A.5.b. for retail and foodservice facades, no blank facades facing the public roads or abutting properties are permitted.
- Per Section 813.A.5.c. for site plans and architectural elevations, the applicant is not proposing any exterior vending machines.
- Per Section 813.A.5.d. for windows, doors, ventilation fixtures, and other building openings will be trimmed to match the existing building openings.
- Per Section 813.A.5.e. for horizontal facades.
- Per Section 813.A.6.a. for phasing plans.
- Per Section 813.A.6.b. for freestanding structures.

- Per Section 813.A.7.a. for renovated buildings over 20,000 SF, the building entrance shall be clearly defined and highly visible.
- Per Section 813.A.7.b. for linear commercial building.
- Per Section 813.A.8.a. for Architectural detailing and trim, the proposed new details on the facades of the building are in proportion to the existing structure.

813.B. - Site/Parking

- Per Section 813.B.6.a. for Screening, Utility, and Service Areas.

813.C. – Landscaping/Lighting

- Per Section 813.C.3.a. for lighting coordinating with landscaping
- Per Section 813.C.5.a. for designated snow storage areas.

813.D. – Bicycle/Pedestrian

- Per Section 813. D.1. for continuous internal walkways.
- Per Section 813.D.2.a. for links to the community.
- Per Section 813.D.2.b. for internal pedestrian connections with abutting properties and within the parking lot.
- Per Section 813.D.4.a. for sidewalks and planted esplanades.
- Per Section 813.D.5.a. crosswalks for sidewalks intersecting commercial driveways or roads.
- Per Section 813.D.6.a. for bicycle parking and racks.

(In addition to meeting all the Design Standard in the C1 zoning, the applicant must comply with a minimum of eight (8) other Design Standards.)

Conformity with Local Plans and Ordinances

1. Land Use

- The Commercial 1 (C1) zoning district does not require a minimum lot size and a 100' minimum lot frontage.
- Multi-family developments in C1 shall orient buildings with the front door facing the front lot lines.
- Lot 3 and 4 meet the 10–20-foot maximum setback from Route 302 and are subject to the minimum side and rear 6-foot setback.
- The sketch plan application identifies Multi-family residential uses for Lots 3 and 4 and undefined commercial uses for Lots 1 and 2.
- The buildings shall only be occupied by uses that are permitted in the C1 District.
- The final plan review needs to demonstrate how the project will comply with the Commercial District Design Guidelines in Section 813.
- Building elevations and sign details should be provided with the final plan submission

2. Comprehensive Plan

- This project meets the goals and objectives of the 2017 Comprehensive Plan. The proposed project is in the North Windham Growth Area.

3. Others:

- Chapter 144 Post-Construction Stormwater Ordinance: The site is in the NPDES MS4 urbanized area. See Condition of Approval #2.
- Chapter 221 Street Naming and Addressing: Street names approved by the Town Addressing Officer shall be shown on the Final Plan.

Impacts on Adjacent/Neighboring Properties

- The sketch plan shows two proposed dumpsters located on a paved pad with an enclosure.
- Site lighting must be shown on Final Plan, and details of fixtures must be included in the submission.
- The rear of the property abuts Trailwood Village, a residential subdivision. Screening or landscaping along the property line should be shown on the final plan.

911 - MAJOR SUBDIVISION PERFORMANCE STANDARDS

911.A. – Basic Subdivision layout

- As note above the parcel is 3.7 acres in size. The C1 zoning does not have a minimum lot size are a net residential density associated with the subdivision proposal.
- The applicant is proposing to realign the Vintage Drive by removing the “hammer-turn-around” at the intersection of Vintage Drive and an unnamed road (identified as Vintage Drive. The road should have been labelled as “unnamed” until the Address Officer name the road. The applicant will be required to show the official road name for the final Plan review) to divide the lot into two parcels. The realignment of the road ROW will allow eighteen (18) dwelling units to be developed on Lot 3 and twelve (12) dwelling units to be developed on Lot 4.
- The new residential buildings will not result in undue air or water pollution.
- The applicant shall provide monuments at the corners of Lot 1, 2, 3, and 4 the Vintage Drive, Roosevelt Trail, and the unnamed road public rights-of-way (ROW) boundaries.
- During the Development Review Team meeting, Fire Department would be involved with lot numbering for E-911 with the Addressing Officer.
- At the Development Review Team meeting, the applicant stated all utilities will be located underground, per Section 911.A.2(a).

911.B. – Sufficient Water

- The applicant will coordinate with the Portland Water District to connect the residential apartment to domestic and fire suppression water supply lines and sanitary sewage discharge and, note above, an “Ability to Serve” letter for the water supply.
- The closest fire hydrant is located within 1,000 feet from the proposed development. The applicant shall provide flow and distance information for the final plan review.

911.C. - Erosion Control and Impact on Water Bodies

- As mention in Section 813.C., the applicant will be required to provide and stormwater management and erosion control plans meeting DEP Chapter 500 Stormwater Rules.

911.D. – Sewage Disposal

- The final plan review must include a Soil Evaluation for a subsurface wastewater disposal system meeting the Maine Subsurface Wastewater Disposal Rules. Soil test pit must be shown on the final plan.
- A groundwater impact analysis is required for the final plan involving on-site sewage disposal facilities with a capacity of 2,000 gallons per day or more.

911.E. – Impact Natural Beauty, Aesthetics, Historic Sites, Wildlife Habit, Rare Natural Areas or Public Access to the Shoreline

- The applicant will provide more information for the final plan review relating the natural resource impacts for the final review.
- The site has no shoreline frontage.
- The applicant submitted a “Beginning with Habitat Map” showing the location of the subject property in relation to deer wintering areas and brook trout habitat. There were no deer wintering areas or brook trout habitat shown on the property.
- The applicant will provide a review of the site from the Maine Historic Preservation Commission as part of the final plan review.

911.F. – Conformance with Land Use Ordinances

· Comprehensive Plan:

- The plan does meet the goals of the 2017 Comprehensive Plan.

· Land Use Ordinances:

- See Section 813 for details of the zoning requirements.

· Subdivision Ordinance

- Standard notes and the standard condition of approval must be shown on the plan.
- The Tax Map and Lot numbers provided by the Tax Assessor must be shown on the final plan submission.
- Subdivision plan data compatible with the Town GIS must be submitted as part of the Final Plan submission.
- The subdivision plan shows the entire parcel including all contiguous land in common ownership within the last five years, as required by 30-A MRSA Section 4401.

911.G. – Financial and Technical Capacity

- Evidence of financial capacity must be provided as part of the Final Plan submission.
- Evidence of technical capacity must be provided as part of the Final Plan submission.

911.H. – Impact on Ground Water Quality or Quantity

- No impacts on groundwater are expected.

911.I. – Floodplain Management

- The subject property is not in a mapped FEMA Floodplain boundary.

911. J. – Stormwater

- The stormwater management plan shall comply with Chapter 500 Stormwater Rules and shall include a maintenance plan. The applicant shall provide a management plan for the final review as discussed in Section 812.

911.K. – Conservation Subdivision

- The project is not located in Farm or Farm Residential zoning Districts.

911. L. – Compliance with Timber Harvesting Rules

- The applicant stated the subdivision will not involve timber harvesting activity. All being tree removed will be limited in scope and clearing will be minimized to the greatest extent practical.

911.M. – Traffic Conditions and Street

- For the final plan review, the applicant will provide a traffic study meeting the requirement in Section 812.B.
- All driveway curb cuts will require a driveway open permit from Public Works Department.
- The Unnamed Street (shown as Vintage Drive) does not meet the Commercial Road standards, the applicant shall provide revise road layout meeting Section 911.M.5.(b)(6) for the final plan review.

CONCLUSIONS (N/A)

1. ~~The plan for development **reflects/does not reflect** the natural capacities of the site to support development.~~
2. ~~Buildings, lots, and support facilities **will/will not** 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/will not** be maintained and protected to the maximum extent.~~
4. ~~The proposed site plan **has/does not have** sufficient water available for the reasonably foreseeable needs of the site plan.~~
5. ~~The proposed site plan **will/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/will not** 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/will not** provide for adequate sewage waste disposal.~~
8. ~~The proposed site plan **conforms/does not conform** to a duly adopted site plan regulation or ordinance, comprehensive plan, development plan, or land use plan.~~
9. ~~The developer **has/does not have** adequate financial capacity to meet the standards of this section.~~
10. ~~The proposed site plan **will/will not** alone or in conjunction with existing activities, adversely affect the quality or quantity of ground water.~~
11. ~~The proposed site plan **will/will not** 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/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/does not** provide adequate protection to neighboring properties from detrimental features of the development that could be avoided by adequate landscaping.~~
14. ~~All freshwater wetlands within the proposed subdivision **have/have not** been identified on the plan.~~
15. ~~Any river, stream, or brook within or abutting the subdivision **has/has not** been identified on any maps submitted as part of the application.~~
16. ~~The proposed subdivision **will/will not** provide for adequate storm water management.~~
17. ~~If any lots in the proposed subdivision have shore frontage on a river, stream, brook, or great pond as these features are defined in Title 38, section 480-B, none of the lots created within the subdivision **have/do not have** a lot depth to shore frontage ratio greater than 5 to 1.~~
18. ~~The long term cumulative effects of the proposed subdivision **will/will not** unreasonably increase a great pond's phosphorus concentration during the construction phase and life of the proposed subdivision.~~
19. ~~For any proposed subdivision that crosses municipal boundaries, the proposed subdivision **will/will not** cause unreasonable traffic congestion or unsafe conditions with respect to the use of existing public ways in an adjoining municipality in which part of the subdivision is located.~~
20. ~~Timber on the parcel being subdivided **has/has not** been harvested in violation of rules adopted pursuant to Title 12, section 8869, subsection 14.~~

CONDITIONS OF APPROVAL

1. Approval is dependent upon, and limited to, the proposals and plans contained in the application dated July 19, 2021, 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 Staff Review Committee or the Town Planner in accordance with Section 814.G. and 913 in the Land Use Ordinance.
2. Approval is subject to the requirements of the Post-Construction Stormwater Ordinance, Chapter 144. Any person owning, operating, leasing or having control over stormwater management facilities required by the post-construction stormwater management plan must annually engage the services of a qualified third-party inspector who must certify compliance with the post-construction stormwater management plan on or by May 1st of each year.
3. [Other or unique conditions]