

APPLICATION COMPLETENESS & STAFF REVIEW COMMENTS MEMO

DATE: October 14, 2025

TO: William Gerrish PE, PLS, Sebago Technics Inc
Scott & Lea Hennigar

FROM: Amanda Lessard, Senior Planner/Project Manager

Cc: Steve Puleo, Planning Director
Windham Planning Board

RE: #21-17 Heights at Colley Wright Brook – Amended Subdivision– Final Plan Review – Cooper Ridge – Scott & Lea Hennigar

Requested Planning Board meeting: October 27, 2025

Thank you for submitting your preliminary application on October 6, 2025. The application is **incomplete**. The staff has reviewed the application and found one outstanding item listed below under “**Amended Subdivision Application Completeness**” that **need your attention by October 20, 2025** before the Planning Board final plan review is scheduled, in accordance with Windham Land Use Ordinance [§120-907C\(4\)\(b\)](#). Your application is tentatively **scheduled for review on October 27, 2025**. 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.

Revisions from the October 9, 2025 memo appear as underlined text below.

Project Information:

The applicant is proposing to amend the approval to develop a 6-lot conservation subdivision initially approved by the Planning Board on June 13, 2022 to amend the lot lines of Lot 23-G and relocate the wells and septic systems on Lots 23-B through 23-F.

The property is identified as Tax Map: 10 Lots: 23, 23-B, 23-C, 23-D, 23-E, 23-F, 23-G; Zone: Farm (F) in the Colley Wright Brook watershed. Uses: Dwelling, single-family.

Amended Subdivision Application Completeness

- Title, Right, or Interest. According to Town Assessing records, the applicant is no longer the owner of record of Tax Map 10 Lot 23-B, 23-C, 23-E, and 23-F. Provide authorization from these property owners for the applicant to amend the subdivision approval of their lots.

Staff Review Comments

The memo will be updated as staff comments are provided.

Planning Department

1. What is the setback to the stream of the new location for the septic field on Lot #5? Activity within 75 feet of the stream requires a DEP NRPA permit. Note this requirement on the Site Layout & Utility Plan Sheet and add a note to the subdivision plan.

2. Add amendment note required by [§120-913B\(3\)\(d\)](#): The revised plan shall indicate that it is the revision of a previously approved and recorded plan and shall show the title of the subdivision and the book and page or cabinet and sheet on which the original plan is recorded at the Registry of Deeds.
3. The Waivers noted on the plan do not need to include the waivers from submission requirements.
4. The subdivision plan should show the 50' wetland and 100' stream setbacks (ie reduce the lot building envelopes where applicable) that were previously approved by the Board relative to [§120-911K\(3\)\(c\)](#) which generally requires 100-foot building setbacks from primary conservation areas and 50-feet from secondary conservation areas.
5. Show Stormwater Buffer area on Subdivision Plan.
6. Show the approximate location of the tree line after development has been completed on the Subdivision Plan.
7. Per [§120-911E\(a\)](#) add a note to the subdivision plan prohibiting 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. Mandatory buffers for stormwater or other reasons depicted on the plan shall not be cleared of vegetation unless the Planning Board grants an amendment to the subdivision or for maintenance that does not alter the purpose for which the buffer was required.
8. The planned changes to the driveway locations will require the assignment of new street addresses. The plan has been provided to the Assessing Department who will issue new address following approval that will be used for building permit applications.
9. Recommended CONDITIONS OF APPROVALS (Note changes from 2022 approval as strikethrough and underlined):
 1. Approval is dependent upon and limited to the proposals and plans contained in the application dated October 6, 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 [§120-912](#) of the Land Use Ordinance.
 - ~~2. Homeowner's Association Bylaws, Convents, and Documentation for the care and maintenance of the private road and open space areas shall be recorded in Cumberland County Registry of Deed (CCRD) prior to the pre-construction meeting and a copy of the recorded documentation shall be submitted to the Planning Department for verification.~~
 3. All residences shall install a fire suppression system to be reviewed and approved by the Fire Chief before issuing building permits.
 4. ~~Completion of Construction of Required Improvements. The construction of the improvements covered by any subdivision plan approval shall be completed within two (2) years of the date upon which the performance guarantee is accepted by the Town Manager, per Section 915.B.5.~~ 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.
5. If the two (2) rights of ways (ROWs) are to be developed in the future, they must be replaced with an equivalent amount of open space on another property and contiguous with The Heights at Colley Wright Brook Subdivision open space. When the developer proposes to construct a road within this ROW, the developer shall apply to the Planning Board for approval. If the road is to be extended through open space for future development, additional net residential area and open space will need to be provided to offset the right of way deduction. Because the two (2) ROWs extend through an existing stream, if it is to be developed, additional state and federal permits may need to be obtained.
 6. 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](#).
 7. 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.

Town Engineer

I have reviewed the Amended Subdivision Plan Application for the Heights at Colley Wright. The Applicant has proposed relocating the septic systems on the lots and changing the lot line for Lot 6, but no changes to the road, which has been built, are proposed. The level spreaders included in the originally approved application along with drainage swales and culverts have been constructed as well. I have the following comments/questions on the application:

10. Since the revised layout of the lots will result in increases in impervious areas on the lots, the application included updated calculations for the stormwater BMPs, namely the level spreaders. The calculations submitted in their amendment indicate that the size of the southerly level spreader still meets the sizing requirement calculation in Maine DEP Ch. 500. The calculations submitted by the applicant for the northerly level spreader based on the amount of impervious and developed area indicate that the required length is 136.3 ft versus the 135-ft length it is currently built to. This roughly 1-ft difference should be considered de minimis amount that should not have any significant adverse impact on the performance of the level spreader. Based on my observations in the field, the level spreader appears well built and the stone berm is taller than the required height. However, the one additional piece of information that would be helpful in clarifying the analysis is a marked-up plan showing the impervious and developed areas on each lot assumed in the analysis along with a table listing the quantities. Please provide this information.

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 “**Staff Review Comments**” by October 20, 2025 or earlier to be included in the Planning Board October 27th 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. As Please feel free to call me with any questions or concerns at (207) 207-894-5900 x 6121 or email me at allessard@windhammaine.us.