

APPLICATION COMPLETENESS & STAFF REVIEW COMMENTS MEMO

DATE: May 15, 2026

TO: Dustin Roma PE, DM Roma Consulting Engineers
Ron Goddard, Row Even, LLC

FROM: Amanda Lessard, Assistant Town Manager

Cc: Kathy Tomberlli, Town Planner
Steve Puleo, Planning Director
Windham Planning Board

RE: #25-27 Eventide Subdivision (formerly 100 River Road Subdivision) – Major Subdivision – Preliminary Plan Review – 100 River Road – Row Even, LLC

Scheduled for Planning Board meeting: **June 8, 2026**

Thank you for submitting your preliminary application on April 6, 2026. The application is **incomplete**. The staff has reviewed the application and found several outstanding item listed below under “**Preliminary Subdivision Application Completeness**” that **need your attention by May 27, 2026** before the Planning Board preliminary plan review is scheduled for a public hearing, in accordance with Windham Land Use Ordinance [§120-907B\(4\)\(b\)](#). Your application is tentatively **scheduled for a public hearing and review on June 8, 2026**. The Planning Board meeting is an "in-person meeting" at the Town Council Chambers in the Town Hall located at 8 School Street. The meeting begins at 6:00pm, and your attendance is required.

Project Information:

The application is to develop a 17-lot conservation subdivision on ~~33.68~~ **27.92** acres with a new road built to public standards. Lots will be 30,000 square feet, with the remaining ~~19.54~~ **13.87** acres as open space. Lots will be served by private subsurface wastewater disposal systems, on-site wells and underground utilities. Subject property is identified as Tax Map: 1; Lot: 8 (portion), 8-1, 8-2, **9**; Zone: Farm (F) in the Presumpscot River watershed.

Preliminary Subdivision Application Completeness

- [§120-910C\(1\)\(d\)](#) Verification of right, title or interest on the abutting property at 100 River Road for the grading and drainage easement and to construct a driveway and close curb cuts.
- [§120-910C\(3\)\(b\)](#) A landscape plan, including a list of proposed plant species and their size at the time of installation and maturity. The plan should include street trees required by [§120-911E\(1\)\(b\)](#).
- [§120-910C\(3\)\(e\)](#) Traffic impact analysis. The vehicle traffic information provided expects the subdivision to generate 161 vehicle trips per day so a traffic impact analysis is required.

Staff Review Comments

The memo will be updated as staff comments are provided.

Planning Department

1. The submission notes that to meet the minimum open space requirements the applicant proposes to deed tax lot 9 to the Town and the plan includes Condition of Approval 7, “Prior to the release of the signed subdivision plan for recording, the parcel identified as Lot 9 of Tax Map 1 shall be conveyed to the Town of Windham by deed”. By this condition of approval, the Planning Board needs to consider Lot 9 as part of the subdivision review and would require the lot to be added to the general notes and the land area should be included in the Net Density and Open Space calculations. Otherwise, the application, plans and waiver request need to be revised to eliminate any consideration of Lot 9.
2. The plan lists three waivers requested. The submission includes an additional waiver requested from §120-911J(6) Stormwater Flooding that if granted should also be noted on the plan in accordance with [§120-908C\(2\)\(c\)](#).
3. Per [§120-911A\(3\)\(b\)](#), all subdivision boundary corners shall be marked. The property corners at the boundary of the Maine DOT property on the subdivision plan that do not show existing or proposed iron pins.
4. Revise the symbology of the grading, drainage & stormwater management easements on the plan so the extent and boundaries are more easily visible.
5. Per [§120-911E\(2\)\(c\)](#), the common land shall be shown on the final plan with appropriate notations on the plan to indicate it shall not be used for future building lots.
6. Per [§120-911M\(5\)\(a\)\[5\]\[e\]](#), the following words shall appear on the recorded plan: "All roads in this subdivision shall remain private roads to be maintained by the developer, lot owners or road association, and shall not be offered for acceptance, or maintained, by the Town of Windham until they meet all municipal street design and construction standards."
7. Sheet D-2 Typical Roadway Sections show a 24’ paved roadway, 10’ travel lane & 2’ paved shoulder. To comply with the Minor Local Street Standard in [§120-911M\(5\)\(a\)\[6\]\[b\]](#), if a sidewalk is not required the applicant shall construct either a sidewalk or a street with a widened shoulder. The details should be revised.
8. Add the assumed maximum developed and impervious area of each lot to the subdivision plan.
9. Per [§120-911E\(1\)\(a\)](#), the subdivision plan shall, by notes on the final plan and/or deed restrictions, not allow the clearing of trees in areas where tree cover is depicted on the plan for a period of at least five years from the date of Planning Board approval.
10. The proposed septic location on Lot 15 (TP-18) is in an area where wells are allowed. The well exclusion boundary should be revised.
11. Based on the well exclusion area shown on the plan, wells on several lots will need to be located beyond the treeline shown on the plan. Is the installation of wells in these areas accounted for in the assumed developed area of these lots?
12. Section 10 of the submission notes that sprinkler system installation will be required within all residential structures. Add a note to the subdivision plan.
13. Add to the plan the installation of a street light at River Road intersection of the subdivision street requested by the Police Department at the Development Review Team meeting and as required by the Town’s [Streetlight Policy](#).
14. Per [§120-911K\(6\)\(a\)](#), the open space provided by the conservation subdivision shall be identified on the recorded subdivision plan as "Open Space — Reserved for Recreation, Agricultural and/or Conservation Purposes."
15. Provide a plan for the site development of each lot as required by [§120-911K\(4\)\(e\)](#). The application shall illustrate the placement of building envelopes and the treatment of spaces,

paths, roads, service and parking and in so doing shall take into consideration all requirements of § 120-911K and of other relevant sections of these regulations.

16. Per [§120-911K\(3\)\(c\)\[1\]](#), Building envelopes should generally be located at least 100 feet from primary conservation areas and at least 50 feet from secondary conservation areas, What is the proposed setbacks from the wetlands on Lots 5, 8, 9, 15, and 16?
17. Per [§120-911K\(3\)\(c\)\[2\]](#), Open Space Area 1 provides for buildings setback at least 100 feet from River Road but is entirely being used for stormwater treatment and provides no buffering or screening of the subdivision from the public street. When buildings will be visible from the existing streets, the applicant shall minimize the visual impact of new development through larger setbacks or screening with elements such as low walls, split-rail fencing, trees or other plantings.
18. Similarly, the 50 foot external perimeter buffer required by [§120-911K\(3\)\(c\)\[3\]](#), on Lots 1, 2, 3, and 4 are using the existing field for stormwater treatment and providing no screening of the abutting residential dwellings. The ordinance requires that the buffer strip shall be naturally vegetated or landscaped. The provisions of § 120-911K are designed to ensure that conservation subdivision developed in the Town: [\[7\]](#) Minimize the impact of residential development on the Town, neighboring properties, and the natural environment.
19. Identify the existing trails shown on the plan and any proposed trails necessary to comply with [§120-911K\(3\)\(d\)](#).
20. Has the street name shown on the plan been approved by the E-911 Addressing Officer?
21. Recommended MAJOR SUBDIVISION CONDITIONS OF APPROVALS:
 1. Approval is dependent upon and limited to the proposals and plans contained in the application dated November 3, 2025 as amended [*the date of the final plan approval*] and supporting documents and oral representations submitted and affirmed by the applicant, and conditions, if any, imposed by the Planning Board. Any variation from such plans, proposals, supporting documents, and representations is subject to review and approval by the Planning Board or the Town Planner in accordance with [§120-913](#) of the Land Use Ordinance.
 2. In accordance with [§120-914B\(5\)](#) of the Land Use Ordinance, the Construction of improvements covered by any subdivision plan approval shall be completed within two years of the date upon which the performance guarantee is accepted by the Town Manager. The developer may request a one-year extension of the construction completion deadline prior to the expiration of the period. Such request shall be in writing and shall be made to the Planner. The Town Manager may require an update to the schedule of values and the amount of the guarantee when accepting an extension of the construction period. If construction has not been completed within the specified period, the Town shall, at the Town Manger's discretion, use the performance guarantee to either reclaim and stabilize or to complete the improvements as shown on the approved plan.
 3. The development is subject to the following [Article 12 Impact Fees](#), to be paid with the issuance of building permits: [Recreation Impact Fee](#), [Open Space Impact Fee](#), [Public Safety Impact Fee](#); and [Municipal Office Impact Fee](#). All fees will be determined and collected for any building, or any other permits necessary for the development, [§120-1201C](#).

4. In accordance with [§120-911N\(5\)](#) of the Land Use Ordinance, the homeowners' association documents shall be approved as to form by the Town Attorney and recorded in the Cumberland County Registry of Deeds within 90 days of the date that the subdivision plan is recorded in the Cumberland County Registry of Deeds. Evidence of such recording shall be provided to the Planning Department. No lots shall be sold in the subdivision prior to recording of such homeowners' association documents and all deeds shall reference the declaration establishing the homeowners' association.
5. Before issuing building permits the applicant or builder must have the town engineer verify that the 50-foot conservation subdivision exterior boundary buffer line is pinned, staked, or fenced in the field.

Fire Department

22. I'm all set with the plan. As always, we would request water for firefighting. Hammer heads and radius look good

Third Party Consulting Engineer

Review for the Town's delegated [DEP Stormwater Capacity](#).

As staff review comments related to compliance with any applicable review criteria become available, I will send them to you ASAP. We will need your response by June 5, 2025 or earlier to be included in the Planning Board agenda. Thank you for your attention to these matters. Provide one copy of your response to staff comments with all revised application materials and one (1) plan set. Email an electronic copy of your response letter, supporting documentation, and plan set. Please feel free to call me with any questions or concerns.