

CONDITIONS OF APPROVAL:

1. APPROVAL IS DEPENDENT UPON, AND LIMITED TO, THE PROPOSALS AND PLANS CONTAINED IN THE APPLICATION DATED JUNE 3, 2024, JULY 1, 2024, NOVEMBER 25, 2024, JANUARY 27, 2025 AS AMENDED AUGUST 22, 2025 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 WITH §120-B14 AND §120-B15 OF THE SITE PLAN AND §120-B13 OF THE SUBDIVISION ORDINANCES.

2. APPROVAL IS SUBJECT TO THE REQUIREMENTS OF CHAPTER 201, ARTICLE II POST-CONSTRUCTION STORMWATER ORDINANCE. 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 JUNE 1ST OF EACH YEAR.

3. AT THE TIME OF APPLYING FOR BUILDING PERMITS FOR THE 172 RESIDENTIAL UNITS, THE APPLICANT SHALL PAY THE REQUIRED TRAFFIC IMPACT FEES AS DESCRIBED IN THE APPROVED TRAFFIC MOVEMENT PERMIT #REG. 01-000432-A-N. THIS INCLUDES SAFETY AND MOBILITY IMPACT FEES TOTALING \$56,854 AND \$7,653 PAID TO THE TOWN FOR THE NORTH WINDHAM ROUTE 302 ROAD IMPROVEMENT IMPACT FEE.

4. THE RECREATION IMPACT FEE, THE OPEN SPACE IMPACT FEE, THE PUBLIC SAFETY IMPACT FEE, AND THE MUNICIPAL OFFICE IMPACT FEE, ALL FEES WILL BE DETERMINED AND COLLECTED FOR ANY BUILDING, OR ANY OTHER PERMITS NECESSARY FOR THE DEVELOPMENT, §120-1201C.

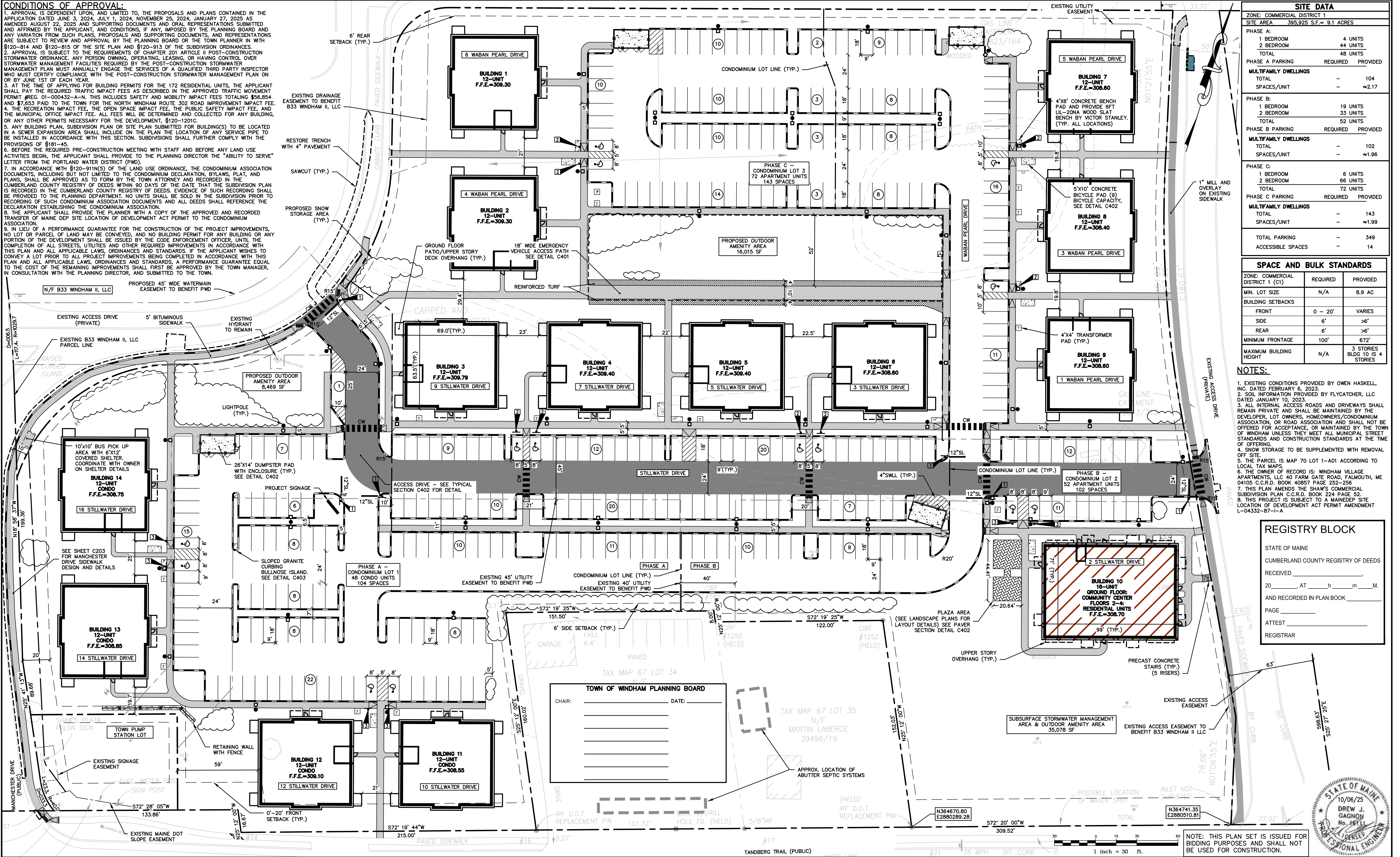
5. ANY BUILDING PLAN, SUBDIVISION PLAN OR SITE PLAN SUBMITTED FOR BUILDING(S) TO BE LOCATED IN A SEWER EXPANSION AREA SHALL INCLUDE ON THE PLAN THE LOCATION OF ANY SERVICE PIPE TO BE INSTALLED IN ACCORDANCE WITH THIS SECTION. SUBDIVISIONS SHALL FURTHER COMPLY WITH THE PROVISIONS OF §181-45.

6. BEFORE THE REQUIRED PRE-CONSTRUCTION MEETING WITH STAFF AND BEFORE ANY LAND USE ACTIVITIES BEGIN, THE APPLICANT SHALL PROVIDE TO THE PLANNING DIRECTOR THE "ABILITY TO SERVE" LETTER FROM THE PORTLAND WATER DISTRICT (PWD).

7. IN ACCORDANCE WITH §120-911(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.

8. THE APPLICANT SHALL PROVIDE THE PLANNER WITH A COPY OF THE APPROVED AND RECORDED TRANSFER OF MAINE DEP SITE LOCATION OF DEVELOPMENT ACT PERMIT TO THE CONDOMINIUM ASSOCIATION.

9. IN LIEU OF A PERFORMANCE GUARANTEE FOR THE CONSTRUCTION OF THE PROJECT IMPROVEMENTS, NO LOT OR PARCEL OF LAND MAY BE CONVEYED, AND NO BUILDING PERMIT FOR ANY BUILDING OR ANY PORTION OF THE DEVELOPMENT SHALL BE ISSUED BY THE CODE ENFORCEMENT OFFICER, UNTIL THE COMPLETION OF ALL STREETS, UTILITIES AND OTHER REQUIRED IMPROVEMENTS IN ACCORDANCE WITH THIS PLAN AND ALL APPLICABLE LAWS, ORDINANCES AND STANDARDS. IF THE APPLICANT WISHES TO CONVEY A LOT PRIOR TO ALL PROJECT IMPROVEMENTS BEING COMPLETED IN ACCORDANCE WITH THIS PLAN AND ALL APPLICABLE LAWS, ORDINANCES AND STANDARDS, A PERFORMANCE GUARANTEE EQUAL TO THE COST OF THE REMAINING IMPROVEMENTS SHALL FIRST BE APPROVED BY THE TOWN MANAGER, IN CONSULTATION WITH THE PLANNING DIRECTOR, AND SUBMITTED TO THE TOWN.



SITE DATA			
ZONE: COMMERCIAL DISTRICT 1			
SITE AREA 395,925 S.F. = 9.1 ACRES			
PHASE A:			
1 BEDROOM	4 UNITS		
2 BEDROOM	44 UNITS		
TOTAL	48 UNITS		
PHASE A PARKING			
REQUIRED			
PROVIDED			
MULTIFAMILY DWELLINGS			
TOTAL	-	104	
SPACES/UNIT	-	~2.17	
PHASE B:			
1 BEDROOM	19 UNITS		
2 BEDROOM	33 UNITS		
TOTAL	52 UNITS		
PHASE B PARKING			
REQUIRED			
PROVIDED			
MULTIFAMILY DWELLINGS			
TOTAL	-	102	
SPACES/UNIT	-	~1.96	
PHASE C:			
1 BEDROOM	6 UNITS		
2 BEDROOM	66 UNITS		
TOTAL	72 UNITS		
PHASE C PARKING			
REQUIRED			
PROVIDED			
MULTIFAMILY DWELLINGS			
TOTAL	-	143	
SPACES/UNIT	-	~1.99	
TOTAL PARKING			
REQUIRED	-	349	
PROVIDED	-	14	
ACCESSIBLE SPACES			

SPACE AND BULK STANDARDS		
ZONE: COMMERCIAL DISTRICT 1 (C1)	REQUIRED	PROVIDED
MIN. LOT SIZE	N/A	8.9 AC
BUILDING SETBACKS		
FRONT	0 - 20'	VARIES
SIDE	6'	>6'
REAR	6'	>6'
MINIMUM FRONTAGE	100'	672'
MAXIMUM BUILDING HEIGHT	N/A	3 STORIES BLDG 10 IS 4 STORIES

- NOTES:
- EXISTING CONDITIONS PROVIDED BY OWEN HASKELL, INC. DATED FEBRUARY 6, 2023.
 - SOIL INFORMATION PROVIDED BY FLYCATCHER, LLC DATED JANUARY 10, 2023.
 - ALL INTERNAL ACCESS ROADS AND DRIVEWAYS SHALL REMAIN PRIVATE AND SHALL BE MAINTAINED BY THE DEVELOPER. LOT OWNERS, HOMEOWNERS/CONDOMINIUM ASSOCIATION, OR ROAD ASSOCIATION AND SHALL NOT BE OFFERED FOR ACCEPTANCE, OR MAINTAINED BY THE TOWN OF WINDHAM UNLESS THEY MEET ALL MUNICIPAL STREET STANDARDS AND CONSTRUCTION STANDARDS AT THE TIME OF OFFERING.
 - SNOW STORAGE TO BE SUPPLEMENTED WITH REMOVAL OFF SITE.
 - THE PARCEL IS MAP 70 LOT 1-A01 ACCORDING TO LOCAL TAX MAPS.
 - THE OWNER OF RECORD IS: WINDHAM VILLAGE APARTMENTS, LLC 40 FARM GATE ROAD, FALMOUTH, ME 04105 C.C.R.D. BOOK 40857 PAGE 252-256
 - THIS PLAN AMENDS THE SHAW'S COMMERCIAL SUBDIVISION PLAN C.C.R.D. BOOK 224 PAGE 52.
 - THIS PROJECT IS SUBJECT TO A MAINE DEP SITE LOCATION OF DEVELOPMENT ACT PERMIT AMENDMENT L-04332-87-1-A

REGISTRY BLOCK

STATE OF MAINE

CUMBERLAND COUNTY REGISTRY OF DEEDS

RECEIVED _____

20 _____ AT _____ h _____ m _____.

AND RECORDED IN PLAN BOOK _____

PAGE _____

ATTEST _____

REGISTRAR _____

Rev.

Date

Revision

10/06/25

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Design: LEL

08/20/25

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01/10/25

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