Town of Windham

For:

Amended Subdivision Application
Franklin Drive Subdivision
Windham, ME 04062

Applicant:

New Gen Estates, LLC
50 Maine Mall Road
South Portland, ME 04074

Prepared by:

Sebago Technics, Inc.
75 John Roberts Road, Suite 4A
South Portland, Maine 04106

May 2025

230411

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May 19, 2025
230411

Steve Puleo, Planning Director
Town of Windham
8 School Road
Windham, Maine 04062

sjpuleo@windhammaine.us

Amended Subdivision Application
Franklin Drive Subdivision, Windham - New Gen Estates, LLC
Tax Map/Lot: 18/26-2-A

Dear Steve:

On behalf of New Gen Estates, LLC, Sebago Technics, Inc. is pleased to submit the enclosed Amended Subdivision Review Application, plan, and associated exhibits for the amendment of the previously approved 4-lot Franklin Drive Subdivision. The proposed development is located just east of the terminus of Franklin Drive on a lot identified on the Town of Windham Tax Map 18 as Lot 26-2. The project site is approximately 38.59 acres in size and consists of mainly undeveloped area with an existing trail through the middle of the property.

The subject parcel is located in Windham's Commercial 1 (C-1) zoning district. Following the approval of the Franklin Drive Subdivision, the applicant has worked with town staff toward the development of a new roundabout at the existing Franklin Drive terminus where the right-of-way extension was planned to begin. In accordance, the proposed amendment is for changes to the previously approved right-of-way. The approved right-of-way is approximately 390 feet long and 50 feet wide terminating in a cul-de-sac. The proposed changes would reduce the width of the proposed road and replace the approved cul-de-sac with a "T" turnaround. Parking is to remain along the roadway. Access to Lot 4 will be unchanged and provided from Sandbar Road on which Lot 4 will receive frontage. In accordance with local and state regulations, the originally approved catch basin system to direct stormwater runoff generated from the road extension development to an underdrained soil filter will be modified to match the road changes.

The following information is provided in accordance with the Checklist for Subdivision Review:

A.

1. The signed application form is included in the application.
2. We presume that the application form is stamped upon receipt of the fee.
3. The surveyor who prepared the plan is Mathew W. Ek, PLS 2117 of Sebago Technics, Inc.

4. The engineer who prepared the plan is Robert A. McSorley, PE 8588 of Sebago Technics, Inc.
5. The project is not anticipated to generate solid waste at this phase. Future phases of development will contact for services for solid waste disposal. Any construction period waste will be handled by the selected contractor working in conjunction with a Maine DEP Licensed – A Waste Transporter providing services in the Windham area, such as Pine Tree Waste/Casella, Waste Management, Troiano, or R.W. Herrick.
6. An inquiry was made to Maine Department of Inland Fisheries and Wildlife (MDIFW) on December 6, 2024. MDIFW identified possible significant wildlife habitat on the site, additional surveys to confirm are being performed by Flycatcher LLC.
7. Any existing or proposed deed restrictions or covenants are shown on the enclosed plans or within this application.
8. Any existing or proposed easements are shown on the enclosed plans or within this application.
9. Deeds for the project are included within this application.
10. The project involves the division of land and the construction of a public way. The construction of the public way will be financed through the applicant's existing cash position and available lines of credit. The proposed improvements are estimated to cost approximately $660,000.00.
11. The project team consists of Sebago Technics, a multi-disciplinary engineering firm with 40 years of experience offering a wide range of services, including land development design, landscape architecture, planning, engineering, permitting, land survey, traffic, environmental, construction management, and soil science.
12. No road maintenance agreement is required as the access road will be a public way.

B.

1. The name of the proposed is the Franklin Drive Subdivision and is present on the Plan Set.
2. The surveyor who stamped the plan is Mathew W. Ek, PLS 2117 of Sebago Technics, Inc.
3. The engineer who stamped the plan is Robert A. McSorley, PE 8588 of Sebago Technics, Inc.
4. A north arrow is present on the Plan Set.
5. A location map of the proposed project site is included within this application.
6. The prepared plan set includes the required information within 250 feet of the project site.
7. A standard boundary survey of the parcel is included as part of the Plan Set.
8. The proposed public way is included as part of the Plan Set.
9. All lots proposed through the subdivision are included as part of the Plan Set.
10. The location of all monuments required by ordinance is included as part of the Plan Set.

11. Request for review of the project site for unique and natural features as been made to the MHPC, MNAP, and MDIFW. Responses have been received and are included as part of the application materials.
12. The location of all yard setback lines are included as part of the Plan Set.
13. The medium intensity soils survey is included within this application.
14. The proposed lots will not be serviced by a subsurface sewage disposal system.
15. No offers of cessation to the Town of any areas are proposed by the minor subdivision.
16. The conditions of approval and any proposed waivers will be added to the Minor Subdivision Plan for the final plan submission.
17. The Minor Subdivision Plan shows intersecting roads within 200 feet of the site.
18. The Minor Subdivision Plan depicts four proposed lots meeting the space and bulk requirement of the zone and incorporates all of the original locus property.

C.

1. Contour lines at 5 foot intervals have been included as part of the Plan Set.
2. Any construction period waste will be handled by the selected contractor working in conjunction with a Maine DEP Licensed – A Waste Transporter providing services in the Windham area, such as Pine Tree Waste/Casella, Waste Management, Troiano, or R.W. Herrick.
3. A stormwater management plan has been included in the provided Full Stormwater Management Report for the project site.
4. No subsurface wastewater disposal systems are proposed within the project site.
5. The location of driveways has been included as a part of the Plan Set.

We look forward to discussing this project with the Town Planning Board and Staff at the upcoming meetings. Please feel free to contact us if additional information is needed. Thank you for your time and consideration related to this project.

Sincerely,

SEBAGO TECHNICS, INC.

Robert A. McSorley, NH/MA/ME/VT P.E.
Senior Project Manager

RAM/jtg
Enc.

Town of Windham
Planning Department:
8 School Road
Windham, Maine 04062
Tel: (207) 894-5960 ext. 2
Fax: (207) 892-1916 -
www.windhammaine.us

MINOR SUBDIVISION REVIEW APPLICATION

FEES FOR MINOR SUBDIVISION REVIEW				AMOUNT PAID:	
	APPLICATION FEE:	☐	$900.00	$_____	
	AMENDED APPLICATION FEE:	☑	$350.00	DATE: _____	
☑ Amended Subdivision Each lot/Revision	REVIEW ESCROW:	☐	$1,500.00	*Office Use:*	*Office Stamp:*
	AMENDED REVIEW ESCROW:	☑	$250.00		

PROPERTY DESCRIPTION	**Parcel ID**	**Map(s) #**	18	**Lot(s) #**	26-2-A	**Zoning District(s):** C-1	**Total Land Area SF:** 38.59
	Physical Address:	Franklin Drive				**Watershed:**	Sebago Lake
PROPERTY OWNER'S INFORMATION	**Name:**	New Gen Estates, LLC				**Name of Business:**	
	Phone:	207-371-0070				**Mailing Address:**	50 Maine Mall Road
	Fax or Cell:						South Portland, ME 04074
	Email:	sgali@nghmllc.com					
APPLICANT'S INFORMATION (*IF DIFFERENT FROM OWNER*)	**Name:**	same as above				**Name of Business:**	
	Phone:					**Mailing Address:**	
	Fax or Cell:						
	Email:						
APPLICANT'S AGENT INFORMATION	**Name**	Robert A. McSorley, PE				**Name of Business:**	Sebago Technics, Inc.
	Phone:	207-200-2074				**Mailing Address:**	75 John Roberts Road, Suite 4A
	Fax or Cell:						South Portland, ME 04106
	Email:	rmcsorley@sebagotechnics.com					

PROJECT INFORMATION

Existing Land Use ***(Use extra paper, if necessary)*:**

Vacant

Provide a narrative description of the Proposed Project ***(Use extra paper, if necessary)*:**

The subdivision is proposed to create lots for future commercial and residential uses of the property.

Provide a narrative description of construction constraints (wetlands, shoreland zone, flood plain, non-conformance, etc.):

The subject parcel is encumbered by a large wetland complex in the northern and eastern area of the the site. Please see attached materials for more information.

MINOR SUBDIVISION REVIEW APPLICATION REQUIREMENTS

Section 910 of the Land Use Ordinance

The submission shall contain, five (5) copies of the following information, including full plan sets. Along with one (1) electronic version of the entire submission unless a waiver of a submission requirement is granted.

The Minor Plan document/map:

A) Plan size: 24" X 36"
B) Plan Scale: No greater 1":100'
C) Title block: Applicant's name and address

- Name of the preparer of plans with professional information
- Parcel's tax map identification (map and lot) and street address, if available

- Complete application submission deadline: three (3) weeks prior to the desired Staff Review Committee meeting.
  - Five copies of the application and plans
  - Application Payment and Review Escrow
- Pre-submission meeting with the Town staff is required.
- Contact information:
  Windham Planning Department (207) 894-5960, ext. 2
  Steve Puleo, Town Planner sjpuleo@windhammaine.us
  Amanda Lessard, Planning Director allessard@windhammaine.us

APPLICANT/PLANNER'S CHECKLIST FOR MINOR SUBDIVISION REVIEW

SUBMITTALS THAT THE TOWN PLANNER DEEMS SUFFICIENTLY LACKING IN CONTENT WILL NOT BE SCHEDULED FOR STAFF REVIEW COMMITTEE REVIEW.

The following checklist includes items generally required for development by the Town of Windham's LAND USE ORDINANCE, Sections 906.E., 910. And 911. Due to projects specifics, are required to provide a complete and accurate set of plans, reports, and supporting documentation (as listed in the checklist below).

IT IS THE RESPONSIBILITY OF THE APPLICANT TO PRESENT A CLEAR UNDERSTANDING OF THE PROJECT.

NOTE TO APPLICANT: A SITE WALK MAY BE REQUIRED, TEMPORARY MARKERS MUST BE ADEQUATELY PLACED THAT ENABLE THE STAFF REVIEW COMMITTEE TO READILY LOCATE AND APPRAISE THE LAYOUT OF DEVELOPMENT (SEE REVIEW PROCEDURES FOR MINOR SUBDIVISION FOR MORE SPECIFICS, PER SECTION 906.C.3.).

Final Plan – Minor Subdivision Submission Requirements:			Final Plan – Minor Subdivision Submission Requirements (Continued):	Applicant	Staff
A. Mandatory Written Information submitted in-bound format	**Applicant**	**Staff**	5. Location map showing the subdivision within the municipality.	☑	☐
1. A fully executed application form, signed by the person with right, title, or interest in the property or Authorized Agent.	☑	☐	6. Vicinity plan showing the area within 250 feet, to include:	☑	☐
2. Evidence of payment of the application and escrow fees.	☑	☐	i. approximate location of all property lines and acreage of parcels.	☑	☐
3. Name, registration number, and seal of the Maine Licensed Professional Land Surveyor who conducted the	☑	☐	ii. locations, widths, and names of existing, filed, or proposed streets, easements, or building footprints.	☑	☐
4. Name, registration number, and seal of the licensed professional who prepared the plan (if applicable).	☑	☐	iii. location and designations of any public spaces.	☑	☐
5. Description of how solid waste generated at the site is to be collected and disposed of.	☑	☐	iv. outline of the proposed subdivision, together with its street system and an indication of future probably street system, if the proposed subdivision encompasses only part of the applicant's entire	☑	☐
6. Statement from the Maine Inland Fisheries & Wildlife that no significant wildlife habitat exists on the site.	☑	☐	7. Standard boundary survey of the parcel, including all contiguous land in common ownership within the last 5 years.	☑	☐
7. Copies of existing or proposed deed restrictions or covenants.	☑	☐	8. Existing and proposed street names, pedestrian ways, lot easements, and areas to be reserved or dedicated to public use.	☑	☐
8. Copies of existing or proposed easements over the property.	☑	☐	9. All lots within the subdivision, including numbers for each lot, and map and lot number assigned by the Windham Assessing Department.	☑	☐
9. Title opinion proving right of access to the proposed subdivision or site for any property proposed for development on or of a private way or private road.	☑	☐	10. Location of all monuments as required by ordinance.	☑	☐
10. Financial Capacity. Estimated costs of development, and an itemization of major costs.			11. Location of any important or unique natural and site features including, but not limited to wetlands, water bodies, streams, scenic areas, sand and gravel aquifers, significant wildlife habitats, significant fisheries, treelines, historic and/or archaeological resources.	☑	☐
i. Estimated costs of development, and an itemization of major costs	☑	☐	12. Location of all yard setback lines.	☑	☐

Final Plan Minor Subdivision Submission Requirements (continued):	Applicant	Staff
ii. Financing - provide one of the following:	☑	☐
a. Letter of commitment to funding from a financial institution, governmental agency, or other funding agency.	☐	☐
b. Annual corporate report with explanatory material showing the availability of liquid assets to finance development	☐	☐
c. Bank statement showing the availability of funds if personally financing development	☐	☐
d. Cash equity commitment.	☐	☐
e. Financial plan for remaining financing.	☐	☐
f. Letter from financial institution indicating an intention to finance.	☑	☐
iii. If a corporation, Certificate of Good Standing from the Secretary of State	☑	☐
11. Technical Capacity:		
i. A statement of the applicant's experience and training related to the nature of the development, including developments receiving permits from the Town.	☑	☐
ii. Resumes or similar documents showing experience and qualifications of full-time, permanent, or temporary staff contracted with or employed by the applicant who will design the development.	☑	☐
12. Name and contact information for the road association whose private way or road is used to access the subdivision (if applicable).	☐	☑
B. Mandatory Plan Information	**Applicant**	**Staff**
1. Name of subdivision, date, and scale.	☑	☐
2. Stamp of the Maine License Professional Land Surveyor that conducted the survey, including at least one copy of original stamped seal that is embossed and signed.	☑	☐
3. Stamp with the date and signature of the Maine Licensed Professional Engineer that prepared the plans.	☑	☐
4. North arrow identifying all of the following: Grid North, Magnetic North, declination between Grid and Magnetic, and whether Magnetic or Grid bearings were used in the plan design.	☑	☐

13. Medium intensity soils map for the area to be subdivided. The Planning Board may require submission of a high-intensity soils map in instances where poor soils are evident.	☑	☐
14. Location and results of test pits performed by a Maine Licensed Site Evaluator or Certified Soil Scientist if subsurface wastewater disposal systems (septic) are proposed.	☐	☑
15. Written offers of cessation to the Town of all public open spaces shown on the plan.	☐	☑
16. All conditions of approval and/or waivers are required or granted by the Planning Board, with the exception of waivers from the submission requirements.	☑	☐
17. Location of intersecting roads or driveways within 200 feet of the site.	☑	☐
18. For Cluster Subdivisions that do not maximize the development potential of the property being subdivided, a conceptual master plan for the remaining land showing future roads, Open Space, and lot layout, consistent with the requirements of 911.K., Custer Developments will be submitted.	☐	☑
C. Submission information for which a waiver may be granted.	**Applicant**	**Staff**
1. Contour lines at intervals of 5 feet, or lesser intervals as the Planning Board may require.	☑	☐
2. Description of how stumps and demolition debris will be disposed of.	☑	☐
3. A surface drainage plan or stormwater management plan with profiles and cross-sections showing the design of all facilities and conveyances necessary to meet the stormwater management standards set forth in Section 900.	☑	☐
4. Soil erosion and sediment control plan prepared by a Maine Licensed Professional Engineer or a Certified Professional in Erosion and Sediment Control (CPESC).	☑	☐
5. If subsurface wastewater disposal systems (septic) are proposed, a hydrogeologic assessment is prepared by a Maine Licensed Site Evaluator or Certified Geologist.	☐	☐
6. Show location of driveways and building envelopes.	☑	☐
Electronic Submission	☑	☐

The undersigned *hereby makes an application to the Town of Windham for approval of the proposed project and declares the foregoing to be true and accurate to the best of his/her knowledge.*

Suresh Gali 5/19/25 Suresh Gali

APPLICANT OR AGENT'S SIGNATURE DATE PLEASE TYPE OR PRINT THE NAME

AGENT AUTHORIZATION

APPLICANT/ OWNER	Name	New Gen Estates, LLC		
PROPERTY DESCRIPTION	Physical Address	Franklin Drive	Map	18
			Lot	26-2-A
APPLICANT'S AGENT INFORMATION	Name	Robert A. McSorley, PE		
	Phone	207-200-2074	Business Name & Mailing Address	Sebago Technics, Inc. 75 John Roberts Road Suite 4A South Portland, ME 04106
	Fax/Cell			
	Email	rmcsorley@sebagotechnics.com		

Said agent(s) may represent me/us before Windham Town officers and the Windham Planning Board to expedite and complete the approval of the proposed development for this parcel.

APPLICANT SIGNATURE — DATE: 12/16/24

Suresh Gali
PLEASE TYPE OR PRINT NAME HERE

CO-APPLICANT SIGNATURE — DATE

PLEASE TYPE OR PRINT NAME HERE

APPLICANT'S AGENT SIGNATURE — DATE: 12/17/2024

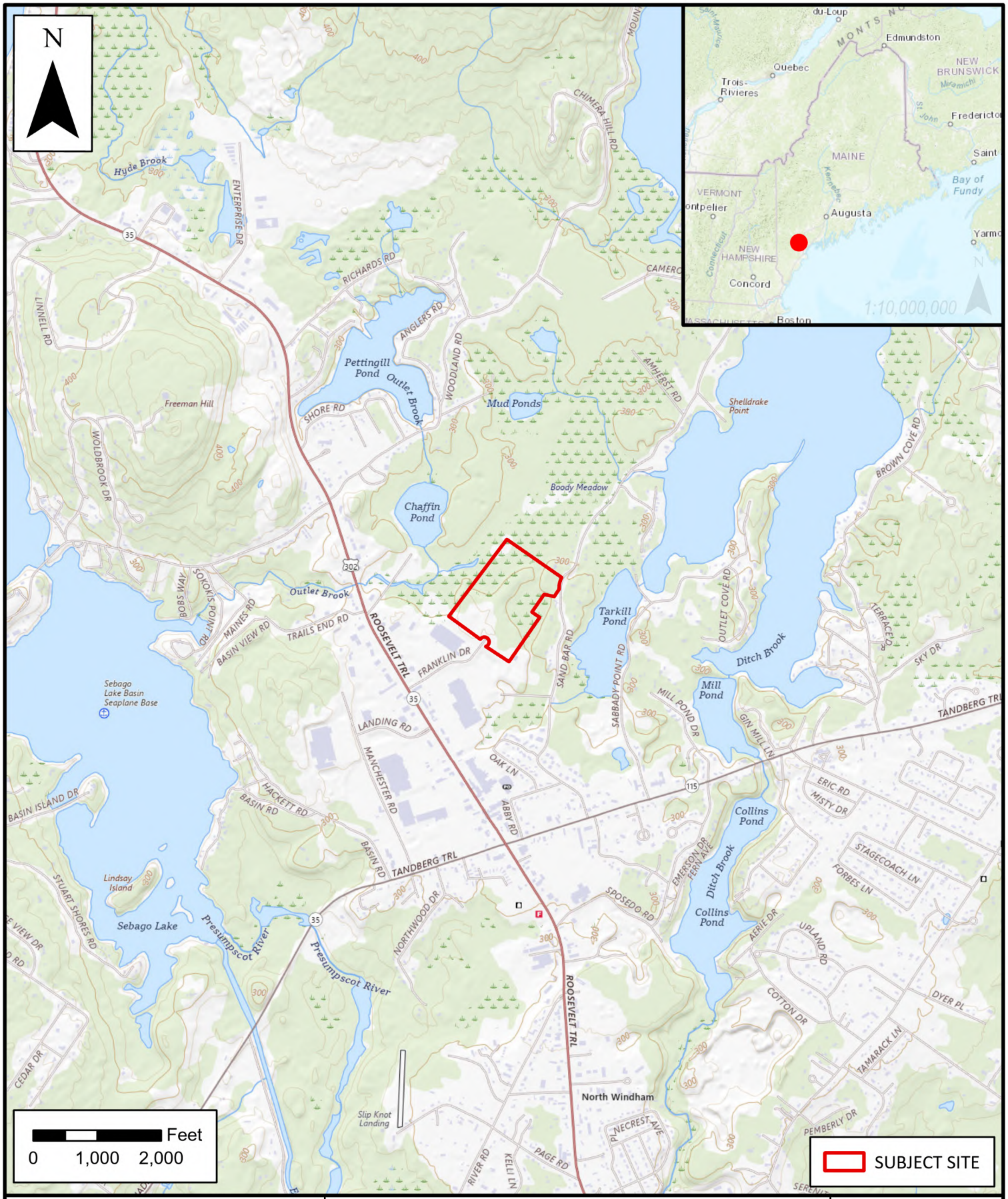
Robert A. McSorley
PLEASE TYPE OR PRINT NAME HERE

Section 1

Site Location Maps

1: Location Maps

Please find a USGS Site Location Map, Town of Windham Tax Map, and FEMA FIRMette Map for site location and identification purposes enclosed in this section.



SEBAGO TECHNICS

WWW.SEBAGOTECHNICS.COM
75 John Roberts Rd. - Suite 4A
South Portland, ME 04106
Tel. 207-200-2100

LOCATION MAP

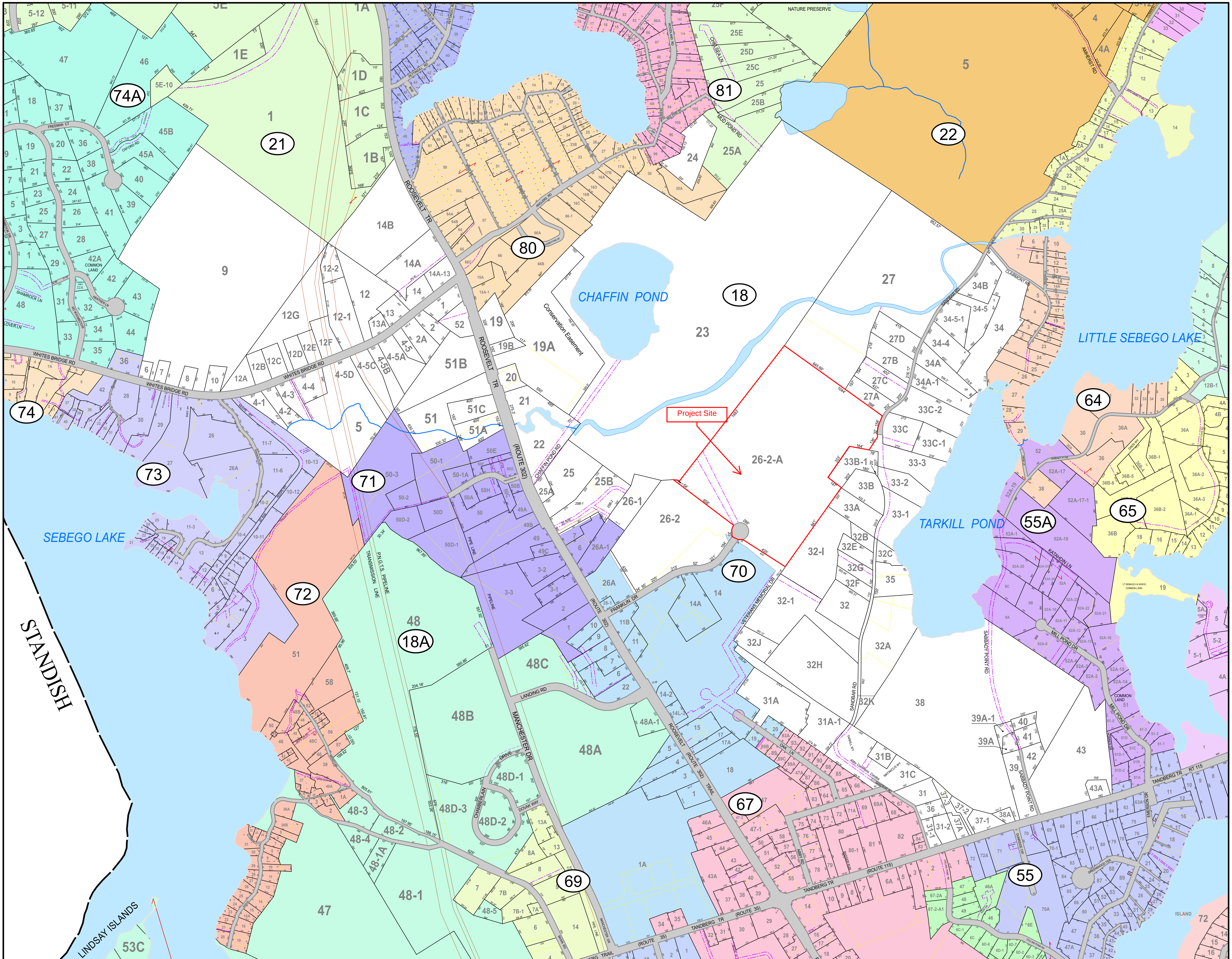
LAND OF JLB WINDHAM, LLC

SCALE: 1:24,000

DATE: 9/23/2024

LOCATION:
20 FRANKLIN DR
WINDHAM, ME

INFORMATION:
MAINE GEOLIBRARY
USGS QUADRANGLE



THIS MAP IS FOR ASSESSMENT PURPOSES. IT IS NOT VALID FOR LEGAL DESCRIPTION OR CONVEYANCE.

THE HORIZONTAL DATUM IS THE MAINE STATE PLANE COORDINATE SYSTEM, NAD 83.

ORIGINAL MAPPING BY JAMES W. SEWALL COMPANY, OLD TOWN, MAINE

REVISED & REPRINTED BY

CAI Technologies
Precision Mapping. Geospatial Solutions.
11 Pleasant Street, Littleton, NH 03561
800.322.4540 - www.cai-tech.com

LEGEND

PARCEL NUMBER	12D	CEMETERY		ROW EASEMENT	
RECORD DIMENSION	100'	CONDOMINIUM		ROW EASEMENT PWD	
SUBDIVISION LOT NO.	2	FARMSTEAD			
COMMON OWNERSHIP		OLD PROPERTY LINES			
STREAMS		UTILITY LINES			

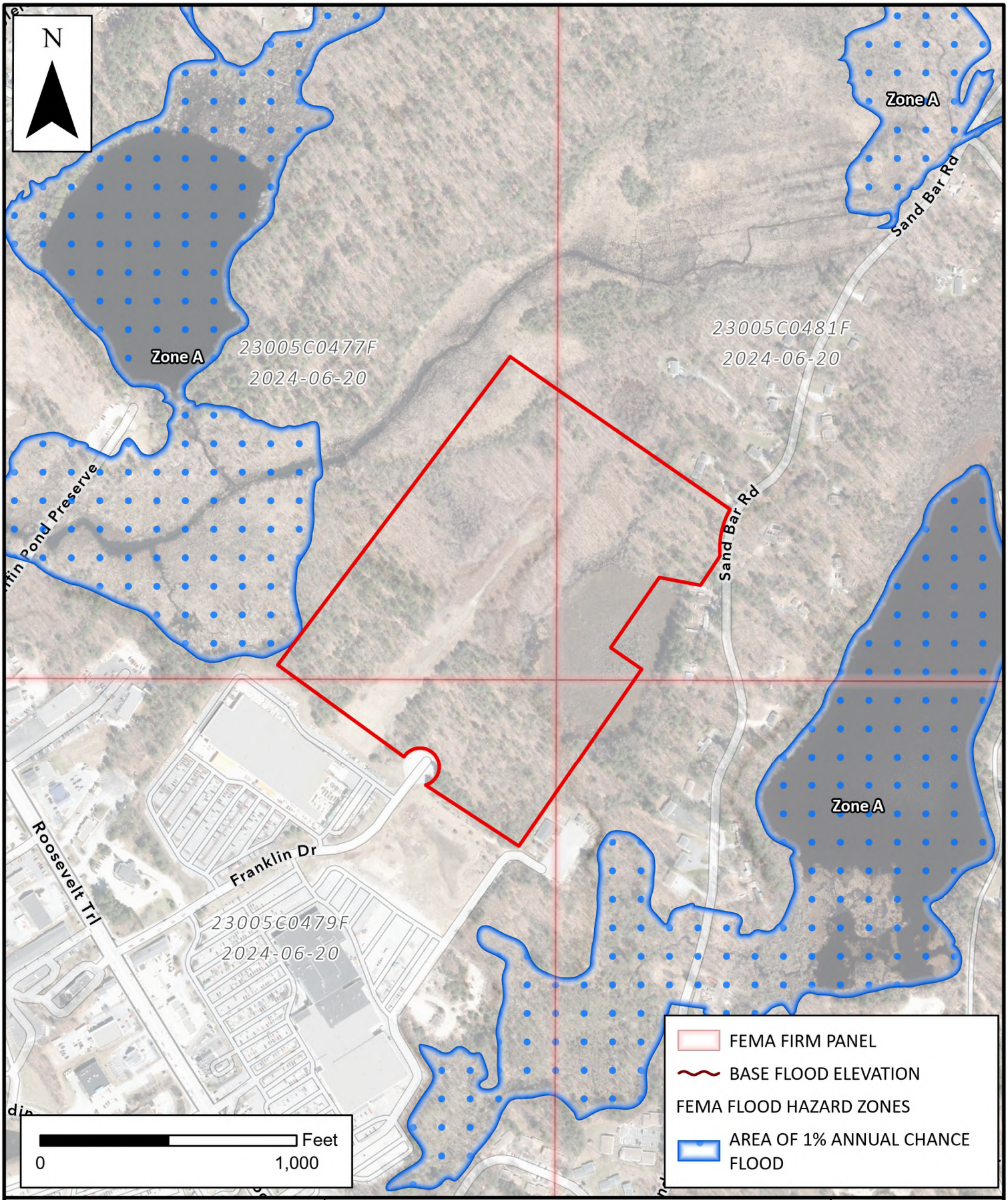
SCALE: 1" = 300'
FEET 300 150 0 300 600 900
METERS 75 37.5 0 75 150 225

REVISED TO: APRIL 1, 2024

PROPERTY MAPS
WINDHAM
MAINE

INDEX DIAGRAM

MAP NO.
18



SEBAGO TECHNICS

WWW.SEBAGOTECHNICS.COM
75 John Roberts Rd. - Suite 4A
South Portland, ME 04106
Tel. 207-200-2100

FEMA NATIONAL FLOOD HAZARDS

LAND OF JLB WINDHAM, LLC

SCALE: 1:6,000

DATE: 12/17/2024

LOCATION:
20 FRANKLIN DR
WINDHAM, ME

INFORMATION:
MAINE GEOLIBRARY
FEMA NFHL 2024-06-20

Section 2

Abutter List

2: Abutter List

The names and addresses of abutters within 500’ of the subject parcel are enclosed in this section.

500 feet Abutters List Report

Windham, ME
December 10, 2024

Subject Property:

Parcel Number:	018026002A00	Mailing Address:	NEW GEN ESTATES LLC
CAMA Number:	018-026-002-A00		50 MAINE MALL RD
Property Address:	FRANKLIN DR		SOUTH PORTLAND, ME 04106

Abutters:

Parcel Number:	018023000000	Mailing Address:	TOWN OF WINDHAM DONNABETH LIPPMAN PARK 8 SCHOOL ROAD WINDHAM, ME 04062
CAMA Number:	018-023-000-000		
Property Address:	18 CHAFFIN POND RD		
Parcel Number:	018025B00000	Mailing Address:	SEBAGO LAKE HOLDINGS LLC PO BOX 1330 WINDHAM, ME 04062
CAMA Number:	018-025-B00-000		
Property Address:	847 ROOSEVELT TR		
Parcel Number:	018025B00000	Mailing Address:	CADET 23 LLC 902 CARNEGIE CTR BLVD STE 520 PRINCETON, NJ 08540
CAMA Number:	018-025-B01-000		
Property Address:	847 ROOSEVELT TR UNIT #1		
Parcel Number:	018025B00000	Mailing Address:	SEBAGO LAKE HOLDINGS LLC PO BOX 1330 WINDHAM, ME 04062
CAMA Number:	018-025-B02-000		
Property Address:	847 ROOSEVELT TR UNIT #2		
Parcel Number:	018026001000	Mailing Address:	WOODBREY BRADLEY S & WOODBREY MITCHEL W PO BOX 1330 WINDHAM, ME 04062
CAMA Number:	018-026-001-000		
Property Address:	ROOSEVELT TR REAR		
Parcel Number:	018026002000	Mailing Address:	JLB WINDHAM LLC 5050 BELMONT AVENUE YOUNGSTOWN, OH 44505
CAMA Number:	018-026-002-000		
Property Address:	20 FRANKLIN DR		
Parcel Number:	018027000000	Mailing Address:	UNGVARY FRANCIS L IV 94 SANDBAR ROAD WINDHAM, ME 04062
CAMA Number:	018-027-000-000		
Property Address:	94 SANDBAR RD		
Parcel Number:	018027A00000	Mailing Address:	DESMOND MICHAEL J & DESMOND TERRY C 88 SANDBAR ROAD WINDHAM, ME 04062
CAMA Number:	018-027-A00-000		
Property Address:	88 SANDBAR RD		
Parcel Number:	018027B00000	Mailing Address:	STRATTARD RYAN J & WILLARD G & HOWIE DANIELLE 96 SANDBAR RD WINDHAM, ME 04062
CAMA Number:	018-027-B00-000		
Property Address:	96 SANDBAR RD		
Parcel Number:	018027C00000	Mailing Address:	CUMMINGS KEITH E & CUMMINGS KATHRYN F 92 SANDBAR ROAD WINDHAM, ME 04062
CAMA Number:	018-027-C00-000		
Property Address:	92 SANDBAR RD		

500 feet Abutters List Report

Windham, ME
December 10, 2024

Parcel Number:	018032000000	Mailing Address:	SOUTHERN MAINE CONSTRUCTION LLC
CAMA Number:	018-032-000-000		
Property Address:	38 SANDBAR RD		84 G WARREN AVENUE WESTBROOK, ME 04092
Parcel Number:	018032001000	Mailing Address:	MB PROPERTIES INC
CAMA Number:	018-032-001-000		30 WINDHAM CENTER RD
Property Address:	SANDBAR RD		WINDHAM, ME 04062
Parcel Number:	018032B00000	Mailing Address:	WONG CORINNE L
CAMA Number:	018-032-B00-000		54 SANDBAR RD
Property Address:	54 SANDBAR RD		WINDHAM, ME 04062
Parcel Number:	018032E00000	Mailing Address:	MAYBERRY JACQUELINE REED
CAMA Number:	018-032-E00-000		247 TANDBERG TRAIL
Property Address:	50 SANDBAR RD		WINDHAM, ME 04062
Parcel Number:	018032F00000	Mailing Address:	MAYBERRY ASSOCIATES
CAMA Number:	018-032-F00-000		60 SANDBAR ROAD
Property Address:	46 SANDBAR RD		WINDHAM, ME 04062
Parcel Number:	018032G00000	Mailing Address:	MAYBERRY ASSOCIATES LLC
CAMA Number:	018-032-G00-000		60 SANDBAR ROAD
Property Address:	48 SANDBAR RD		WINDHAM, ME 04062
Parcel Number:	018032H00000	Mailing Address:	NEW MARBLEHEAD NORTH HOUSING
CAMA Number:	018-032-H00-000		CORP C/O AVESTA HOUSING
Property Address:	32 SANDBAR RD		307 CUMBERLAND AVENUE PORTLAND, ME 04101
Parcel Number:	018032I00000	Mailing Address:	WINDHAM VETERANS' ASSOC INC
CAMA Number:	018-032-I00-000		35 VETERANS MEMORIAL DR
Property Address:	35 VETERANS MEMORIAL DR		WINDHAM, ME 04062
Parcel Number:	018032K00000	Mailing Address:	MAYBERRY JACQUELINE C & WONG
CAMA Number:	018-032-K00-000		CORINNE MAYBERRY
Property Address:	SANDBAR RD		247 TANDBERG TRAIL WINDHAM, ME 04062
Parcel Number:	018033001000	Mailing Address:	LIBBY DANIEL E II & GOUD LIZA S
CAMA Number:	018-033-001-000		61 SANDBAR ROAD
Property Address:	61 SANDBAR RD		WINDHAM, ME 04062
Parcel Number:	018033002000	Mailing Address:	GILLIS MACAULAY
CAMA Number:	018-033-002-000		67 SANDBAR RD
Property Address:	67 SANDBAR RD		WINDHAM, ME 04062
Parcel Number:	018033003000	Mailing Address:	GAUDET CRAIG JOSEPH GAUDET
CAMA Number:	018-033-003-000		JANNINE
Property Address:	73 SANDBAR RD		73 SANDBAR RD WINDHAM, ME 04062

500 feet Abutters List Report

Windham, ME
December 10, 2024

Parcel Number:	018033A00000	Mailing Address:	MAYBERRY MARVIN R
CAMA Number:	018-033-A00-000		60 SANDBAR ROAD
Property Address:	60 SANDBAR RD		WINDHAM, ME 04062
Parcel Number:	018033B00000	Mailing Address:	VANVALKENBURGH SCOTT R
CAMA Number:	018-033-B00-000		64 SANDBAR ROAD
Property Address:	64 SANDBAR RD		WINDHAM, ME 04062
Parcel Number:	018033B01000	Mailing Address:	LIBBY CLIFFORD W JR
CAMA Number:	018-033-B01-000		70 SANDBAR RD
Property Address:	70 SANDBAR RD		WINDHAM, ME 04062
Parcel Number:	018033C00000	Mailing Address:	LACEY JESSIE
CAMA Number:	018-033-C00-000		81 SANDBAR RD
Property Address:	81 SANDBAR RD		WINDHAM, ME 04062
Parcel Number:	018033C01000	Mailing Address:	WILSON BARRY A & WILSON DENISE G
CAMA Number:	018-033-C01-000		77 SANDBAR ROAD
Property Address:	77 SANDBAR RD		WINDHAM, ME 04062
Parcel Number:	018033C02000	Mailing Address:	GUSTAFSON KARLA M
CAMA Number:	018-033-C02-000		85 SANDBAR ROAD
Property Address:	85 SANDBAR RD		WINDHAM, ME 04062
Parcel Number:	018034A01000	Mailing Address:	UNDERWOOD PATRICK S
CAMA Number:	018-034-A01-000		UNDERWOOD HOLLY
Property Address:	89 SANDBAR RD		89 SANDBAR RD
			WINDHAM, ME 04062
Parcel Number:	070014000000	Mailing Address:	JONLEE WINDHAM LLC
CAMA Number:	070-014-000-000		5050 BELMONT AVENUE
Property Address:	795 ROOSEVELT TR		YOUNGSTOWN, OH 44505

Section 3

Right, Title, or Interest

3: Right, Title, or Interest

The applicant is the record owner of the subject parcel. Please see this Exhibit for a copy of the associated Deed recorded at the Cumberland County Register of Deeds on January 8, 2024 as page 277 of book 40556.

After Recording Return to:
New Gen Estates, LLC
675 Main Street
South Portland, ME 04106

MAINE REAL ESTATE TAX-Paid

QUITCLAIM DEED WITH COVENANT

DLN: 1002440261357

KNOW ALL MEN BY THESE PRESENTS, that **JLB WINDHAM LLC**, a Maine limited liability company, with an address C/O Redstone Investments, of 5050 Belmont Avenue, Youngstown, Ohio 44505 ("**Grantor**"), for consideration paid, grants to **NEW GEN ESTATES, LLC,** a Maine Limited Liability Company with a mailing address of 675 Main Street, South Portland, ME 04106 ("**Grantee**), with Quitclaim Covenant, all of its right, title and interest in that certain parcel of land situated in the Town of Windham, County of Cumberland, State of Maine, described as follows:

See **Exhibit A** attached hereto and incorporated herein by reference (the "**Property**").

TOGETHER with all the tenements, hereditaments and appurtenances, with every privilege, right, title, interest and estate, reversion, remainder and easement thereto belonging or in anywise appertaining.

Subject to taxes and assessments for the year 2024 and subsequent years, which are not yet due and payable and to all easements, covenants, restrictions, and other matters of record.

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed this 2ND day of January, 2024.

WITNESS:

Print Name: Myah Taylor

GRANTOR:

JLB WINDHAM LLC

Print Name: Lee Birdman
Title: Manager

STATE OF ~~OHIO~~ Florida)
) SS:
COUNTY OF Hillsborough)

The foregoing instrument was acknowledged before me on the 2nd day of January, 2024 by Lee Budreau, the Manager of JLB Windham LLC and that the same is his/her free deed in said capacity and the free act and deed of said Jonlee Windham LLC.

(Notary Seal)

MARY KOLESAR
Notary Public - State of Florida
Commission # HH 288119
My Comm. Expires Jul 14, 2026
Bonded through National Notary Assn.

Notary Public

EXHIBIT A

Property

A certain lot or parcel of land located on the westerly sideline of Sandbar Road, so-called, and at the terminus of Franklin Drive, so-called, in the Town of Windham, County of Cumberland and State of Maine and shown on the plan titled "Existing Conditions, Land of JLB Windham LLC, 20 Franklin Drive, Windham, Maine", dated November 2022 as revised through 6/7/23, by BH2M, Inc.; said parcel being more particularly described as follows:

Beginning at a 5/8" iron rod found on the westerly sideline of said Sandbar Road at the southeasterly corner of land now or formerly of Michael & Terry Desmond as shown on aforesaid plan;

thence in a general southerly direction along the westerly sideline of said Sandbar Road and along a circular curve to the left, circumscribed by a radius of 300.00 feet, an arc length of 157.72 feet to a capped iron rod found (PLS #586); said capped iron rod found being S 15°-08'-51" W a tie distance of 155.91 feet from said previous 5/8" iron rod found;

thence S 00°-05'-11" W along the westerly sideline of said Sandbar Road a distance of 32.39 feet to a capped iron rod found (PLS #586) and land now or formerly of Clifford Libby;

thence S 33°-43'-11" W along the land of said Libby a distance of 135.63 feet to a 1 ¼" iron pipe found;

thence N 79°-11'-33" W along the land of said Libby a distance of 163.77 feet to a capped iron rod found (PLS #1057);

thence S 34°-43'-02" W along the land of said Libby a distance of 332.75 feet to a capped iron rod found (PLS #1057);

thence S 55°-15'-48" E along the land of said Libby a distance of 147.03 feet to a point and land now or formerly of Scott Vanvalkenburgh;

thence S 34°-45'-17" W along the land of said Vanvalkenburgh, along land now or formerly of Marvin R. Mayberry and along land now or formerly of Windham Veterans Association Inc. a distance of 841.47 feet to a 5/8" iron rod found and land now or formerly of Jonlee Windham, LLC;

thence N 56°-48'-18" W along the land of Jonlee Windham, LLC a distance of 434.59 feet to a point and the easterly sideline of said Franklin Drive;

thence in a general circular direction along the terminus of said Franklin Drive and along a circular curve to the left (non-tangent to the last described line), circumscribed by a radius of 75.00 feet, an arc length of 287.81 feet to a point and land now or formerly of JLB Windham, LLC; said point being N 36°-48'-30" W a tie distance of 140.98 feet from said previous point;

thence N 53°-55'-00" W along the land of said JLB Windham, LLC a distance of 658.28 feet to a point and land now or formerly of Town of Windham known as Donnabeth Lippman Park;

thence S 77°-23'-09" E along the land of the Town of Windham a distance of 54.19 feet to a point;

thence N 37°-05'-59" E along the land of the Town of Windham a distance of 1482.78 feet to a 6"x 6" granite monument found and land now or formerly of Francis L. Ungvary IV;

thence S 55°-13'-49" E along the land of said Ungvary and along the land of Desmond a distance of 1044.01 feet to the point of beginning.

The above described parcel contains 38.59 acres. All bearings refer to grid north.

The premises conveyed hereby are also described as follows:

PARCEL THREE ("Large Back Lot"):

A certain lot or parcel of land with any buildings thereon situated in Windham, Cumberland County, Maine, and bounded and described as follows:

Beginning at the easterly corner of Lot #14 and the southerly corner of Lot #15 as appears on the Plan of Fourth and Last Division of Lots in Windham, Maine, recorded in the Cumberland County Registry of Deeds in Plan Book 6, Page 9. Also being the most southerly corner of land conveyed by Silas Jacobson to Clinton H. Philpot, et al., by deed recorded in the Cumberland County Registry of Deeds; thence North thirty-seven (37°) degrees forty-five (45') minutes west eleven hundred sixty-five (1,165') feet, more or less, to an iron pipe driven in the ground; thence south fifty-two (52°) degrees fifteen (15') minutes east (inadvertently stated as west in prior deeds) along the southeasterly line of land formerly of E.C. Maines, now of Portland Water District, fourteen hundred seventy-two (1,472') feet, more or less, to a stake and other land now or formerly owned by Veronica P. Smith; thence south thirty-seven (37°) degrees forty-five (45') minutes east along line of other land now or formerly of said Smith a distance of eleven hundred sixty-five (1,165') feet, more or less, to a stake; thence north fifty-two (52°) degrees fifteen (15') minutes west fourteen hundred seventy-two (1,472') feet, more or less, to the point of beginning. Meaning and intending to convey hereby a part of Lot #14 as appears in the Plan of Fourth and Last Division of Lots in Windham, Maine, above-referred to, and being a part of the same premises conveyed to Howard H. Boody by Orin P. Chaffin by deed dated August 8, 1895 and recorded in the Cumberland County Registry of Deeds on August 12,1895 in Book 629, Page 11.

Excepting from the above-described premises the Sand Bar Road, so-called, formerly known as South Pond Road, as it is presently laid out, which runs across the above-described premises and which is a public way.

Also excepting from said Parcel Three, those lands described in the following instruments:

1. Deed from Lawrence E. Smith and Veronica P. Smith to Clinton L. Smith and Lois L. Smith dated May 27, 1997 and recorded in said Registry of Deeds in Book 13542, Page 46.

2. Deed from Lawrence E. Smith and Veronica P. Smith to Windham Mall Associates dated February 24,1992 and recorded in said Registry of Deeds in Book 9919, Page 207.

3. Deed from Veronica P. Smith to Bradley S. Woodbrey and Mitchell W. Woodbury dated June 10,2003 and recorded in said Registry of Deeds in Book 19532, Page 165.

Also conveying all rights and easements (if any) reserved in any of the above-described instruments.

Being a portion of those premises conveyed to Grantor by deed of Veronica P. Smith dated June 15, 2005, and recorded in the Cumberland County Registry of Deeds in Book 22854, Page 243.

PARCEL FOUR ("Sand Bar Road Lot"):

A certain lot or parcel of land with any buildings thereon situated on the westerly side of Sand Bar Road in the Town of Windham, County of Cumberland and State of Maine, bounded and described as follows:

Beginning at 2' iron found on the westerly side of Sand Bar Road at the southeasterly corner of land now or formerly owned by Clinton L. Smith and Lois L. Smith (Book 8109, Page 188); thence N 16° 01' 26" East distance of 207.00 feet to the POINT OF BEGINNING: thence from said point of beginning N 62° 32' 56" W a distance of 77.91 feet to a point at the easterly corner of land to be conveyed to said Clinton L. Smith and Lois L. Smith by Lawrence E. Smith and Veronica P. Smith by deed dated May 27,1997 and recorded in said Registry of Deeds in Book 13542, Page 46; thence N 51 ° 16 '19" E a distance of 73.90 feet to a 1 - /2" iron found; thence N 48° 56' 01" E a distance of 62.05 feet to a point on the westerly sideline of Sand Bar Road; thence southerly along the westerly sideline of said Sand Bar Road 127.87 feet more or less to the point of beginning.

Meaning and intending to convey a 4,789 square foot parcel of land shown on Standard Boundary Survey on Sand Bar Road, Windham, Maine, prepared by Owen Haskell, Inc., dated May 9,1997, last revised May 27,1997.

Being the same premises conveyed to Grantor by deed of the Lawrence E. Smith Revocable Trust dated June 15, 2005, and recorded in the Cumberland County Registry of Deeds in Book 22854, Page 241.

Section 4

Financial Capacity

4: Financial Capacity

The applicant has received and submitted a letter of credit in the amount of $702,040.78.

MAINE
Department of the Secretary of State
Bureau of Corporations, Elections and Commissions

Corporate Name Search

Information Summary

Subscriber activity report

This record contains information from the CEC database and is accurate as of: Mon Nov 04 2024 10:59:39. Please print or save for your records.

Legal Name	Charter Number	Filing Type	Status
NEW GEN ESTATES, LLC	20142095DC	LIMITED LIABILITY COMPANY	GOOD STANDING

Filing Date	Expiration Date	Jurisdiction
12/19/2013	N/A	MAINE

Other Names **(A=Assumed ; F=Former)**

NONE

Principal Home Office Address

Physical	Mailing
50 MAINE MALL ROAD	50 MAINE MALL ROAD
SOUTH PORTLAND, ME 04106	SOUTH PORTLAND, ME 04106

Clerk/Registered Agent

Physical	Mailing
RICHARD N BRYANT TEN FREE STREET	RICHARD N BRYANT P.O. BOX 4510
PORTLAND, ME 04101	PORTLAND, ME 04112

New Search

Click on a link to obtain additional information.

List of Filings View list of filings

Obtain additional information:

Certificate of Existence (Good Standing) (more info)	Short Form without amendments ($30.00)	Long Form with amendments ($30.00)
Certificate of Legal Existence (more info)	Short Form without amendments ($30.00)	Long Form with amendments ($30.00)

You will need Adobe Acrobat version 3.0 or higher in order to view PDF files.
If you encounter problems, visit the troubleshooting page.

If you encounter technical difficulties while using these services, please contact the Webmaster. If you are unable to find the information you need through the resources provided on this web site, please contact the Division of Corporations, UCC & Commissions Reporting and Information Section at 207-624-7752 or e-mail.

© Department of the Secretary of State

Section 5

Technical Capacity

5: Technical Capacity

Sebago Technics, Inc. (STI) is a multi-disciplinary engineering firm with over 35 years of experience that offers a wide range of services specializing in land development, planning, permitting and engineering design services. We maintain a staff of multi-disciplinary professionals to provide services in the areas of general civil engineering, road and utility infrastructure design, construction management, permitting, landscape architecture, soil science, wetlands science, land surveying, and environmental services.

Please see this Section for additional information.

ROBERT A. MCSORLEY, PE

Senior Project Manager

Mr. McSorley joined Sebago Technics, Inc. (STI) in 2006. He has worked in the Civil Engineering field since 1986 and is a Senior Project Manager specializing in project management for government, commercial and residential projects. He is responsible for client contact, proposals, financial aspects of projects, preparation of reports, bid documents, permitting issues, and construction coordination on a variety of public and private projects. He is also active in the community having served on the Portland Water District Board of Trustees and on the Scarborough Sanitary District Board of Trustees and currently serves as a Board member for Camp Scarborough.

EXPERIENCE

Mr. McSorley has completed several commercial and residential projects in New Hampshire and Massachusetts. In addition, he assists in QA/QC oversight of other projects, marketing of firm's services and technical guidance and training staff.

Rob has also performed peer reviews of projects and was the Assistant District Engineer for a 4,800 acre Special Services District. In that capacity, he was responsible for civil engineering and water management reviews for new projects. In addition, he was responsible for the design of the District's infrastructure including water, IQ and gravity sanitary, force mains, pump stations, drainage roadways and water management systems.

Some of his most notable work experience includes:

- Gorham Road Drainage Improvements – South Portland, ME
- Maine Mall Road Drainage Improvements – South Portland, ME
- Maine Mall Road Sanitary Sewer Replacement – South Portland, ME
- Maine Street Drainage & Sidewalk Improvements – Town of Kennebunkport, ME
- Bedford Street Sewer Separation Project & Portland Water District Main Project – Portland, ME
- Mast Road Culvert Replacement – Town of Waterboro, ME
- Pine Street Bridge Replacement (Box Culvert) – Porter, ME
- USPS FSS Building Expansion – North Reading, MA
- Sunbury Retirement Residence – Bangor, ME
- Derry Retirement Residence – Derry, NH
- Beverly Retirement Community – Beverly, MA
- Tewksbury Retirement Residence – Tewksbury, MA
- Portland Retirement Residence – Portland, ME
- Billerica Retirement Residence – Billerica, MA
- Mountain View Estates – North Conway, NH
- Veteran's Administration Medical Center Cogeneration Facility – Canandaigua, NY
- Synchronous Condenser, Green Mountain Power – Jay, VT
- Veterans Administration Hospital – Palm Beach County, FL

EDUCATION

Florida Atlantic University
Boca Raton, FL
Bachelor of Science,
Mechanical Engineering, 1995

University of Maine - Orono, ME
Majored in Mechanical Engineering
1980-1983

REGISTRATIONS

Professional Engineer: Maine, New Hampshire, Massachusetts, Vermont

National Council of Examiners for Engineering and Surveying

MEMBERSHIPS

American Society of Civil Engineers

CERTIFICATIONS

Maine DEP Maintenance & Inspection of Stormwater BMPs

SEBAGO TECHNICS

207.200.2074 RMCSORLEY@SEBAGOTECHNICS.COM

JORDAN T. GAGNON, ESQ.

Permitting Specialist/Project Coordinator

Mr. Gagnon is a member of Sebago Technics, Inc. (Sebago) Entitlements Group assisting clients as a Permitting Specialist/Project Coordinator. He has specialized experience with land use permitting, regulatory analysis, and municipal outreach. Jordan earned his Juris Doctor from the University of San Diego School of Law with a concentration in environmental and energy law and is admitted to the Maine Bar as a registered Maine attorney.

Prior to joining Sebago, Jordan obtained both public sector and private firm experience in a variety of regulatory and legal roles making him well-versed in analyzing and presenting complex, controversial, and publicly sensitive issues to a variety of audiences. His skills and experience form a strong foundation for understanding clients environmental, energy, and land use goals and objectives.

EXPERIENCE

Mr. Gagnon has completed and is engaged with permitting and regulatory analysis for several commercial, municipal, and residential projects throughout Maine.

Michael's Place Subdivision – Sanford, ME
Residential Subdivision Development
Applications: Municipal, MDEP, ACOE

145 Allagash Drive – Brunswick, ME
Commercial Development
Applications: Municipal, MDEP, ACOE

Willard Beach Force Main Replacement – South Portland, ME
Municipal Shoreline Development
Applications: Municipal, MDEP

Convenient MD Medical Center – Belfast, ME
Medical Facility Development
Applications: Municipal, MDEP, ACOE

186 Main Street – Auburn, ME
Multi-family Residential/ Downtown Commercial
Applications: Municipal, MDEP, ACOE

Fitzpatrick Development – Arundel, ME
Commercial Development
Applications: MDEP Site Law, Municipal

River's Edge Family Campground – Sanford, ME
Commercial/ Recreational Development
Applications: Municipal, MDEP, ACOE

EDUCATION

University of San Diego School of Law
San Diego, California
Juris Doctor, May 2021

Illinois Wesleyan University
Bloomington, Illinois
B.A. Political Science,
June 2017

REGISTRATIONS

Registered Maine Attorney
Maine Bar #010627

MEMBERSHIPS

Maine State Bar Association,
Environmental and Energy Section

PUBLICATIONS

"The Redistributive Properties of the Social Security Act of 1935," Res Publica - Journal of Undergraduate Research: Vol. 22

SEBAGO TECHNICS

207.200.2115 JGAGNON@SEBAGOTECHNICS.COM

Section 6

Natural Resources

6: Natural Resources

An inquiry was made to Maine Department of Inland Fisheries and Wildlife (MDIFW), the Maine Natural Areas Program (MNAP), and the Maine Historic Preservation Commission (MHPC) on December 6, 2024. Review from MDIFW and MNAP identified possible significant habitats in the area of proposed development. Flycatcher LLC will be conducting surveys on site to identify if significant habitats are on site. Please see this section for a copy of responses received.

SEBAGO TECHNICS

December 6, 2024
230411

RECEIVED
DEC 10 2024
By 2193-24

Mr. Kirk Mohney, Director and State Historic Preservation Officer
Maine Historic Preservation Commission
55 Capitol Street, 65 SHS
Augusta, Maine 04333-0065

Email submittal: MHPCprojectreview@maine.gov

Re: Site Review Request
Re: Franklin Drive Subdivision, Windham - New Gen Estates, LLC
Tax Map/Lot: 18/26-2

Dear Mr. Mohney:

Sebago Technics respectfully requests a project site review for a proposed 4-lot subdivision located off Franklin Drive in the Town of Windham. The development area is approximately 38.59-acres of mainly undeveloped area on a lot identified of the Town of Windham Tax Map 18 as Lot 26-2. The proposed development is located just east of the terminus of Franklin Drive. The proposed development is a subdivision project consisting of 4-lots and a proposed right of way extension from Franklin Drive that will be built to Town of Windham Standards with parking along the roadway. As part of the site development reconnaissance, we request a review by the Maine Historic Preservation Commission for any properties or structures of historical significance in the vicinity of the proposed site.

A review of the Town Comprehensive Plan and the National Register of Historic Places did not identify historic buildings or sites of historical significance. The applicant intends to maintain mature vegetation where feasible to provide natural buffering between the neighboring properties. We note that a review assessing property cards and street view photographs of direct abutting properties did not reveal any properties directly abutting the subject property that appear to be greater than fifty years of age. We have also attached a USGS Site Location Map and a concept plan of the overall property to assist in your review of historical resources.

At your earliest convenience, please review the material and let me know your findings. If you have any questions on this project or require additional information, please do not hesitate to contact me at (207) 200-2115 or by email at jgagnon@sebagotechnics.com. I look forward to hearing from you.

Sincerely,
SEBAGO TECHNICS, INC.

Jordan Gagnon
Permitting Specialist

enc.

Based on the information submitted, I have concluded that there will be no historic properties affected by the proposed undertaking, as defined by Section 106 of the National Historic Preservation Act. Consequently, pursuant to 36 CFR 800.4(d)(1), no further Section 106 consultation is required unless additional resources are discovered during project implementation pursuant to 36 CFR 800.13.

Kirk F. Mohney — 12/31/24
State Historic Preservation Officer — Date
Maine Historic Preservation Commission

STATE OF MAINE
DEPARTMENT OF AGRICULTURE, CONSERVATION & FORESTRY
177 STATE HOUSE STATION
AUGUSTA, MAINE 04333

JANET T. MILLS
GOVERNOR

AMANDA E. BEAL
COMMISSIONER

April 9, 2025

Jordan Gagnon
Sebago Technics
74 John Roberts Road, Suite 4A
South Portland, ME 04106

Via email: jgagnon@sebagotechnics.com

Re: Rare and exemplary botanical features in proximity to: #230411, Franklin Drive Subdivision, New Gen Estates LLC, Map 18 Lot 26-2, Windham, Maine

Dear Jordan Gagnon:

I have searched the Maine Natural Areas Program's Biological and Conservation Data System files in response to your request received December 10, 2024, with clarifying site plans received December 18, 2024 for information on the presence of rare or unique botanical features documented from the vicinity of the project in Windham. Rare and unique botanical features include the habitat of rare, threatened, or endangered plant species and unique or exemplary natural communities. Our review involves examining maps, manual and computerized records, other sources of information such as scientific articles or published references, and the personal knowledge of staff or cooperating experts.

Our official response covers only botanical features. For authoritative information and official response for zoological features you must make a similar request to the Maine Department of Inland Fisheries and Wildlife, 284 State Street, Augusta, Maine 04333.

According to the information currently in our Biological and Conservation Data System files, a portion of the planned subdivision includes an exemplary Red Maple Swamp. Large and intact examples of this wetland type are uncommon in Maine and provide important habitat for a variety of plants and animals. Activities within 250 feet can adversely impact this exemplary wetland. MNAP recommends avoiding development activity and clearing within 250 feet of the Red Maple Swamp. Please see the table below, attached map, and attached factsheet for more information.

Feature	State Status	State Rank	Global Rank	Occurrence Rank	Site
Red Maple Swamp	--	S5	G3G5	B Good	Windham LMF Site

If a field survey of the project area is conducted, please refer to the enclosed supplemental information regarding rare and exemplary botanical features documented to occur in the vicinity of the project site. The list may include information on features that have been known to occur historically in the area as well as recently field-verified information. While historic records have not been documented in several years, they may persist in the area if

MOLLY DOCHERTY, DIRECTOR
MAINE NATURAL AREAS PROGRAM
90 BLOSSOM LANE, DEERING BUILDING

PHONE: (207) 287-8044
WWW.MAINE.GOV/DACF/MNAP

suitable habitat exists. The enclosed list identifies features with potential to occur in the area, and it should be considered if you choose to conduct field surveys.

This finding is available and appropriate for preparation and review of environmental assessments, but it is not a substitute for on-site surveys. Comprehensive field surveys do not exist for all natural areas in Maine, and in the absence of a specific field investigation, the Maine Natural Areas Program cannot provide a definitive statement on the presence or absence of unusual natural features at this site.

The Maine Natural Areas Program (MNAP) is continuously working to achieve a more comprehensive database of exemplary natural features in Maine. We would appreciate the contribution of any information obtained should you decide to do field work. MNAP welcomes coordination with individuals or organizations proposing environmental alteration or conducting environmental assessments. If, however, data provided by MNAP are to be published in any form, the Program should be informed at the outset and credited as the source.

The Maine Natural Areas Program has instituted a fee structure of $75.00 an hour to recover the actual cost of processing your request for information. MNAP invoiced Sebago in January for $150.00 for two hours of services. There is no additional payment due.

Thank you for using MNAP in the environmental review process. Please do not hesitate to contact me if you have further questions about the Natural Areas Program or about rare or unique botanical features on this site.

Sincerely,

Lisa St. Hilaire

Lisa St. Hilaire | Information Manager | Maine Natural Areas Program
207-287-8044 | lisa.st.hilaire@maine.gov

Franklin Drive Subdivision, Map 18 Lot 26-2, Windham, ME

Approximate Project Area

Red Maple Swamp

N

0 125 250 500 Feet

Maine Natural Areas Program, April 2025
NAIP 2021 Imagery

Red Maple Swamp

Red Maple - Sensitive Fern Swamp

State Rank S5

Community Description

Red maple dominates the somewhat open to nearly closed canopy (20-90% closure), sometimes with a relatively large component (up to 40% cover) of balsam fir, red spruce, or northern white cedar. Green ash and yellow birch are common, but rarely abundant, associates. The maples may be widely spaced with multiple trunks and arching crowns. The shrub layer is patchy; winterberry is common and various other shrubs may be locally abundant. The herb layer is well developed and dominated by herbs, with dwarf shrubs <20% of herb cover. Bluejoint and sensitive fern are characteristic herbs. The bryoid layer is usually <35% cover; peat mosses are typical but do not form extensive, deep carpets as they do in peatlands.

Soil and Site Characteristics

Sites occupy mineral soils or well decomposed organic material over mineral soil on flats or gentle slopes in small basins, often on floodplains of streams to small rivers. Soils are typically 30-60 cm deep, loamy to silty in texture, sometimes with well decomposed muck over the mineral fraction, and pH 4.8-5.4.

Diagnostics

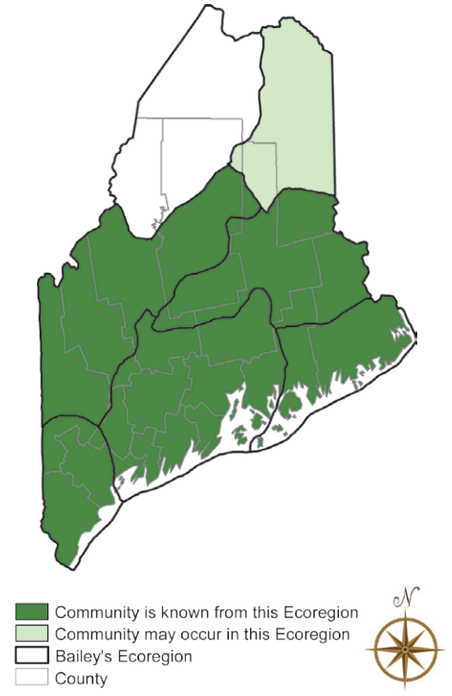
These are mineral soil wetlands in which red maple dominates the canopy or is co-dominant with conifers other than black spruce or larch. The seasonally flooded soils usually remain saturated through the growing season.

Red Maple Flowers

Similar Types

Red Maple Wooded Fens are similar, but either occur in association with large peatlands or occupy small somewhat peaty basins; they do not occur on mineral soils. Some small Northern White Cedar Swamps and Spruce - Fir - Cinnamon Fern Forests, particularly along the coast, include a fair amount of red maple but have cedar or spruce/fir, respectively, as the most abundant canopy species. Silver Maple Floodplain Forests are dominated by silver maple and generally occur along larger rivers, but the two types can intergrade on some floodplains.

Location Map



Red Maple Swamp

Conservation, Wildlife, and Management Considerations

Maintaining the hydrologic integrity of these stream drainages with upland buffers is key. These swamps typically have had few conflicting uses, although some have been recently harvested. ATV use has been observed at some sites.

Red maple swamps often provide habitat in which spotted turtles hibernate. If wet Sphagnum hummocks are present, four-toed salamanders may breed in this community. Examples that occur on floodplains of streams and small rivers may contain wood turtles, which overwinter in the stream channel and forage in the floodplain. The silver-haired bat often roosts in riparian habitats in trees with loose bark. The northern waterthrush is a common associate of this community type. In the southern part of the state, the Louisiana waterthrush and yellow-throated vireo may be associates if the canopy is closed or nearly so.

Distribution

Statewide, but most common in the southern half of state. Extends southward and southwestward from Maine; eastward distribution unknown.

Landscape Pattern: Large Patch

Characteristic Plants

These plants are frequently found in this community type. Those with an asterisk are often diagnostic of this community.

Canopy
Balsam fir
Gray birch
Northern white cedar
Red maple*
Red spruce

Sapling/shrub
Arrowwood*
Balsam fir
Gray birch*
Red spruce
Speckled alder*
Winterberry*

Herb
Bluejoint*
Flat-topped white aster*
Interrupted fern
Tussock sedge
Royal fern*
Sensitive fern*

Bryoid
Sphagnum mosses*

Associated Rare Plants

Smooth winterberry holly
Spicebush
Swamp saxifrage
Swamp white oak
Sweet pepper-bush

Associated Rare Animals

Spotted turtle
Wood turtle

Examples on Conservation Lands You Can Visit

- Kennebunk Plains Preserve – York Co.
- Mt Agamenticus – York Co.
- Steep Falls Wildlife Management Area – Cumberland Co.
- Waterboro Barrens Preserve – York Co.

Rare and Exemplary Botanical Features within 4 miles of
Project: #23041, Franklin Drive Subdivision, Map 18 Lot 26-2, Windham, Maine

Common Name	State Status	State Rank	Global Rank	Date Last Observed	Occurrence Number	Habitat
Nodding Pogonia						
	T	S2	G4?	2010-08-18	5	Hardwood to mixed forest (forest, upland)
	T	S2	G4?	2010-08-18	11	Hardwood to mixed forest (forest, upland)
Pitch Pine Bog						
		S2	G3G5	2004-06-21	10	
Red Maple Swamp						
		S5	G3G5	2004-06-21	16	
Scarlet Oak						
	E	S1	G5	1916-08	2	Hardwood to mixed forest (forest, upland)
Small Whorled Pogonia						
	E	S2	G2G3	2018-06-15	18	Hardwood to mixed forest (forest, upland)
Spicebush						
	SC	S3	G5	2006-06-11	11	Forested wetland

Date Exported: 2024-12-18 11:05

Conservation Status Ranks

State and Global Ranks: This ranking system facilitates a quick assessment of a species' or habitat type's rarity and is the primary tool used to develop conservation, protection, and restoration priorities for individual species and natural habitat types. Each species or habitat is assigned both a state (S) and global (G) rank on a scale of critically imperiled (1) to secure (5). Factors such as range extent, the number of occurrences, intensity of threats, etc., contribute to the assignment of state and global ranks. The definitions for state and global ranks are comparable but applied at different geographic scales; something that is state imperiled may be globally secure.

The information supporting these ranks is developed and maintained by the Maine Natural Areas Program (state ranks) and NatureServe (global ranks).

Rank	Definition
S1 **G1**	**Critically Imperiled** – At very high risk of extinction or elimination due to very restricted range, very few populations or occurrences, very steep declines, very severe threats, or other factors.
S2 **G2**	**Imperiled** – At high risk of extinction or elimination due to restricted range, few populations or occurrences, steep declines, severe threats, or other factors.
S3 **G3**	**Vulnerable** – At moderate risk of extinction or elimination due to a fairly restricted range, relatively few populations or occurrences, recent and widespread declines, threats, or other factors.
S4 **G4**	**Apparently Secure** – At fairly low risk of extinction or elimination due to an extensive range and/or many populations or occurrences, but with possible cause for some concern as a result of local recent declines, threats, or other factors.
S5 **G5**	**Secure** – At very low risk of extinction or elimination due to a very extensive range, abundant populations or occurrences, and little to no concern from declines or threats.
SX **GX**	**Presumed Extinct** – Not located despite intensive searches and virtually no likelihood of rediscovery.
SH **GH**	**Possibly Extinct** – Known from only historical occurrences but still some hope of rediscovery.
S#S# **G#G#**	**Range Rank** – A numeric range rank (e.g., S2S3 or S1S3) is used to indicate any range of uncertainty about the status of the species or ecosystem.
SU **GU**	**Unrankable** – Currently unrankable due to lack of information or due to substantially conflicting information about status or trends.
GNR **SNR**	**Unranked** – Global or subnational conservation status not yet assessed.
SNA **GNA**	**Not Applicable** – A conservation status rank is not applicable because the species or ecosystem is not a suitable target for conservation activities (e.g., non-native species or ecosystems.
Qualifier	**Definition**
S#? **G#?**	**Inexact Numeric Rank** – Denotes inexact numeric rank.
Q	**Questionable taxonomy that may reduce conservation priority** – Distinctiveness of this entity as a taxon or ecosystem type at the current level is questionable. The "Q" modifier is only used at a global level.
T#	**Infraspecific Taxon (trinomial)** – The status of infraspecific taxa (subspecies or varieties) are indicated by a "T-rank" following the species' global rank.

State Status: Endangered and Threatened are legal status designations authorized by statute. Please refer to MRSA Title 12, §544 and §544-B.

Status	Definition
E	**Endangered** – Any native plant species in danger of extinction throughout all or a significant portion of its range within the State or Federally listed as Endangered.
T	**Threatened** – Any native plant species likely to become endangered within the foreseeable future throughout all or a significant portion of its range in the State or Federally listed as Threatened.
SC	**Special Concern** – A native plant species that is rare in the State, but not rare enough to be considered Threatened or Endangered.
PE	**Potentially Extirpated** – A native plant species that has not been documented in the State in over 20 years, or loss of the last known occurrence.

Element Occurrence (EO) Ranks: Quality assessments that designate viability of a population or integrity of habitat. These ranks are based on size, condition, and landscape context. Range ranks (e.g., AB, BC) and uncertainty ranks (e.g., B?) are allowed. The Maine Natural Areas Program tracks all occurrences of rare plants and natural communities/ecosystems (S1-S3) as well as exemplary common natural community types (S4-S5 with EO ranks A/B).

Rank	Definition
A	**Excellent** – Excellent estimated viability/ecological integrity.
B	**Good** – Good estimated viability/ecological integrity.
C	**Fair** – Fair estimated viability/ecological integrity.
D	**Poor** – Poor estimated viability/ecological integrity.
E	**Extant** – Verified extant, but viability/ecological integrity not assessed.
H	**Historical** – Lack of field information within past 20 years verifying continued existence of the occurrence, but not enough to document extirpation.
X	**Extirpated** – Documented loss of population/destruction of habitat.
U	**Unrankable** – Occurrence unable to be ranked due to lack of sufficient information (e.g., possible mistaken identification).
NR	**Not Ranked** – An occurrence rank has not been assigned.

Visit the Maine Natural Areas Program website for more information
http://www.maine.gov/dacf/mnap

maine DEPARTMENT OF Agriculture Conservation & Forestry
NATURAL AREAS

JANET T. MILLS
GOVERNOR

STATE OF MAINE
DEPARTMENT OF
INLAND FISHERIES & WILDLIFE
353 WATER STREET
41 STATE HOUSE STATION
AUGUSTA ME 04333-0041

JUDITH CAMUSO
COMMISSIONER

April 23, 2025

Jordan Gagnon
Sebago Technics
75 John Roberts Road, Suite 4A
South Portland, ME 04106

RE: Information Request - 20 Franklin Drive, Subdivision, Windham Project ID 8731-10094

Dear Jordan:

Per your request received on December 10, 2024, we have reviewed current Maine Department of Inland Fisheries and Wildlife (MDIFW) information sources for known locations of Endangered, Threatened, and Special Concern (Rare) species; designated Essential and Significant Wildlife Habitats; inland fisheries and aquatic habitats; and other protected natural resource concerns within the vicinity of the ***20 Franklin Drive, Subdivision, Windham*** project, pursuant to MDIFW's authority. MDIFW understands the project proposes a four-lot subdivision on approximately thirty-nine acres of land. Per a 4/23/2025 phone conversation, MDIFW understands three projects on these lands will collectively undergo Site Law review and will be permitted separately. For the purposes of this review, MDIFW presumes tree clearing would occur.

Our Department has not mapped any Essential Habitats that would be affected by this project.

ENDANGERED, THREATENED, AND SPECIAL CONCERN SPECIES

Bat Species

Of the eight species of bats that occur in Maine, four species are afforded protection under Maine's Endangered Species Act (MESA, 12 M.R.S 12801 et. seq.): little brown bat (State Endangered), northern long-eared bat (State Endangered), eastern small-footed bat (State Threatened), and tri-colored bat (State Threatened). The four remaining bat species are designated as Species of Special Concern: big brown bat, red bat, hoary bat, and silver-haired bat. While a comprehensive statewide inventory for bats has not been completed, based on historical evidence it is likely that several of these species occur within the project area during spring/fall migration, the summer breeding season, and/or for overwintering. However, our Department does not anticipate significant impacts to any of the bat species as a result of this project.

Blandings Turtle and Spotted Turtle

Potential habitat is present onsite for Spotted turtle (State Threatened) and Blanding's turtle (State Endangered). Spotted and Blanding's turtles are most frequently associated with small, acidic wetlands and vernal pools located in large, intact landscapes. They also use small streams,

shrub swamps, wet meadows, bogs, and forested swamps. As these habitats are present in the project area, MDIFW recommends the on-site peatland wetlands be avoided and buffered with a 250-foot undisturbed, intact vegetative cover. Alternatively, we recommend that surveys be conducted for these two species within the project area, conducted by qualified biologists with experience surveying for these species, following MDIFW's most recent survey protocols.

For additional information and survey protocols, contact Reptile and Amphibian Group Leader Derek Yorks (Derek.Yorks@Maine.gov) with Environmental Review Coordinator Andy Wood (Andrew.J.Wood@Maine.gov) copied on correspondence.

Eastern Ribbonsnake

Potential habitat is present onsite for the Eastern ribbon snake, a State Species of Special Concern. This rare species is a slender, semiaquatic snake often observed near the edges of emergent marshes, wet meadows, scrub-shrub wetlands, beaver impoundments, bogs, river and stream floodplains, and vegetated shorelines of ponds and lakes. As these habitats are present in the project area, MDIFW recommends the on-site peatland wetlands be avoided and buffered with a 250-foot undisturbed, intact vegetative cover. Alternatively, we recommend that surveys be conducted for this species within the project area, conducted by qualified biologists with experience surveying for this species, following MDIFW's most recent survey protocols.

For additional information and survey protocols contact Reptile and Amphibian Group Leader Derek Yorks (Derek.Yorks@Maine.gov) with Environmental Review Coordinator Andy Wood (Andrew.J.Wood@Maine.gov) copied on correspondence.

SIGNIFICANT WILDLIFE HABITAT

Significant Vernal Pools

Per a 4/23/2025 phone discussion, MDIFW understands that surveys for vernal pools have been conducted and one significant vernal pool and one non-significant vernal pool were found onsite. We ask that you send any vernal pool survey forms to vernalpool.mdifw@maine.gov so that we can review the data associated with these pools. If project timing does not allow for verification of Significance, we recommend that each pool be protected with a 250-foot intact, undisturbed buffer. Please note that MDIFW's recommended buffers for these features may be considered in the context of their potential as habitat for threatened and endangered turtles and special concern snakes (described in the section above).

AQUATIC RESOURCES

Fish Habitat

We recommend that 100-foot undisturbed vegetated buffers be maintained along streams. Buffers should be measured from the edge of stream or associated fringe and floodplain wetlands. Maintaining and enhancing buffers along streams is critical to the protection of water temperatures, water quality, natural inputs of coarse woody debris, and various forms of aquatic life necessary to support conditions required by many fish species. Stream crossings should be avoided, but if a stream crossing is necessary, or an existing crossing needs to be modified, it

should be designed to provide full fish passage. Small streams, including intermittent streams, can provide crucial rearing habitat, cold water for thermal refugia, and abundant food for juvenile salmonids on a seasonal basis and undersized crossings may inhibit these functions. Generally, MDIFW recommends that all new, modified, and replacement stream crossings be sized to span at least 1.2 times the bankfull width of the stream. In addition, we generally recommend that stream crossings be open bottomed (i.e., natural bottom), although embedded structures which are backfilled with representative streambed material have been shown to be effective in not only providing habitat connectivity for fish but also for other aquatic organisms. Construction Best Management Practices should be closely followed to avoid erosion, sedimentation, alteration of stream flow, and other impacts as eroding soils from construction activities can travel significant distances as well as transport other pollutants resulting in direct impacts to fisheries and aquatic habitat. In addition, we recommend that any necessary instream work occur between July 15 and October 1.

This consultation review has been conducted specifically for known MDIFW jurisdictional features and should not be interpreted as a comprehensive review for the presence of other regulated features that may occur in this area. Prior to the start of any future site disturbance, we recommend additional consultation with the municipality, and other state resource and regulatory agencies including the Maine Natural Areas Program and the Maine Department of Environmental Protection in order to avoid unintended protected resource disturbance. For information on federally listed species, contact the U.S. Fish and Wildlife Service's Maine Field Office (207-469-7300, mainefieldoffice@fws.gov).

Please feel free to contact my office if you have any questions regarding this information, or if I can be of any further assistance.

Best regards,

Andrew Wood
Environmental Review Coordinator

Section 7

Soils and Wetlands

7: Soils and Wetlands

Soils:

Please see this section for a copy of the NRCS Soil Report and a soil map for the project area.

Wetlands:

Wetland and Vernal Pool boundaries have been provided in accordance with the stamped Existing Conditions Plan created by Berry, Huff, McDonald, Milligan Inc. on April 25, 2023. Wetlands across the project parcel were delineated in December of 2022 by Mark Hampton of Mark Hampton Associates. Vernal pools across the parcel were identified and delineated by Rodney Kelshaw of Flycatcher, LLC during the 2023 recommended period for vernal pool egg mass survey as provided by the Maine Department of Environmental Protection. Please see this section for a copy of the above referenced Existing Conditions Plan.

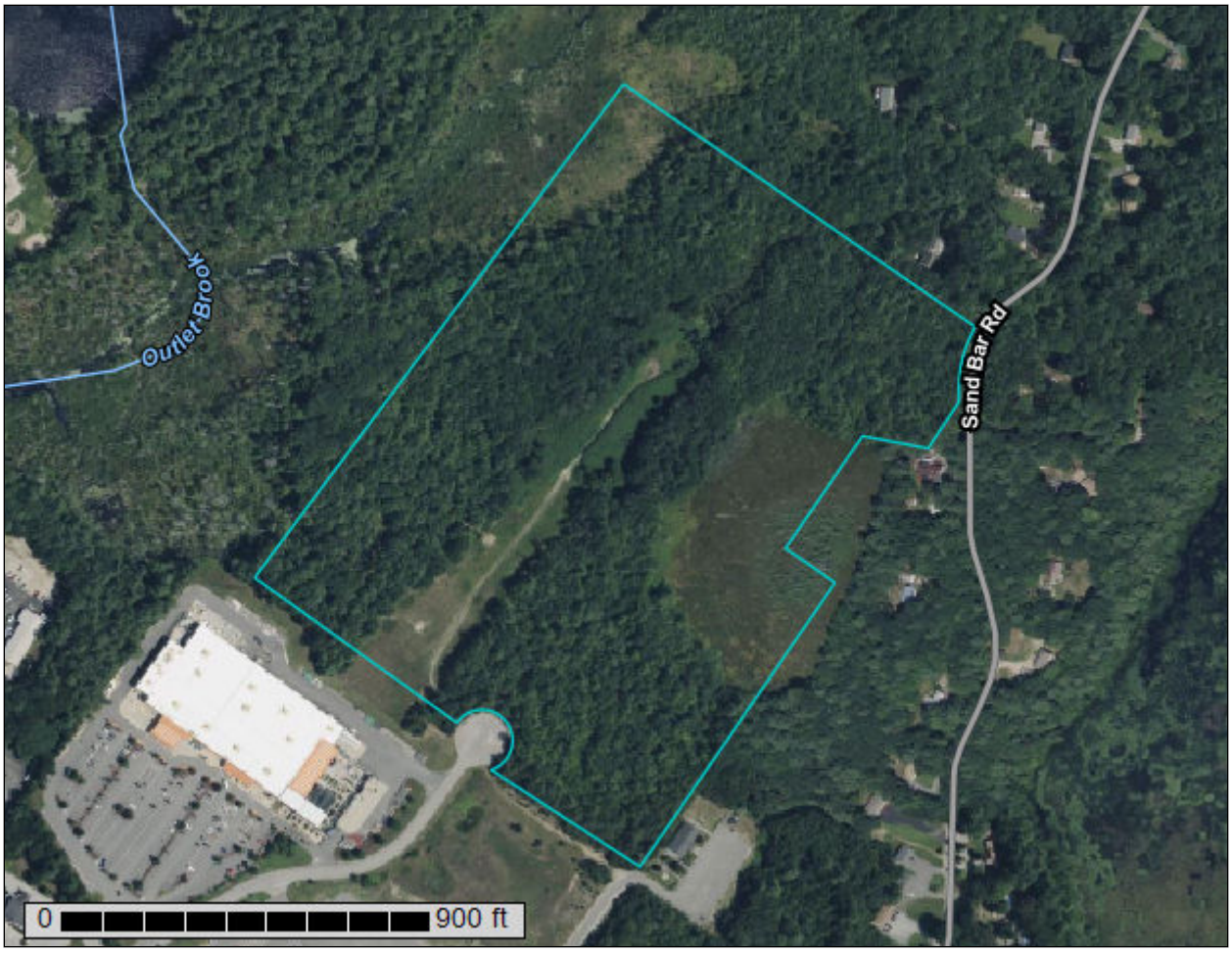
United States Department of Agriculture

NRCS

Natural Resources Conservation Service

A product of the National Cooperative Soil Survey, a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local participants

Custom Soil Resource Report for Cumberland County and Part of Oxford County, Maine



September 25, 2024

Preface

Soil surveys contain information that affects land use planning in survey areas. They highlight soil limitations that affect various land uses and provide information about the properties of the soils in the survey areas. Soil surveys are designed for many different users, including farmers, ranchers, foresters, agronomists, urban planners, community officials, engineers, developers, builders, and home buyers. Also, conservationists, teachers, students, and specialists in recreation, waste disposal, and pollution control can use the surveys to help them understand, protect, or enhance the environment.

Various land use regulations of Federal, State, and local governments may impose special restrictions on land use or land treatment. Soil surveys identify soil properties that are used in making various land use or land treatment decisions. The information is intended to help the land users identify and reduce the effects of soil limitations on various land uses. The landowner or user is responsible for identifying and complying with existing laws and regulations.

Although soil survey information can be used for general farm, local, and wider area planning, onsite investigation is needed to supplement this information in some cases. Examples include soil quality assessments (http://www.nrcs.usda.gov/wps/portal/nrcs/main/soils/health/) and certain conservation and engineering applications. For more detailed information, contact your local USDA Service Center (https://offices.sc.egov.usda.gov/locator/app?agency=nrcs) or your NRCS State Soil Scientist (http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2_053951).

Great differences in soil properties can occur within short distances. Some soils are seasonally wet or subject to flooding. Some are too unstable to be used as a foundation for buildings or roads. Clayey or wet soils are poorly suited to use as septic tank absorption fields. A high water table makes a soil poorly suited to basements or underground installations.

The National Cooperative Soil Survey is a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local agencies. The Natural Resources Conservation Service (NRCS) has leadership for the Federal part of the National Cooperative Soil Survey.

Information about soils is updated periodically. Updated information is available through the NRCS Web Soil Survey, the site for official soil survey information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or a part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require

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Contents

How Soil Surveys Are Made

Soil surveys are made to provide information about the soils and miscellaneous areas in a specific area. They include a description of the soils and miscellaneous areas and their location on the landscape and tables that show soil properties and limitations affecting various uses. Soil scientists observed the steepness, length, and shape of the slopes; the general pattern of drainage; the kinds of crops and native plants; and the kinds of bedrock. They observed and described many soil profiles. A soil profile is the sequence of natural layers, or horizons, in a soil. The profile extends from the surface down into the unconsolidated material in which the soil formed or from the surface down to bedrock. The unconsolidated material is devoid of roots and other living organisms and has not been changed by other biological activity.

Currently, soils are mapped according to the boundaries of major land resource areas (MLRAs). MLRAs are geographically associated land resource units that share common characteristics related to physiography, geology, climate, water resources, soils, biological resources, and land uses (USDA, 2006). Soil survey areas typically consist of parts of one or more MLRA.

The soils and miscellaneous areas in a survey area occur in an orderly pattern that is related to the geology, landforms, relief, climate, and natural vegetation of the area. Each kind of soil and miscellaneous area is associated with a particular kind of landform or with a segment of the landform. By observing the soils and miscellaneous areas in the survey area and relating their position to specific segments of the landform, a soil scientist develops a concept, or model, of how they were formed. Thus, during mapping, this model enables the soil scientist to predict with a considerable degree of accuracy the kind of soil or miscellaneous area at a specific location on the landscape.

Commonly, individual soils on the landscape merge into one another as their characteristics gradually change. To construct an accurate soil map, however, soil scientists must determine the boundaries between the soils. They can observe only a limited number of soil profiles. Nevertheless, these observations, supplemented by an understanding of the soil-vegetation-landscape relationship, are sufficient to verify predictions of the kinds of soil in an area and to determine the boundaries.

Soil scientists recorded the characteristics of the soil profiles that they studied. They noted soil color, texture, size and shape of soil aggregates, kind and amount of rock fragments, distribution of plant roots, reaction, and other features that enable them to identify soils. After describing the soils in the survey area and determining their properties, the soil scientists assigned the soils to taxonomic classes (units). Taxonomic classes are concepts. Each taxonomic class has a set of soil characteristics with precisely defined limits. The classes are used as a basis for comparison to classify soils systematically. Soil taxonomy, the system of taxonomic classification used in the United States, is based mainly on the kind and character of soil properties and the arrangement of horizons within the profile. After the soil

scientists classified and named the soils in the survey area, they compared the individual soils with similar soils in the same taxonomic class in other areas so that they could confirm data and assemble additional data based on experience and research.

The objective of soil mapping is not to delineate pure map unit components; the objective is to separate the landscape into landforms or landform segments that have similar use and management requirements. Each map unit is defined by a unique combination of soil components and/or miscellaneous areas in predictable proportions. Some components may be highly contrasting to the other components of the map unit. The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The delineation of such landforms and landform segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, onsite investigation is needed to define and locate the soils and miscellaneous areas.

Soil scientists make many field observations in the process of producing a soil map. The frequency of observation is dependent upon several factors, including scale of mapping, intensity of mapping, design of map units, complexity of the landscape, and experience of the soil scientist. Observations are made to test and refine the soil-landscape model and predictions and to verify the classification of the soils at specific locations. Once the soil-landscape model is refined, a significantly smaller number of measurements of individual soil properties are made and recorded. These measurements may include field measurements, such as those for color, depth to bedrock, and texture, and laboratory measurements, such as those for content of sand, silt, clay, salt, and other components. Properties of each soil typically vary from one point to another across the landscape.

Observations for map unit components are aggregated to develop ranges of characteristics for the components. The aggregated values are presented. Direct measurements do not exist for every property presented for every map unit component. Values for some properties are estimated from combinations of other properties.

While a soil survey is in progress, samples of some of the soils in the area generally are collected for laboratory analyses and for engineering tests. Soil scientists interpret the data from these analyses and tests as well as the field-observed characteristics and the soil properties to determine the expected behavior of the soils under different uses. Interpretations for all of the soils are field tested through observation of the soils in different uses and under different levels of management. Some interpretations are modified to fit local conditions, and some new interpretations are developed to meet local needs. Data are assembled from other sources, such as research information, production records, and field experience of specialists. For example, data on crop yields under defined levels of management are assembled from farm records and from field or plot experiments on the same kinds of soil.

Predictions about soil behavior are based not only on soil properties but also on such variables as climate and biological activity. Soil conditions are predictable over long periods of time, but they are not predictable from year to year. For example, soil scientists can predict with a fairly high degree of accuracy that a given soil will have a high water table within certain depths in most years, but they cannot predict that a high water table will always be at a specific level in the soil on a specific date.

After soil scientists located and identified the significant natural bodies of soil in the survey area, they drew the boundaries of these bodies on aerial photographs and

identified each as a specific map unit. Aerial photographs show trees, buildings, fields, roads, and rivers, all of which help in locating boundaries accurately.

Soil Map

The soil map section includes the soil map for the defined area of interest, a list of soil map units on the map and extent of each map unit, and cartographic symbols displayed on the map. Also presented are various metadata about data used to produce the map, and a description of each soil map unit.

Custom Soil Resource Report
Soil Map

Map Scale: 1:4,150 if printed on A portrait (8.5" x 11") sheet.

N

Meters: 0 50 100 200 300

Feet: 0 200 400 800 1200

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 19N WGS84

MAP LEGEND

Area of Interest (AOI)
- Area of Interest (AOI)

Soils
- Soil Map Unit Polygons
- Soil Map Unit Lines
- Soil Map Unit Points

Special Point Features
- Blowout
- Borrow Pit
- Clay Spot
- Closed Depression
- Gravel Pit
- Gravelly Spot
- Landfill
- Lava Flow
- Marsh or swamp
- Mine or Quarry
- Miscellaneous Water
- Perennial Water
- Rock Outcrop
- Saline Spot
- Sandy Spot
- Severely Eroded Spot
- Sinkhole
- Slide or Slip
- Sodic Spot
- Spoil Area
- Stony Spot
- Very Stony Spot
- Wet Spot
- Other
- Special Line Features

Water Features
- Streams and Canals

Transportation
- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background
- Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Cumberland County and Part of Oxford County, Maine
Survey Area Data: Version 20, Sep 5, 2023

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jul 22, 2021—Oct 7, 2021

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background

MAP LEGEND

MAP INFORMATION

imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
DeB	Deerfield loamy fine sand, 3 to 8 percent slopes	1.5	4.0%
HgB	Hermon sandy loam, 3 to 8 percent slopes	6.1	15.8%
HhC	Hermon sandy loam, 8 to 15 percent slopes, very stony	2.1	5.4%
HlB	Hinckley loamy sand, 3 to 8 percent slopes	12.0	31.2%
Sp	Sebago mucky peat	8.6	22.2%
Wa	Walpole fine sandy loam	8.3	21.4%
Totals for Area of Interest		**38.6**	**100.0%**

Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it

was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

Cumberland County and Part of Oxford County, Maine

DeB—Deerfield loamy fine sand, 3 to 8 percent slopes

Map Unit Setting

National map unit symbol: 2xfg9
Elevation: 0 to 1,190 feet
Mean annual precipitation: 36 to 71 inches
Mean annual air temperature: 39 to 55 degrees F
Frost-free period: 145 to 240 days
Farmland classification: Farmland of statewide importance

Map Unit Composition

Deerfield and similar soils: 85 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Deerfield

Setting

Landform: Outwash deltas, outwash terraces, outwash plains, kame terraces
Landform position (three-dimensional): Tread
Down-slope shape: Concave, convex, linear
Across-slope shape: Convex, linear, concave
Parent material: Sandy outwash derived from granite, gneiss, and/or quartzite

Typical profile

Ap - 0 to 9 inches: loamy fine sand
Bw - 9 to 25 inches: loamy fine sand
BC - 25 to 33 inches: fine sand
Cg - 33 to 60 inches: sand

Properties and qualities

Slope: 3 to 8 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Moderately well drained
Runoff class: Very low
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to very high (1.42 to 99.90 in/hr)
Depth to water table: About 15 to 37 inches
Frequency of flooding: None
Frequency of ponding: None
Maximum salinity: Nonsaline (0.0 to 1.9 mmhos/cm)
Sodium adsorption ratio, maximum: 11.0
Available water supply, 0 to 60 inches: Moderate (about 6.5 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 2w
Hydrologic Soil Group: A
Ecological site: F144AY027MA - Moist Sandy Outwash
Hydric soil rating: No

HgB—Hermon sandy loam, 3 to 8 percent slopes

Map Unit Setting

National map unit symbol: 2w9r8
Elevation: 0 to 950 feet
Mean annual precipitation: 31 to 65 inches
Mean annual air temperature: 36 to 52 degrees F
Frost-free period: 90 to 160 days
Farmland classification: Farmland of statewide importance

Map Unit Composition

Hermon and similar soils: 90 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Hermon

Setting

Landform: Mountains, hills
Landform position (two-dimensional): Summit, shoulder, backslope
Landform position (three-dimensional): Mountainbase, interfluve, base slope
Down-slope shape: Convex
Across-slope shape: Convex
Parent material: Sandy and gravelly supraglacial meltout till derived from granite and gneiss

Typical profile

Ap - 0 to 9 inches: sandy loam
Bs1 - 9 to 16 inches: very gravelly sandy loam
Bs2 - 16 to 32 inches: extremely gravelly loamy sand
C - 32 to 65 inches: very gravelly coarse sand

Properties and qualities

Slope: 3 to 8 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Somewhat excessively drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (1.42 to 14.17 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Maximum salinity: Nonsaline (0.0 to 1.9 mmhos/cm)
Available water supply, 0 to 60 inches: Low (about 3.9 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 2s
Hydrologic Soil Group: A
Ecological site: F144BY601ME - Dry Sand
Hydric soil rating: No

HhC—Hermon sandy loam, 8 to 15 percent slopes, very stony

Map Unit Setting

National map unit symbol: 2w9rd
Elevation: 0 to 1,080 feet
Mean annual precipitation: 31 to 65 inches
Mean annual air temperature: 36 to 52 degrees F
Frost-free period: 90 to 160 days
Farmland classification: Not prime farmland

Map Unit Composition

Hermon, very stony, and similar soils: 85 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Hermon, Very Stony

Setting

Landform: Mountains, hills
Landform position (two-dimensional): Summit, shoulder, backslope
Landform position (three-dimensional): Mountainbase, mountainflank, side slope, nose slope, interfluve
Down-slope shape: Convex
Across-slope shape: Convex
Parent material: Sandy and gravelly supraglacial meltout till derived from granite and gneiss

Typical profile

Oa - 0 to 2 inches: highly decomposed plant material
E - 2 to 3 inches: sandy loam
Bhs - 3 to 9 inches: sandy loam
Bs1 - 9 to 16 inches: very gravelly sandy loam
Bs2 - 16 to 32 inches: extremely gravelly loamy sand
C - 32 to 65 inches: very gravelly coarse sand

Properties and qualities

Slope: 8 to 15 percent
Surface area covered with cobbles, stones or boulders: 1.1 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Somewhat excessively drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (1.42 to 14.03 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Maximum salinity: Nonsaline (0.0 to 1.9 mmhos/cm)
Available water supply, 0 to 60 inches: Low (about 4.2 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 6s
Hydrologic Soil Group: A

Ecological site: F144BY601ME - Dry Sand
Hydric soil rating: No

HlB—Hinckley loamy sand, 3 to 8 percent slopes

Map Unit Setting

National map unit symbol: 2svm8
Elevation: 0 to 1,430 feet
Mean annual precipitation: 36 to 53 inches
Mean annual air temperature: 39 to 55 degrees F
Frost-free period: 140 to 240 days
Farmland classification: Farmland of statewide importance

Map Unit Composition

Hinckley and similar soils: 85 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Hinckley

Setting

Landform: Outwash deltas, outwash terraces, kames, kame terraces, moraines, eskers, outwash plains
Landform position (two-dimensional): Summit, shoulder, backslope, footslope
Landform position (three-dimensional): Nose slope, side slope, base slope, crest, riser, tread
Down-slope shape: Concave, convex, linear
Across-slope shape: Convex, linear, concave
Parent material: Sandy and gravelly glaciofluvial deposits derived from gneiss and/or granite and/or schist

Typical profile

Oe - 0 to 1 inches: moderately decomposed plant material
A - 1 to 8 inches: loamy sand
Bw1 - 8 to 11 inches: gravelly loamy sand
Bw2 - 11 to 16 inches: gravelly loamy sand
BC - 16 to 19 inches: very gravelly loamy sand
C - 19 to 65 inches: very gravelly sand

Properties and qualities

Slope: 3 to 8 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Excessively drained
Runoff class: Very low
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to very high (1.42 to 99.90 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Maximum salinity: Nonsaline (0.0 to 1.9 mmhos/cm)
Available water supply, 0 to 60 inches: Very low (about 3.0 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 3s
Hydrologic Soil Group: A
Ecological site: F144AY022MA - Dry Outwash
Hydric soil rating: No

Sp—Sebago mucky peat

Map Unit Setting

National map unit symbol: blk0
Elevation: 10 to 2,100 feet
Mean annual precipitation: 34 to 48 inches
Mean annual air temperature: 37 to 46 degrees F
Frost-free period: 80 to 160 days
Farmland classification: Not prime farmland

Map Unit Composition

Sebago and similar soils: 85 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Sebago

Setting

Landform: Bogs
Landform position (two-dimensional): Toeslope
Landform position (three-dimensional): Talf
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Organic material

Typical profile

Oe - 0 to 36 inches: mucky peat
Oi - 36 to 65 inches: mucky peat

Properties and qualities

Slope: 0 to 1 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Very poorly drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (1.42 to 6.00 in/hr)
Depth to water table: About 0 inches
Frequency of flooding: None
Frequency of ponding: Frequent
Available water supply, 0 to 60 inches: Very high (about 18.0 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 8w
Hydrologic Soil Group: A/D
Ecological site: F144BY230ME - Acidic Peat Wetland Complex
Hydric soil rating: Yes

Wa—Walpole fine sandy loam

Map Unit Setting

National map unit symbol: blk7
Elevation: 0 to 540 feet
Mean annual precipitation: 48 to 49 inches
Mean annual air temperature: 45 to 46 degrees F
Frost-free period: 145 to 165 days
Farmland classification: Not prime farmland

Map Unit Composition

Walpole and similar soils: 85 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Walpole

Setting

Landform: Outwash plains
Landform position (two-dimensional): Toeslope
Landform position (three-dimensional): Talf
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Sandy glaciofluvial deposits

Typical profile

H1 - 0 to 8 inches: fine sandy loam
H2 - 8 to 20 inches: fine sandy loam
H3 - 20 to 65 inches: gravelly loamy sand

Properties and qualities

Slope: 0 to 3 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Poorly drained
Capacity of the most limiting layer to transmit water (Ksat): High (2.00 to 6.00 in/hr)
Depth to water table: About 0 to 18 inches
Frequency of flooding: None
Frequency of ponding: None
Available water supply, 0 to 60 inches: Low (about 5.7 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 4w
Hydrologic Soil Group: A/D
Ecological site: F144BY303ME - Acidic Swamp
Hydric soil rating: Yes

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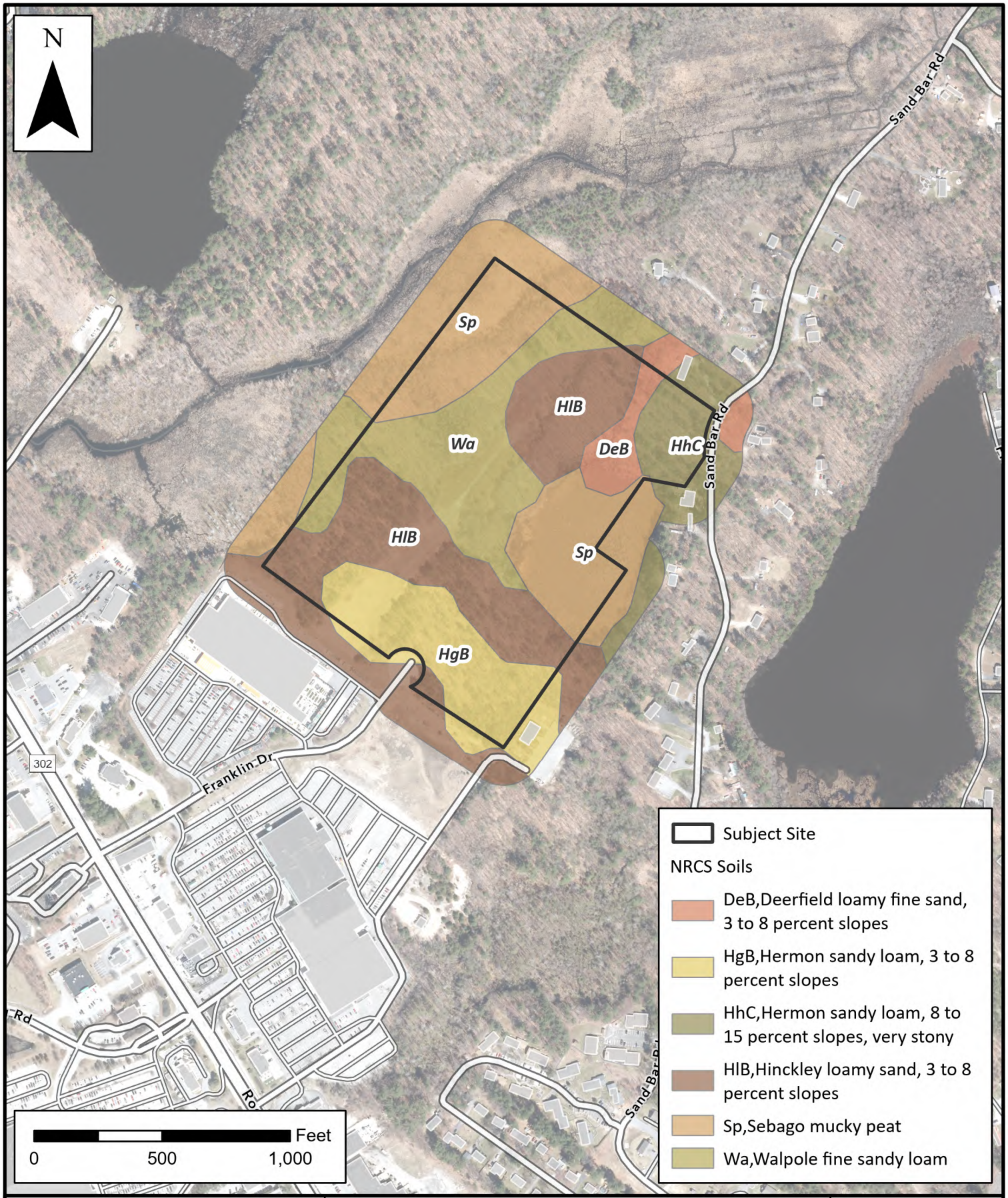

SEBAGO TECHNICS

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75 John Roberts Rd. - Suite 4A
South Portland, ME 04106
Tel. 207-200-2100

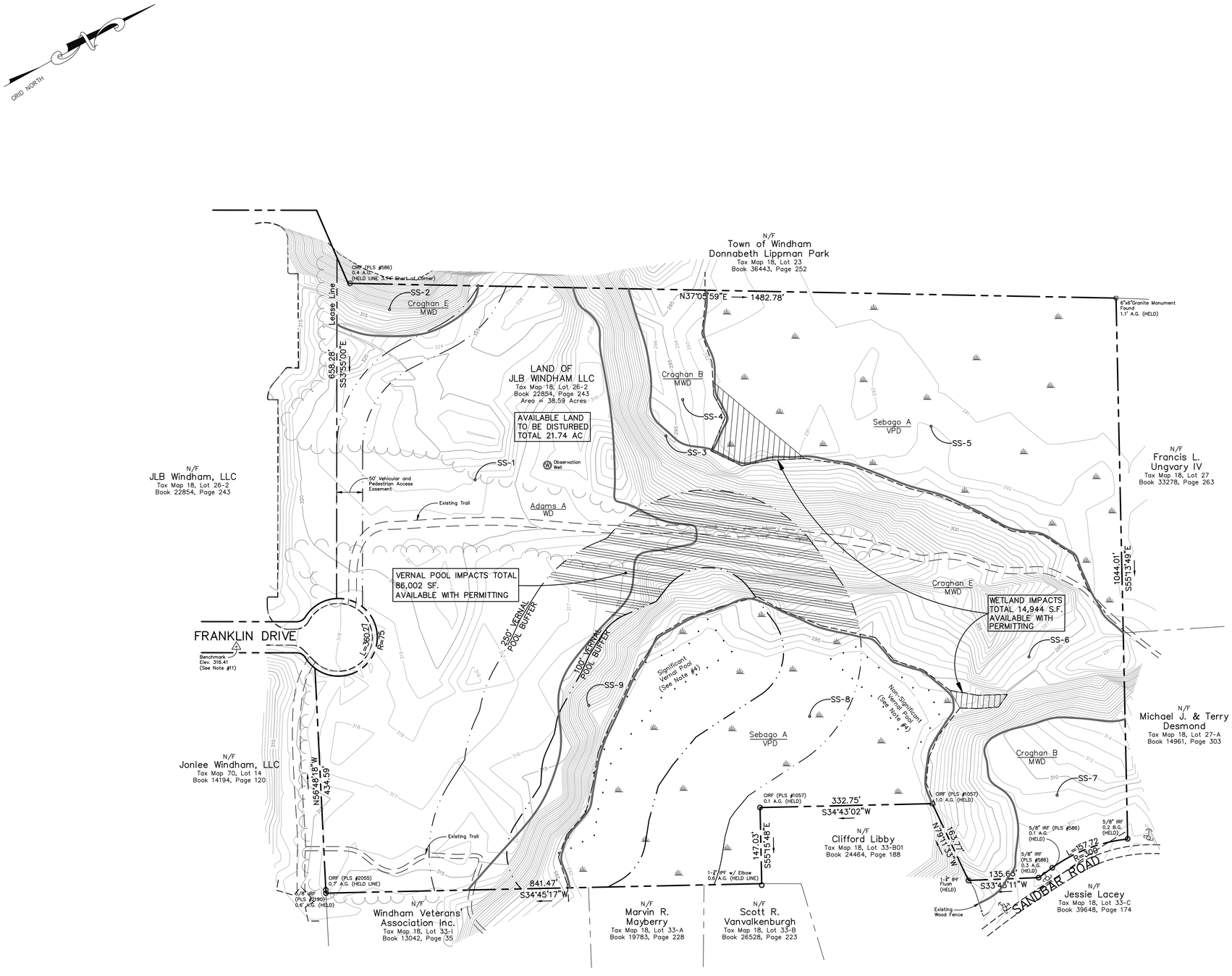
NRCS SOIL SURVEY MAP

LAND OF JLB WINDHAM, LLC

SCALE:	1:6,000
DATE:	9/25/2024

LOCATION:
20 FRANKLIN DR
WINDHAM, ME

INFORMATION:
MAINE GEOLIBRARY
USDA NRCS SOIL SURVEY 2020



LEGEND

SYMBOL	DESCRIPTION
151	EXISTING CONTOUR
	PROPERTY LINE
	LEASE LINE
	ABUTTING PROPERTY LINE
	TREE LINE
	UTILITY POLE
	WETLANDS
	VERNAL POOL
CIRF	CAPPED IRON ROD FOUND
IPF/IRF	IRON PIPE/IRON ROD FOUND
A.G/B.G	ABOVE GROUND/BELOW GROUND
N/F	NOW OR FORMERLY

SOILS LEGEND

SYMBOL	DESCRIPTION
	SOIL BOUNDARY LINES

SLOPE DESIGNATION

A = 0 – 3%
B = 3– 8%
C = 8 – 20%
D = 20 – 30%
E = 30%+

HYDROLOGIC SOIL GROUP

SOIL	GROUP
ADAMS	A
CROGHAN	B
SEBAGO	D

NOTES:

1. OWNER: JLB WINDHAM LLC, 5050 BELMONT AVENUE, YOUNGSTOWN, OHIO 44505
2. SURVEYOR: ROBERT C. LIBBY JR., PLS #2190, BH2M, 380B MAIN STREET, GORHAM, ME 04038
3. WETLANDS / HIGH INTENSITY SOILS: MARK HAMPTON, MARK HAMPTON ASSOCIATES, PORTLAND, MAINE
4. VERNAL POOLS: RODNEY KELSHAW, FLYCATCHER, YARMOUTH, MAINE
5. DEED REFERENCE: BK. 22854, PG. 243
6. TAX MAP REFERENCE: MAP 18, LOT 26-2
7. ZONING: COMMERCIAL 1 (C-1)
8. MINIMUM STANDARDS: LOT SIZE - NO MINIMUM; FRONTAGE - 100'; SETBACKS - 10-20' FRONT, ON ROUTE 302, 0-20' FRONT, ALL OTHER STREETS, 6' SIDE, 6' MIN. REAR
9. LEASE AREA: 1,680,921 S.F. (38.59 ACRES)
10. PLAN REFERENCES: ALTA/ACSM LAND TITLE SURVEY, ROUTE 302 (ROOSEVELT TRAIL) & FRANKLIN DRIVE, WINDHAM, MAINE, FOR HOME DEPOT USA, INC. BY SURVEY, INC. AND DATED MAY 9, 2005.

    SITE PLAN, NATURAL WONDERS, FRANKLIN DRIVE, WINDHAM, MAINE, FOR NATURAL WONDERS, BY BH2M WITH REVISIONS THROUGH MARCH 17, 2020.
11. BENCHMARK: PK NAIL SET, SURVEY CONTROL POINT 1000, AS SHOWN ON SOUTHERLY SIDELINE OF FRANKLIN DRIVE. EL. 316.41, NAD 83.
12. COORDINATES/BEARINGS: BEARINGS AND NORTH ORIENTATION SHOWN HEREON ARE BASED UPON THE MAINE STATE COORDINATE SYSTEM, WEST ZONE (NAD83), OBTAINED USING A CARLSON BRX7 ROVER.

I CERTIFY THAT THIS SURVEY CONFORMS TO THE MAINE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS TECHNICAL STANDARDS OF PRACTICE FOR A STANDARD BOUNDARY SURVEY WITH THE FOLLOWING EXCEPTIONS:

1. NO SURVEYORS REPORT

STATE OF MAINE — ROBERT C. LIBBY JR. — 2190 — REGISTERED PROFESSIONAL LAND SURVEYOR

ROBERT C. LIBBY JR. PLS #2190

REVISION NO.	DATE	DESCRIPTION
1	12/14/22	Addition of Wetlands from Mark Hampton Associates
2	12/21/22	Submitted to Client for Review
3	4/25/23	Updated with Soil Information

BH2M
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FOR
Jay Wise
795 Roosevelt Trail
Windham, Maine 04062

EXISTING CONDITIONS
LAND OF JLB WINDHAM LLC
20 FRANKLIN DRIVE
WINDHAM, MAINE

DESIGNED	DATE
Survey	Nov. 2022
DRAWN	SCALE
Dept.	1" = 100'
CHECKED	JOB. NO.
R. Libby Jr.	22051

SHEET
1

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Section 8

Stormwater Management

8: Stormwater Management

A full stormwater report for the project site has been submitted under separate cover.

Section 9

Standards

Performance and Design Standards § 120-911

Response to Standards

A. Basic subdivision layout.

(1) Lots.

(a)-(e) The proposed lots have been designed in accordance with net residential calculations and location standards of the ordinance.

(2) Utilities. The size, type and location of public utilities, such as sewers, water lines, storm drains, streetlights, electric lines, telephones lines, fire hydrants, etc., shall be approved by the Board and installed in accordance with the requirements of the Board and these standards.

The proposed subdivision will be served by public sewer and water service through the extension of services to the site from nearby existing mains. Electric and communications service will be provided through underground lines.

(3) Monuments.

(a)-(b) All subdivision monuments will be placed by a Maine licensed professional surveyor in accordance with the standards of the ordinance and the Maine Board of Licensure for Professional Land Surveyors.

B. Sufficient water; water supply.

(1) A subdivision shall connect to the public water system if the closest water main is within a distance equal to 100 feet multiplied by number of lots in the subdivision. A proposed subdivision shall not generate a demand on the source, treatment facilities or distribution system of the Portland Water District beyond the capacity of those system components, considering improvements that are planned to be in place prior to occupancy of the subdivision. The applicant shall be responsible for paying the costs of system improvements to the Portland Water District's system as necessary in order to facilitate connection.

The proposed subdivision is designed to connect to the closest available water main located along Franklin Drive.

(2) When a subdivision is to be served by a public water system, the complete supply system within the subdivision, including fire hydrants, shall be installed at the expense of the applicant. The size and location of mains, gate valves, hydrants, and service connections shall be reviewed and approved, in writing, by the Portland Water District and the Windham Fire-Rescue Chief.

Improvements and extension of the existing main is proposed by the applicant in coordination with the Portland Water District and municipal fire staff.

(3) When a proposed subdivision is not within a distance required for connection to the public water system, water supply shall be from individual wells or a private community water system. The following standards shall apply to individual wells or private community water systems:

> ***(a)-(d) Not applicable as the proposed subdivision will not be served from individual wells or a private community water system.***

C. Erosion and sedimentation control.

(1) An erosion 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:

(a)-(c) An eroision control plan for the project site has been prepared in accordance with Maine DEP regulations. Please see Section 8 Stormwater Management.

(2) The developer shall provide a statement from a Maine licensed professional civil engineer that the plan shall prevent soil erosion and sedimentation from entering water bodies, wetlands and adjacent properties.

Discussion of erosion and sedimentation control for the project site can be found in Section 8 Stormwater Management.

(3) Topsoil shall be considered part of the subdivision. Except for surplus topsoil for roads, parking areas and building excavations, it is not to be removed from the site.

Acknowledged.

(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.

Acknowledged.

D. Sewage disposal.

(1) Public sewer system. Where an existing or proposed public sanitary gravity sewer main is located within 1,500 feet of a proposed subdivision at its nearest point, the applicant shall provide, at his expense, a connection to, or extension of, the public gravity sewer main.

(a)-(b) The proposed development will connect to the proposed sewer main to be located in Franklin Drive in coordination with the Portland Water District.

(2) Private systems.

Not applicable as no private systems are proposed.

E. Impact on natural beauty, aesthetics, historic sites, wildlife habitat, rare natural areas or public access to the shoreline.

(1)-(2) Review of the project site for areas of historic sites, wildlife habitat, and rare natural areas have been made to MHPC, MNAP, and MDIFW. Review from MDIFW and MNAP identified possible significant habitats in the area of proposed development. Flycatcher LLC will be conducting surveys on site to identify if significant habitats are on site. All lands will be owned and maintained by the applicant.

F. Conformance with land use ordinances. All lots shall meet the dimensional requirements of the zoning district in which they are located. The proposed subdivision shall meet all applicable performance standards or design criteria of this chapter. Note: See § 120-533, Lot, backlot, in Article 5, Performance Standards, for additional standards regarding backlots in subdivisions.

The proposed lots have been designed in accordance with the applicable areas of the Windham land use ordinance.

G. Financial and technical capacity.

(1) Financial capacity. The applicant shall have adequate financial resources to construct the proposed improvements and meet the criteria of the standards of these regulations. In making its determination, the Planning Board shall consider all relevant evidence to the effect that the developer has the financial capacity to construct, operate, and maintain all aspects of the development. The Board shall also consider the proposed time frame for construction and the effects of inflation.

The applicant has received and submitted a letter of credit in the amount of $702.040.78.

(2) Technical ability.

The applicant has a track record of economic development across southern Maine, and Sebago Technics, Inc. is a multi-disciplinary firm with over 40 years of experience in land development and planning.

H. Impact on groundwater quality or quantity.

(1) Groundwater quality.

(a)-(f) The proposed development is not anticipated to have any adverse impacts on groundwater quality in the area.

(2) Groundwater quantity.

(a)-(b) The proposed development is not anticipated to have any adverse impact on the water table at the subdivision boundary. Please see Section 8 Stormwater Management for more information.

I. Floodplain management. When any part of a subdivision is located in a special flood hazard area as identified by the Federal Emergency Management Agency:

(1)-(4) A review of the FEMA National Flood Map for the area of the project site shows that the entirety of the project area is outside of any area of flooding concern. Please see Section 1 for more information.

J. Stormwater management.

(1)-(7) A full stormwater management report for the project site has been prepared. Please see Section 8 Stormwater Management for more information.

K. Conservation subdivisions.

(1)-(6) Not applicable as the proposed subdivision is not designed as a conservation subdivision.

> (7) Country subdivisions. As an alternative to conservation subdivision design in the Farm Zoning District and the Farm-Residential Zoning District, an applicant may choose a country subdivision design. This alternative does not include the reservation of open space or the level of site analysis and design required by a conservation subdivision. As a result, large residential lots are required in order to meet Town goals of protecting water quality and wildlife habitats and preserving rural character.
>
> ***(a)-(b) Not applicable as the proposed subdivision does not meet the definition of a country subdivision.***

L. Compliance with timber harvesting rules.

(1)-(3) For any timber harvested as part of the proposed development, the harvesting will be performed in accordance with applicable state and municipal regulations.

M. Traffic conditions and streets.

(1) General standards. The proposed subdivision shall meet the following general transportation performance standards:

(a)-(e) The proposed public way extension of Franklin Drive will be designed to avoid traffic congestion and provide safe and convenient circulation for vehicles.

(2) General access standards. All subdivision accesses connecting with external streets shall meet the following standards (see § 120-522, Curb cuts and driveway openings, in Article 5, Performance Standards):

(a)-(d) Access to the subdivision will be adequate at this time, and additional measures and permitting will be provided under future development of individual lots.

(3) General internal subdivision street standards. All internal subdivision streets shall meet the following minimum standards:

(a)-(e) The proposed public way has been designed in accordance with applicable standards and in a manner that will not hinder construction or future development of the site.

(4) Specific access standards; access control.

The project has been designed to meet the applicable access standards relative to connections to the proposed extension of Franklin Drive.

(5) Specific street design and construction standards.

(a) General requirements.

The proposed public way has been designed to the standard of public streets in accordance with the specifications contained in the land use code.

(b) Street design standards.

The proposed public way has been designed to the applicable standards for a public street serving the commercial subdivision. Please see the Plan Set for more information.

(6) Process for Town acceptance of streets. A street constructed on private lands by the owner, developer, or association thereof and not dedicated for public travel prior to October 22, 2009, may be laid out and offered for acceptance as a public street by the Town Council. For the Town Council to accept a public street, the procedures and conditions of this section must be met. In the event that all procedures and conditions are met, the Town Council reserves the right to reject any street offered for public acceptance.

(a)-(e) The proposed public way will be constructed to the standards for the construction of a public street. A plan of the proposed street has been included as part of the Sheet Set.

Commercial District (C-1) Performance Standards § 120-410

Response to Standards

District standards. In addition to Article 5, Performance Standards, these standards shall apply to the following uses in the Commercial District I:

(1) Parking. No parking shall be located within a structure's front setback area. When parking is located at the side of a building, the parking area shall not extend closer to the street than the front facade of the building. The space between the parking lot and the street shall be landscaped according to an overall plan for the property.

Not applicable as no parking area is proposed at this stage of development.

(2) Aquifer Protection Overlay District. See § 120-416 or 120-417, Aquifer Protection Overlay Districts, and the Town's Official Map.

The proposed project area falls outside of any Aquifer Protection Overlay Districts.

(3) Building orientation. The facade of all buildings must be oriented parallel to a front lot line. In cases where a property has more than one front lot line, a single building development will orient to the front lot line on the street with the higher traffic volume. Multibuilding development may orient individual buildings to different front lot lines.

Not applicable as no buildings are proposed at this stage of development.

(4) Pedestrian access. At least one primary entrance must be located on the building's front facade. Primary entrances must provide ingress and egress and be operable at all times the building is occupied.

Not applicable as no building areas are proposed at this time.

(5) Zoning district boundary buffer. See § 120-511, Buffer yard, in Article 5, Performance Standards, for requirements.

Proposed lots have been designed for future development to be able to meet the zoning district boundary requirements.

(6) Controlled access street. For standards pertaining to controlled access streets in the C-1 District see Article 3, Definitions, and Article 5, Performance Standards.

Not applicable as the proposed public way does not meet the definition of a controlled access street.

(7) Curb cuts. See § 120-522, Curb cuts and driveway openings, in Article 5, Performance Standards, for additional standards applicable to the C-1 District. New, enlarged or rebuilt uses

on an arterial road, as defined in Article 3, shall be limited to one curb cut. In addition, the following standards shall apply to these curb cuts:

(a)-(b) Curb cuts proposed off of the proposed public way will adhere to the standards of the Commercial District zone.

(8) Industry, heavy. In the C-1 District, this use shall not involve any activity defined in Article 3 as "manufacturing, hazardous." (See Article 3, Definitions.)

Not applicable as no industry, heavy uses are proposed.

(9) Minimum lot size. The State of Maine minimum lot size, and minimum lot size waiver, standards apply in the C-1 District when the Town's minimum lot size requirements are less restrictive than those of the State of Maine.

The proposed lots all meet the minimum lot size requirements, and no waivers are requested at this time.

(10) Retail sales, outdoor. The display or sale of products outside of a building shall meet the standards of Article 5. (See Article 5, Performance Standards.)

Not applicable as no businesses are proposed at this time.

(11) All new and reconstructed streets must be built to public street, commercial street, curbed lane or residential street standards. No new private streets are allowed.

The proposed public way will be built to the public street standard. Please see the Plan Set for more information.

(12) Block standards.

The proposed subdivision's lots all receive access from the dead end extension of Franklin Drive making block standards not applicable to this project.

(13) Sidewalks.

Sidewalks are proposed as part the Franklin Drive Extension as required by ordinance and typical commercial road section.

(14) Marijuana cultivation facility. Cultivation facilities may be of the following types: Tier 1 and Tier 2. (See Article 3, Definitions.) These uses shall only be allowed on a lot where marijuana businesses were in existence prior to September 14, 2022.

Not applicable as no marijuana facility is proposed.

(15) Affordable housing. Affordable housing developments are eligible for increases in residential density and building height and reductions in lot size, frontage and parking

requirements identified in Article 5, Performance Standards, if the development meets the applicable criteria in § 120-501.1.

Not applicable as no affordable housing is proposed.

(16) Solar energy system – ground-mounted, large scale. This use shall only be allowed when co-located with parking lots or to supply the electrical or thermal power to reduce the on-site consumption of utility power or fuels by a principal commercial or residential use on the same parcel. When not co-located with a parking lot, a system shall not be designed to create additional power, but additional power may result from on-site use that is less than the designed capacity.

Not applicable as no ground mounted solar energy system is proposed with this phase of the project.

(17)

Marijuana registered dispensary. In the C-1 District, this use shall not involve any cultivation or manufacturing of marijuana on site, notwithstanding the definition of "marijuana registered dispensary" in Article 3. (See Article 3, Definitions.)

Not applicable as no marijuana facility is proposed.