

Stephen J. Puleo

From: Deborah Ansin <deborahansin17@icloud.com>
Sent: Wednesday, January 8, 2025 7:34 PM
To: Planning Board
Subject: 24-33 Beaulieu Drive Reapproval of Minor Subdivision

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To: The Town of Windham Planning Board
From: Deborah Ansin
Date: 1/5/2025

The residents of Beaulieu Drive would like the planning board to take into consideration the following preexisting requirements set by the board in 2006 and our current concerns during the approval process of the "Reapproval of Beaulieu Drive 2006 Minor Subdivision Plan".

First of all, it is our understanding that the 2006 approval was never actually approved, because the requirements for final approval set by the planning board were never met. Please see the inserted official town 2006 documents below outlining those requirements and legal requirements needed to be met by the previous owner. (Please note..if you have a hard time reading the inserts and don't have them in your files, I can bring in a copy)

Secondly, we have the following concerns. Most of these concerns have been existing since the previous owner created this illegal subdivision and never complied with town standards.

1. Ensure correct width of the road for two-way traffic.
2. Ensure the road is adequate for emergency vehicles to enter and exit the road.
3. Ensure that the existing runoff water drainage is properly addressed, without causing new water issues to dwellings and the road.
4. What procedures will be taken to prevent any damage to dwellings if blasting of the existing ledge is necessary to widen the road?
5. What will be done so the residents of Beaulieu Drive can exit and enter their residences during construction?
6. Fall Ridge Road Association is concerned because they are not able to and do not want to maintain Beaulieu Drive.
7. A road association would have to be created for the residents accessing Beaulieu Drive. That would be numbers 5, 8, and 9 Beaulieu Drive. The abutter number 51 on Fall Ridge Road does not want to be on this association since they do not use this road. Not sure if the abutter number 61 on Fall Ridge Road feels the same way as other abutter.
8. Water main needs to be brought into adequate location either on Fall Ridge Road or Beaulieu Drive.

The water main and emergency vehicle access requirements are urgent concerns and need to be addressed. Especially since there was a fire in 2016 at [5 Beaulieu Drive](#) and the fire department did not have appropriate access to water or correct road access. Unfortunately, the house was unable to be saved.

If you have any questions, please feel free to contact me, Deborah Ansin, at 207-332-2148.

Thank You,
Beaulieu Drive residents

STATE OF MAINE
CUMBERLAND, ss.

NI
Div.
Civil D

TOWN OF WINDHAM,)

Plaintiff)

v.)

MICHAEL BEAULIEU and)

COLLETTA BEAULIEU,)

Defendants)

ORDER AF

This matter came before this Court for hearing on November 1, 2011. The hearing matter was scheduled for hearing at 1:30 p.m., the Court delayed the hearing to 2:30 p.m. because Defendant Michael Beaulieu did not appear at the hearing. The Court confirmed with the Clerk's Office that Defendant Michael Beaulieu contacted the Court to notify it that he could not attend the hearing.

reasonably required by the Town staff in order to process the subdivision application. Defendant Michael Beaulieu shall provide this information to the Town no later than January 29, 2007, two weeks in advance of the Town's Planning Board meeting on February 12, 2007. This information shall be submitted to the Town no later than January 29, 2007, two weeks in advance of this Planning Board meeting.

2. Defendant Michael Beaulieu shall be subject to a monetary penalty in the amount of \$10,000.00. The Court determines that a penalty of this amount is warranted in this case due to the length of time that the violation has continued and Defendant Michael Beaulieu's repeated refusals to diligently pursue to complete the subdivision application required to resolve the ongoing violation. Defendant Michael Beaulieu may seek suspension in all or in part of up to \$7,000 of the penalty. The Court will suspend the penalty unless Defendant Michael Beaulieu complies with the requirements of Section 1 of this Order or shows good cause for his failure to comply with the requirements of Section 1 of this Order.

A monetary penalty of \$4,500⁰⁰ is hereby awarded for



b. an award to the Town of a further monetary penalty and

c. an award the Town of its costs of prosecution of the Motion to Enforce, including its reasonable attorney's fees.

5. At the hearing on November 30, 2006, the Court and the Town addressed issues left outstanding by the September 13, 2006 Order. The Town informed the Court that it was not seeking a monetary penalty against Defendant Coletta Beaulieu and she had been named as a Defendant in this case so that there could not be a claim that Defendant Michael Beaulieu could not perform injunctive relief if she was not a party to the action. The Town also indicated that it did not seek to treat the property transfer of both Defendants to Adams as a separate violation of the State subdivision law, but as a continuation of the initial violation as found in Section 13 of the September 13, 2006 Order. Based upon these representations by the Town, no penalty is imposed upon Defendant Coletta Beaulieu. To the extent that any action by Coletta Beaulieu may be required to achieve compliance with the requirements of Section 1 of this Order, she

- b. an award to the Town of a further monetary penalty
- c. an award to the Town of its costs of prosecution including its reasonable attorney's fees.

5. At the hearing on November 30, 2006, the Court addressed the issues left outstanding by the September 13, 2006 Order that it was not seeking a monetary penalty against Defendant Defer she had been named as a Defendant in this case so that Defendant Michael Beaulieu could not perform injunctive the action. The Town also indicated that it did not seek both Defendants to Adverse as a result of the violation of the

Ben Smith

From: Brooks More
Sent: Thursday, July 08, 2010 9:53 AM
To: Tony Plante
Cc: Renee Carter; Ben Smith; 'Natalie L. Burns'
Subject: Beaulieu Drive Status
Attachments: Beaulieu Drive - Planning Board Oct. 23, 2006 Minu

Hi Tony,

Renee, Ben and I met to review the status of the Beaulieu Drive project and the items which remain to be completed prior to release of the property.

1. On October 23rd, 2006, the Planning Board issued a conditional approval for the Beaulieu Drive project. The approval was made on the condition that the applicant meet certain requirements. These requirements are contained in the attached minutes from the meeting. These conditions have not been met.
2. The applicant has not completed the improvements as required.
3. The applicant owes the Town \$10,000 in fines and \$4,500 in costs.

I believe that we are not releasing the Keene Road property in light of the Beaulieu Drive project.

Please let me know if you have any questions.

Brooks

Brooks More, AICP
Planning Director
Town of Windham
(p) (207) 894-5960 x 2
(c) (207) 400-7618

Planning Board Minutes Oct. 23, 20

Roger Timmons explains the town Code and says they know when they are going to have to have adequate quality and quantity of water.

David Nadeau wants to know the right of way width of Brown Cove. Applicant says it cannot be determined yet. Nadeau is concerned about the road.

John Henry asks about lights and applicant states they have not added lights to the road.

Keith Williams wants to see construction drawing on the water line. Applicant provides drawing. Also capacity of wells before issuing a building permit.

Roger Timmons says he has wording for joining road association, and #9 and #12) (a Sebago Technics project).

Keith Williams makes motion to grant Preliminary Approval and that applicant returns for Final Approval:

1. Water main
2. Lighting defined
3. Provide a block for Conditions of Approval on sheet 2 of 7 and anticipate at present:
 - a. Proof of adequacy of wells before issuing building permits
 - b. Joining road association (refer to above mentioned #9 and #12)
 - c. Moving of general notes #15, 17 and #19 into Conditions of Approval
 - d. Incorporation of Maine Department of Environmental Protection note #18

Mike Beaulieu, applicant, reviews the project.

Public Hearing Opened

Joe Benson, Fall Ridge Road asks about the Falls Ridge Road Association Ridge or will they be having a new association?

Deborah Anson, Beaulieu Drive, reads a letter (should be part of the record Beaulieu Drive; no hydrant, no road maintenance. People don't want to pay a safety issue. She dreads possibility of having fire/rescue needed because

Robert Barnes, abutter on Falls Ridge: Concerns about the amount of lead blasting on his foundation and/or well. Concerned about the amount of

Rebecca Lyndsey, Beaulieu Drive – just moved to the house within past water; drained right into laundry room. During recent heavy rains, water husband had to bail out the water. There is no maintenance on the road. house. Who will maintain the road – who is responsible.

Beaulieu responds to questions and says all issues raised will be addressed way (Beaulieu Drive) will be part of the Falls Ridge Road Association.

Mr. Benson asks about responsibility of association in maintaining the have enough money now.

Beaulieu says he would like to make copies of the plan for everyone standards and drainage. This plan would solve the problem of water go

Seymour: A surveyor will need to lay this out prior to construction and mark is complaining because there is grading right on the property line. Seymour : the site walk, he sees there are no wetlands, but is struggling with that defini

Seymour also asked about applicant insurance/bonding to cover any damage construction.

Seymour asks about the wetlands – understands there is a letter from land su wetlands, but after walking the property, is struggling with that definition. G quagmire out there.

Timmons says if the Board approves this project, it will require 3rd party rev review the plans so if anything needs to be corrected before construction.

Nadeau wants condition of approval on this plan that this is not a street and h

Roger says to refer to #8 on Wayne Woods' plan.

Nadeau thinks both #6 and #8 need to be conditions of approval. This is not a be formed.

Tim Seymour asks that the plan be updated to reflect changes in property owr

Keith Williams points out discrepancy in title used on a letter from Kathy Wc delineator) and says there is not such thing for Maine.

Keith Williams - regarding drainage, note that the roadside ditches on drawin dissipating water. Is apprehensive about the steepness; it will be eroding dow north (Boutilier).

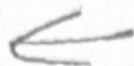
Applicant responds that he has a plan to fix this to stop the water dispersion.

7. Driveway location, hammerhead be shown on the plan.
8. CONDITION OF APPROVAL: No building permit until road
9. Show all utilities serving Lot B
10. Update plan to show abutters names
11. Install road sign indicating this is a private road. (Applicant st

Jim Seymour stresses that safety is the most important issue and wants a note on the plan indicating who is responsible for the road.

Seconded by John Henry

Vote: 5-0



Steve Adams rejoins Board

06-14 Architectural Drive Subdivision Tax Map 53, Lots 33, 33-1 - Architectural Drive - Major commercial subdivision plan review.

Paul Lawrence represents applicant, Windham Millwork. Owner of M

Public Hearing Opened.

No input.

Public Hearing Closed.

BOARD DELIBERATION

John Henry asks about Gorrill Palmer's comment #11 regarding putting

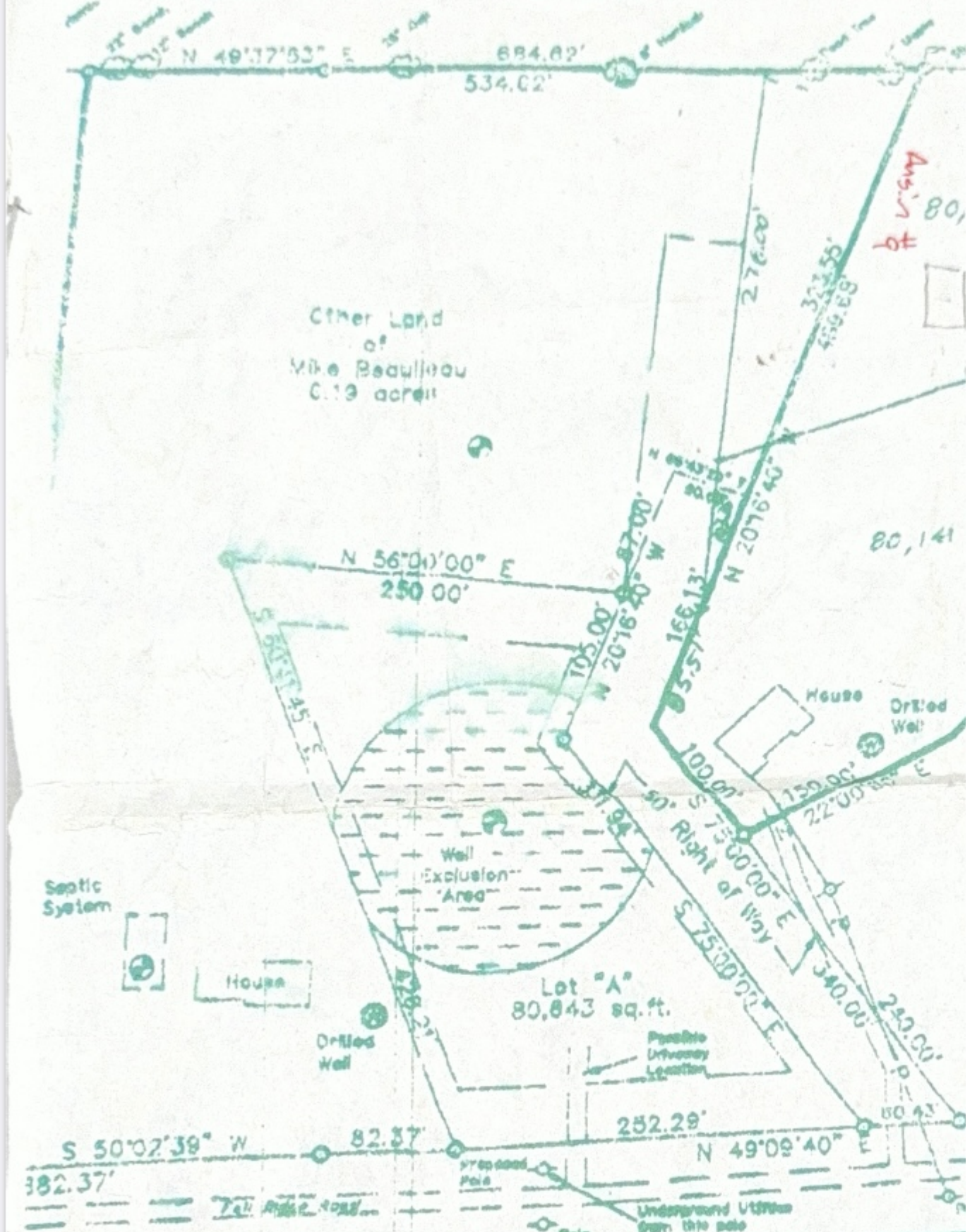
Lawrence says there is no objection and would be acceptable as a Cor

Jim Seymour asks to put table on the plan.

John Henry discusses traffic report. Thinks there should be a note limit traffic study was done.

Lawrence: Can be done but when threshold is reached will require ad

Henry asks about collision study and says he hasn't seen it



Sent from my iPhone