

**PLANNING BOARD MEMO • MAJOR SUBDIVISION & SITE PLAN • FINAL PLAN REVIEW**

DATE: September 18, 2025

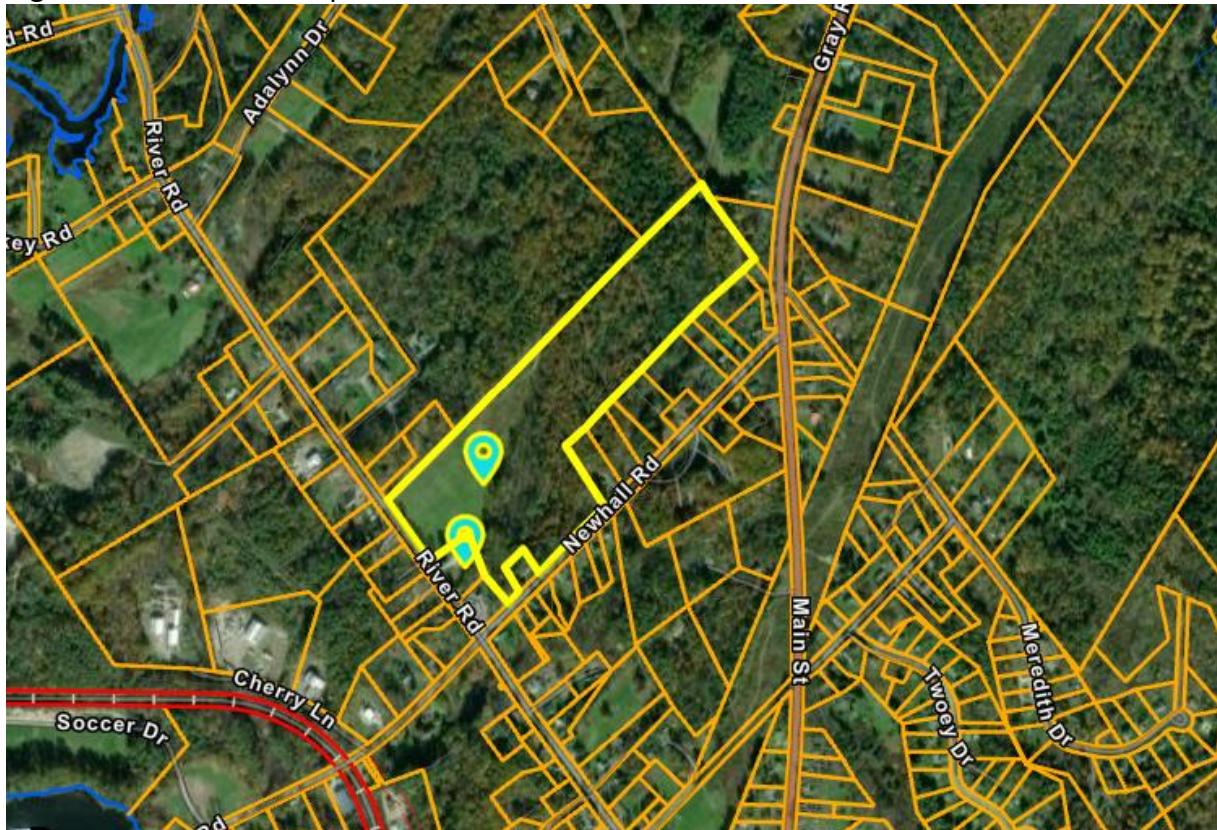
TO: Windham Planning Board  
FROM: Amanda Lessard, Senior Planner/Project Manager  
Cc: Dustin Roma PE, DM Roma Consulting Engineers  
James Cummings, 25 River Road LLC  
Steve Puleo, Planning Director

RE: #25-01 – Dolley Farm Subdivision – Major Site Plan & Subdivision – Final Plan Review –  
River Road – 25 River Road, LLC  
Planning Board Meeting: September 22, 2025

Overview

This application is for a 42-unit residential condominium development on a 30.82-acres property. The development will have an access drive to the 21 duplex buildings. All units will be served by private on-site septic systems, and public water will be extended 400-feet in River Road to service the dwellings.

The subject property is identified as Tax Map: 5; Lot: 25; Zone: Medium-density Residential (RM) zoning district in the Presumpscot River watershed.



*Figure 1. Aerial view of the subject parcel relative to surrounding properties and street network.*

### Review History

A Development Review Team meeting was held on January 15, 2025. The Planning Board reviewed the sketch plan on January 27, 2025. At that meeting the Board discussed maintaining as much vegetation as possible in the area of the existing well, pedestrian access to and throughout the property and the future potential development of the parcel. The Board held a site walk on March 1, 2025.

The Planning Board held a public hearing and reviewed the preliminary plan submission on May 12, 2025. The Board asked for a sidewalk on River Road instead of a widened shoulder, an adequate buffer along the southern property line, and a blasting plan and an analysis of driveway spacing to be submitted with the final plan application. The Board found the application complete but postponed further review until the applicant responded to staff comments.

On June 9, 2025 the Planning Board approved the preliminary plan that included a revision to the size the property as the applicant conveyed 2.59 acres of land to an abutter, so the subdivision property has been reduced to 30.82 acres and net density calculations have been updated. A sidewalk is now proposed along River Road to the entrance to Duck Pond Variety.

The applicant has provided a final subdivision and site plan application and responded to staff comments on the submission. The submission also includes all required outside agency approvals (Portland Water District, Maine DEP), draft condominium documents, and building elevations for three different building styles. The Public Works Director and Town Engineer have also review the proposed entrance of Thayer Drive and determined that an entrance will be issued in the location shown on the plans.

### SUBDIVISION REVIEW

PLEASE NOTE: The staff memo is a reference guidance document, and suggested topics for board discussion are listed; ~~the strikethrough text is items for the final review;~~ **bold and italic text** **represent unaddressed existing and/or new staff comments;** or plain underlined text are items that have been addressed by the applicant; and *italic text* is for information or previously reviewed and/or approved items.

#### Staff Comments:

1. Complete Application:

**MOTION:** [I move] the Major Subdivision & Site Plan final application for project #25-01 Dolley Farm Subdivision 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. Waivers:

*Limitation of Waivers. The granting of a submission requirement waiver or site waiver may not conflict with, nor negate, any State Statutory requirements for the subdivision of land.*

**SUBMISSION REQUIREMENTS**

*The Planning Director, or designee, may waive any of the submission requirements of [§120-910](#) or [§120-811](#) based upon a written request by the applicant that includes the reasons for which a waiver is sought. A waiver of any submission requirement may be granted only if the Planning Director, or designee, finds that the information is not required to determine compliance with the standards and criteria of the Land Use Ordinance or that the information relates to a standard that is not applicable to the application. Per [§120-908B\(1\)](#) the Planning Director is not required to use any criteria in making its determination on the granting of a waiver of the submission requirements.*

**a) No waivers of submission requirements have been requested.**

**PERFORMANCE STANDARD WAIVER - SUBDIVISION**

*Limitation of Waivers. The Planning Board may waive the requirements of [§120-911](#) Performance and Design Standards when the applicants demonstrates that the performance standards of these regulations and the criteria of the subdivision statute have been or will be met, and the public health, safety, and welfare are protected and provided the waivers do not have the effect of nullifying the intent and purpose of the land use ordinance. In granting site waivers, the Planning Board shall utilize the criteria in [§120-908C\(2\)](#).*

**a) None requested.**

**PERFORMANCE STANDARD WAIVER – SITE PLAN**

*Waiver of the Site Plan Performance Standards. The Planning Board may waive the requirements of [§120-812](#) if it finds that extraordinary and unnecessary hardship, not self-imposed, may result from strict compliance with the site plan review standards. In all cases, waivers shall not be deemed a right of the applicant, but rather shall be granted at the discretion of the Planning Board. The applicant shall submit a list of the requested waiver(s) in writing. For each waiver requested, the applicant shall submit answers to each criterion in [§120-808B\(2\)](#).*

**a) [120-812E\(1\)\(a\)\[1\]](#) Insignificant increases in peak flow rates from a project site.**

*There is a greater peak flow in the developed condition at SP-2 for the 2-year storm. The Town Engineer supports the waiver request.*

**MOTION:** [I move] granting the waiver request from [120-812E\(1\)\(a\)\[1\]](#) Insignificant increases in peak flow rates from a project site.

3. Public Hearing: A public hearing was held on May 12, 2025

4. Site Walk: The Planning Board held a site walk on March 1, 2025.

## **Findings of Fact, Conclusions, and Conditions of Approval for the Windham Planning Board:**

**MOTION:** [I move] the Major Site Plan & Subdivision final application for the 25-01 Dolley Farm Subdivision development identified on Tax Map: 5; Lot: 25; Zone: Medium-density Residential (RM) zoning district and located in the Presumpscot River watershed is to be **(approved with conditions/denied)** with the following Findings of Fact, Conclusions, and Conditions of Approval.

### **FINDINGS OF FACT**

**Jurisdiction:** The Dolley Farm Subdivision project is classified as a Major Site Plan & Subdivision, which the Planning Board is authorized to review and act on by [§120-903](#) of the Town of Windham Land Use Ordinance.

**Title, Right, or Interest:** The applicant has submitted a copy of a Quitclaim Deed between Charles R, Haddock and 25 River Road, LLC, dated November 26, 2024, and recorded on November 27, 2024 at the Cumberland County Registry of Deeds in Book 41151 and Page 335.

### **ARTICLE 3 DEFINITIONS**

**Dwelling, Two-family:** “A building containing two attached dwelling units. A two-family dwelling may, or may not, be attached to a nonresidential use.”

### **ARTICLE 4 ZONING DISTRICTS**

- As shown on the Town of Windham [Land Use Map](#) approved by the Town Council, date April 9, 2024, Tax Map: 5; Lot: 25.
- The property is located in Medium-density Residential (RM) zoning district.
- Two-family dwellings are a permitted use found in [§ 120-409B](#).

### **ARTICLE 5 PERFORMANCE STANDARDS**

#### **§120-541 – Net residential area of acreage**

- **B.** The net residential area or acreage of a lot proposed for subdivision, as defined, shall be calculated by subtracting the eight (8) items listed in the subsection from the gross acreage of a lot and dividing the resulting net residential area of the parcel by the net residential density standard of the appropriate zoning district (see [Article 4](#), Zoning Districts).

### **§120-911 - SUBDIVISION PERFORMANCE STANDARDS**

#### **§120-911A – Basic Subdivision layout**

- (1) **The final plan reflects a transfer to an abutter.** The property has 30.82 acres or 1,342,485 SF exceeding the minimum lot size in the Medium-density Residential (RM) zoning district, per §120-409E.
  - (a) The applicant provided a net residential density calculation by deducting 13,466 SF of steep slopes areas and 196,223 SF of poorly drained soils, and for the net area of 1,132,769 SF. The net residential density is 15,000 SF, equaling 75 dwelling units. 42 dwelling units are proposed.

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(2) Underground utilities are shown on the provided subdivision plan.

**§120-911B – Sufficient water; water supply.**

(3) The applicants have shown connection with the public water system on the provided subdivision plan, including a 400-foot extension of the water main in River Road. The applicant provided an “Ability to Serve” letter from the Portland Water District dated July 28, 2025 approving the water system to serve the development.

- Fire Department comments April 30, 2025: Two fire hydrants are required in the subdivision. One fire hydrant at the intersection of River Road and Dolly Farm Road, and another fire hydrant at the intersection of Dolly Farm Road and Thayer Drive.

**§120-911C - Erosion Control and sedimentation control**

(1) The applicants have provided a soil erosion and sediment control plan showing the use of erosion and sediment control best management practices (BMPs) at the construction site consistent with the minimum standards outlined in the Maine DEP Stormwater Rule Chapter 500 Appendix A – Erosion and Sediment Control, Appendix B – Inspections and Maintenance, Appendix C – Housekeeping. Erosion and Sedimentation Control. BMPs shall be designed, installed, and maintained in accordance with the standards contained in the latest revisions of the following Maine DEP documents.

(3) The applicant or developer shall consider the topsoil as part of the subdivision is not to be removed from the site.

(4) Except for normal thinning and landscaping, existing vegetation shall be left intact to prevent soil erosion. *The Board may require a developer to take measures to correct and prevent soil erosion in the proposed subdivision.*

**§120-911D – Sewage disposal**

(2) The applicant is proposing six (6) private on-site subsurface disposal systems for the 42-unit condominium development. The applicant proposes to install advanced treatment units for three of disposal fields. The HHE-200s for disposal fields A, C, and D should include the Fuji Clean CEN-21 advanced treatment.

**§120-911E – Impact Natural Beauty, Aesthetics, Historic Sites, Wildlife Habit, Rare Natural Areas, or Public Access to the Shoreline**

(1) The applicant is developing access from River Road to serve the development. The majority of the open space will remain intact, preserving the natural beauty and aesthetics.

(a) The applicant has provided a note not allowing the clearing of trees where tree cover is depicted on the plan for at least five years. Mandatory buffer for stormwater or other reasons shown on the plan shall not be cleared of vegetation unless the Planning Board grants an amendment to the subdivision or maintenance that does not alter the purpose for which the buffer was required.

(b) The applicant has included a landscape plan with the application. The tree line of existing trees along River Road is shown on the subdivision plan and street trees are shown on the internal subdivision street every 50 feet in accordance with **§120-911E(1)(b)**.

(2) The applicant provided a reservation or dedication and maintenance of open space, common land, facilities such as the stormwater management system, among others, and service in the form of homeowner's association documentation.

#### **§120-911F – Conformance with Land Use Ordinances**

Comprehensive Plan:

- The plan does meet the goals of the 2024 Comprehensive Plan.

Subdivision Ordinance

- The applicant has provided a landscaping plan.
- Standard notes, the standard conditions of approval, and approved waiver must be shown on the plans.
- The subdivision plan data was submitted for inclusion with the Town's GIS.

Growth Management, [Chapter 101](#):

- Growth permits are required for the creation of each new dwelling unit. Growth permits for dwelling units to be located in a proposed subdivision, may be applied for after the project receives preliminary subdivision approval from the Planning Board pursuant to Article 9 of Chapter 120, Land Use.

#### **§120-911G – Financial and Technical Capacity**

(1) The Applicant has provided an estimated cost of the project and a letter from Norway Savings showing sufficient financial resources to construct, operate, and maintain all aspect of the proposed development.

(1) The applicant has provided evidence of technical capacity, identifying the past experience of the principals and the professional engineers, surveyors and soil scientists hired to manage the permitting and design of the development.

#### **§120-911H – Impact on Ground Water Quality or Quantity**

(1) The applicant has provided evidence in form of a nitrate-nitrogen impact assessment dated April 21, 2025 that the subdivision shall not increase any contaminant concentration in the groundwater and shall meet the State primary drink water standards, so long as leachfields A, C, and D incorporate Advanced Tertiary Treatment units upstream of the leachfields.

(2) The proposed development will connect to available water supply provided by the Portland Water District (PWD) with an extension of the existing main along River Road. The scale of this development is not anticipated to adversely impact the overall quality or quantity of available water supply. The August 18, 2025 response to staff comments included a blasting plan that includes proposed notification to abutters and the Town.

#### **§120-911I – Floodplain Management**

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

#### **§120-911J – Stormwater**

- The subdivision will result in 112,850 SF of impervious area and 251,165 SF of developed area so will require a Chapter 500 Stormwater Management Law permit for MeDEP.
- The development is subject to Maine DEP Stormwater Permit L-100277-0001 issued September 15, 2025.
- The condominium documents include a draft deed for the units with covenants and restrictions, by-laws, and stormwater maintenance and inspection plan, among other requirements.
- The Stormwater Management Plan submitted indicates that the proposed development includes water quality treatment that complies with Maine DEP Ch. 500 Redevelopment Standard and the Town of Windham's Subdivision Ordinance through the construction of two (2) underdrained filter basins, a meadow stormwater treatment buffer and roofline drip edges around each of the buildings. Prior to the start of construction, the location of the meadow buffer must be permanently marked on the ground.
- The Town Engineer comments dated May 5, 2025:
  - The subdivision will result in 112,850 SF of impervious area and 251,165 SF of developed area so it will need a Stormwater permit from Maine DEP. The stormwater analysis provided by the Applicant shows that 95% of the impervious area will be treated and 75% of the developed area using two underdrain soil filters, roof drip edges on the buildings and a meadow buffer for a portion of Thayer Road, which meets Maine DEP General Standards in Ch. 500. I spot-checked the input data in the Hydro CAD computations and find that the assumptions for the stormwater model appear to be consistent with the plans.
  - I reviewed the water quality calculations and agree that the project meets Chapter 500 General Standards for water quality based on the type and sizing of stormwater BMPs proposed. For water quantity, Windham Ordinance § 120-911J(6) requires that post-development flows are less than or equal to the predevelopment flow for all subdivisions. The stormwater flow analysis provided by the Applicant, as summarized in Table 1 of the Stormwater Management Report shows that this condition is met except with SP-2 for the 2-yr storm where the post-development flow exceeds the predevelopment flow by 18%. The flow from the subcatchments that contribute to SP-2 enters the drainage ditch along River Road in the Town Right-of way and an increase the potential for erosion into that ditch. The Applicant should evaluate ways of reducing this flow.
  - Since the existing contours appear to be derived from LIDAR, the Applicant should conduct field a survey of stormwater management facility areas in order to determine actual ground conditions at the ponds and buffers. The ground survey will help confirm that the contours don't concentrate stormwater at buffer areas.
- The applicant responded to the Town Engineers comments on May 30, 2025. On June 5, 2025 the Town Engineer said he was satisfied with the applicant's response to comments.

### **§120-911K – Conservation Subdivision**

**(1)** The development is in the RM district and therefore is not required to meet the conservation subdivision standards.

### **§120-911L – Compliance with Timber Harvesting Rules**

- The applicants stated the subdivision will not involve timber harvesting activity.

### **§120-911M – Traffic Conditions and Street**

- The Applicant submitted a traffic assessment that indicates that the subdivision will generate 28 trips in the PM peak hour and 270 trips during a typical weekday. Since this exceeds 140 trips per day, the Applicant will need to submit a traffic impact analysis per § 120-910C(3)(e). The applicant submitted an updated Traffic Assessment, which now includes additional analysis regarding level of service impact on adjacent roadways as Section 5 of the report, and a statement in the Section 6 summary indicating the project is not expected to have significant impacts to the level of delay or traffic operations on River Road.
- The applicant is proposing two new street connections to River Road. Both are access driveway meeting the Town's "Major Private Road" standard for design and construction. found in [Appendix B](#).
  - The condominium association will maintain the R/W road once the subdivision is completed.
  - The private road note of [§120-911M\(5\)\(a\)\[5\]\[e\]](#) is shown on the plan.
- The access drives, Dolley Farm Road and Thayer Drive both exceed the required minimum 250 feet of sight distance for the 30 MPH posted speed.
- The Applicant proposes to add a 5-ft wide raised curb sidewalk along River Road a distance of approximately 400 feet south from the Dolley Farm Road entrance to the convenience store property (Duck Pond Variety).
  - [§ 120-911M\(5\)\(a\)\[4\]](#) states, "Where the applicant proposes improvements within existing public streets, the proposed design and construction details shall be approved, in writing, by the Director of Public Works or the Maine Department of Transportation, as appropriate."
- The Applicant proposes to install a new utility pole on River Road on the southerly side of the subdivision, closer to the intersection of Dolley Farm Road and install a cobrahead streetlight.
- Driveway and street opening permits will need to be obtained from Windham Public Works prior to construction of the driveways and installation of the water main extension.

### **§120-911N – Maintenance of common elements.**

- The applicant provided draft condominium association documents that have been reviewed by the Town Attorney.
- The condominium association documents shall be recorded in the Cumberland County Registry of Deeds within 90 days of the date that the subdivision plan is recorded. See COA #3.

### **§120- 812 – MAJOR SITE PLAN PERFORMANCE STANDARDS**

### **§120-812A – Utilization of the Site**

- The subject parcel is approximately 30.82 acres in size.
- The site fronts along River Road and has 425 feet of road frontage.

### **§120–812B – Vehicular Traffic**

- (1)** The site is located on the easterly side of River Road. The applicant is proposing a new road connection to Falmouth Road. The entrance is proposed to be a Condominium access driveway meeting the Town’s “Major Private Road” standard for design and construction. A right-of-way is not required for an access driveway in the Multi-family performance standards, found in [§120-814B\(6\)\(b\)\[2\]](#).
- (a)** The applicant does not expect to impact any road intersections within a half mile of the project.
- (b)** The applicant provided a traffic analysis that the existing streets and intersections can be expected to carry traffic generated by the development. *See Subdivision Review.*
- (2)** The access is designed to have minimum sight distance, according to MDOT and [Appendix B Street Design and Construction Standards](#), to avoid hazardous conflicts with existing turning movements, to avoid traffic congestion, and to prevent queuing of vehicles entering and exiting the site.
- (3)** The proposal site will be accessed by a driveway from River Road.
- (4)** The site is designed to allow internal vehicular circulation in common with the other property owner for the safe movement of passenger, service, and emergency vehicles through the site.

### **§120–812C – Parking and Loading**

- (1)** The applicant has designed a parking layout that accommodates for two (2) parking spaces for each of the dwelling units.

### **§120–812D – Pedestrian Traffic**

There are no existing sidewalks on River Road. The applicant is proposing to provide a sidewalk on the access drive and a sidewalk on River Road from the development to Duck Pond Variety.

### **§120–812E – Stormwater Management**

- (1)** The applicants have provided a stormwater management system designed for the collection and disposal of all the stormwater that runs off of parking areas, roofs, travel ways, and other surfaces.
  - (f)** Major site plans, regardless of size, shall comply with Sections 4C(2) and 4C(3) of the General Standards of the MDEP Chapter 500 Stormwater Management Law. *See Subdivision Review. The applicant requested a waiver for Insignificant increases in peak flow rates from a project site.*

### **§120–812F – Erosion Control**

- (2)** The applicant shall have provide an erosion and sedimentation control plan that will meet the Basic Standards per Section 4(A) of the MeDEP Chapter 500 Stormwater Rule. *See Subdivision Review.*

### **§120–812G – Water Supply Provisions**

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(1) The water main in River Road will be extended to serve the development. See Subdivision Review.

#### §120–812H – Sewage Disposal Provisions

- See Subdivision Review.

#### §120–812I – Utilities

- The applicant all utility connections (electrical, telephone, and telecommunication services) will be subsurface. See Subdivision Review.

#### §120–812J – Groundwater Impacts

- The buildings are proposed to be connected to the PWD public water system, and the wastewater disposal system is not anticipating a disposal system with a capacity of 2,000 gallons per day (GPD).

#### §120–812K – Water Quality Protection

- The applicant states development will help protect Windham's water quality by using a public water system, a state-approved wastewater disposal system that shall comply with the State's drinking water standards, and stormwater management system to provide treatment to runoff. The day-to-day operations do not require substances that are hazardous, such as fuels, industrial chemicals, waste, etc.

#### §120–812L – Hazardous, Special and Radioactive Materials

(1) No hazardous materials will be stored on site.

#### §120–812M – Shoreland Relationship

- The site is not in a shoreland zoning district.

#### §120–812N – Technical and Financial Capacity

- See Subdivision Review.

#### §120–812O – Solid Waste Management

- The applicant proposes that the two-family dwellings will participate in the Town's curbside collection program.

#### §120–812P – Historical and Archaeological Resources

- There are no historic or archaeological resources onsite.

#### §120–812Q – Floodplain Management

- See Subdivision Review.

#### §120–812R – Exterior Lighting

(1) Shielded fixtures are proposed for each porch. Cobra head lighting will be installed on the light pole at the project entrance.

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(2) The applicant shall connect all light poles and other exterior light fixtures underground.

**§120-812S – Noise**

(1) The proposed condominium shall not exceed 55 dB between 7:00 AM to 10:00 PM and 45 dB between 10:01 PM to 6:59 AM.

(3) No construction activities are allowed between the hours of 10:00 PM and 6:00 AM.

**§120-812T – Storage of Materials and Screening (Landscape Plan)**

- A landscaping plan is shown on Sheet S-1.

**§120-814 Multifamily development standards.**

**A. Building Architecture.** The applicant provided building elevations for as part of the final plan application.

(1) Architectural variety

(a) The building has a variety of techniques to visually break up the façade, a varied roof lines, and some variation in window sizes. Two different building styles are proposed with three different siding colors.

(2) Facade.

(a) The building horizontal articulations are provided throughout the building, and rooflines incorporate varying heights and ridgelines. The building elevations of Units 1 and 15 have additional windows on the River Road frontage to meet the 25% requirement.

(3) Orientation.

(a) Units 1 and 15 will provide stairs to the street-facing end of the porch.

(b) Buildings may be oriented to open space areas, provided that street frontages are developed consistent with above.

**B.** Site design.

(1) Parking.

(b) Provisions are made for snow storage in the design of all parking areas. The areas used for snow does not conflict with proposed landscaping. The areas shall be sited to avoid problems with visibility, traffic circulation, drainage, or icing during winter months.

(2) Screening.

(a) Utilities. There are no service areas, loading docks, delivery areas, trash receptacles, and mechanical equipment associated with this development.

(b) Existing residential abutters. Evergreen screening trees are proposed between the development and the residential abutter to the south. Existing vegetation will be maintained along the property line and the residential abutter to the north.

(3) Bicycle/pedestrian.

(a) Internal traffic flow internal walkways. There are no existing sidewalks on River Road. Sidewalks are proposed on Dolley Farm Road and the end of Thayer Drive.

(c) Bicycle parking/racks.

[1] The development will provide facilities for the parking of bicycles at a ratio of 0.5 bicycle parking space per dwelling unit.

**(4) Recreation and open space.**

**(a)** The applicant must designate and permanently reserve a minimum of 15% of the total lot area (4.6 acres) as usable common open space. The plan shows the common open space on Sheet S-1. Within the common open space, a minimum of 4,100 square feet (250 square feet/each of the first 10 units, plus 50 square feet/unit above 10 units) of contiguous area with constructed amenities for passive use (e.g. outdoor courtyards, seating areas, or family picnic area with amenities such as landscaping, lighting, weather protection and other features that encourage use year-round) or active areas (e.g., children's play areas, play fields, and community gardens). A playground, swingset and picnic pavilion are proposed in a fenced area that is approximately 6,600 sf.

**(5) Landscape/lighting.**

A plan for site lighting and landscaping must be provided for final plan review.

**(a)** Landscaping. Street trees are proposed along Dolley Farm Road and Thayer Drive. Existing trees will be preserved along River Road. Condo owners will be responsible for additional landscaping around the perimeter of their unit.

**(c)** Lighting. No pole-mounted lighting within the development is proposed. On building lighting is proposed. A streetlight will be installed at the Dolley Farm Road entrance at River Road.

**(6) Access drive standards.**

**(b)[1]** Access drives shall be designed to conform to the standards for "major private roads" in these regulations, including the standards contained in Table 3, Table 4, and the applicable cross sections in Appendix B Street Standards.

**(c)** Curb cuts on the access drive must be separated by a minimum of 75 feet where possible. Driveways for the two-family dwellings are separated to the extent possible in order to allow for additional off-street parking/wider driveways.

## SUBDIVISION CONCLUSIONS

1. The development plan **reflects** the natural capacities of the site to support development.
1. Buildings, lots, and support facilities **will** be clustered in those portions of the site that have the most suitable conditions for development.
2. 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.
3. The proposed subdivision **has** sufficient water available for the reasonably foreseeable needs of the site plan.
4. The proposed subdivision **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.
5. The proposed use and layout **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.
6. The proposed subdivision **will** provide adequate sewage waste disposal.

7. The proposed subdivision **conforms** to a duly adopted subdivision regulation or ordinance, comprehensive plan, development plan, or land use plan.
8. The developer **has** the adequate financial capacity to meet the standards of this section.
9. The proposed subdivision **will not** alone or in conjunction with existing activities, adversely affect the quality or quantity of groundwater.
10. The proposed subdivision **will** provide for adequate stormwater management.
11. 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.
12. On-site landscaping **does** provide adequate protection to neighboring properties from detrimental features of the development that could be avoided by adequate landscaping.
13. All freshwater wetlands within the proposed subdivision **have** been identified on the plan.
14. Any river, stream, or brook within or abutting the subdivision **has** been identified on any maps submitted as part of the application.
15. ~~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, 5480-B, none of the lots created within the subdivision has/does not have a lot depth to shore frontage ratio greater than 5 to 1.~~
16. ~~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. (N/A)~~
17. ~~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. (N/A)~~
18. ~~The timber on the parcel being subdivided has/has not been harvested in violation of rules adopted pursuant to Title 12, 58869, sub514. (N/A)~~

#### SITE PLAN 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 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** 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 groundwater.
11. The proposed site plan **will** provide for adequate stormwater 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 with or discourage the appropriate development in the use of land adjacent to the proposed site or unreasonable affect its value.

#### CONDITIONS OF APPROVAL

1. Approval is dependent upon and limited to the proposals and plans contained in the application dated December 23, 2024 as amended September 16, 2025 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 [§120-912](#) or [§120-815](#) of the Land Use Ordinance.
2. In accordance with [§120-914B\(5\)](#) and [§120-815C\(1\)\(b\)](#) 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 Manager's discretion, use the performance guarantee to either reclaim and stabilize or to complete the improvements as shown on the approved plan.
3. In accordance with [§120-911N\(5\)](#) of the Land Use Ordinance, the condominium association documents, including but not limited to the condominium declaration, bylaws, plat, and plans, 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 units shall be sold in the subdivision prior to recording of such condominium association documents and all deeds shall reference the declaration establishing the condominium association.
4. The development is subject to the following [Article 12 Impact Fees](#), to be paid with the issuance of new building permits for the uses: [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 permit for the development, [§120-1201C](#).