



February 19, 2018

Amanda Lessard, Town Planner  
Town of Windham  
8 School Road  
Windham, ME 04062

**Re: Preliminary Major Subdivision Plan Application-Response to Review Comments  
Majestic Woods Subdivision  
Shoreland Development - Applicant**

Dear Amanda:

On behalf of Shoreland Development, LLC we have prepared the enclosed plans and application materials to address Town staff's review comments on the proposed Majestic Woods Subdivision dated January 31, 2018 via e-mail.

**Outstanding Items:**

- Included with this submission is a financial capacity statement from the applicant's financial institution and a Certificate of Good Standing with the State of Maine for Shoreland Development, LLC.
- We have included a revised Waiver Request Form indicating a requested waiver for a Traffic Impact Analysis. The proposed 22-lot residential subdivision is anticipated to generate 220 daily vehicle trips onto Swett Road based on the Institute of Transportation Engineers Trip Generation Manual, 9<sup>th</sup> Edition. The basis for requesting a waiver from this standard is our professional opinion that there would be no additional offsite traffic improvements recommended as a result of the study that were not already identified in previous project phases. Swett Road and Chute Road, along with the intersection of Swett Road and Chute Road, were reviewed and analyzed for vehicle traffic safety during the initial project phase completed by the applicant, which included 14 new residential lots. The anticipated additional traffic from the proposed project amendment is not expected to alter the results of those previous analysis, which included provisions for widening Swett Road and relocating utility poles.
- The hydrogeologic assessment is being prepared by the geologists at St. Germain-Collins for the project in accordance with the requirements and standards of the Maine Department of Environmental Protection. The Report of Results from the assessment will be submitted to the Town upon completion as part of the Maine DEP Site Location Permit Application. The hydrogeological assessment will be reviewed by the State Geologist as part of the MDEP permit review.

## Review Comments

- Well exclusion zone boundaries have been added to the revised Subdivision Plan based on the location of the septic system test pits. The well exclusion zones are somewhat restrictive for several lots, so we will continue to work with the Licensed Site Evaluator and Geologist subconsultants to identify the optimum location for leach fields to provide for improved well exclusion zone boundaries, which will be revised and shown on the final plans.
- The septic system test pits were conducted prior to establishing proposed clearing limits for each individual lot, so the specific location of each test pit does not fall within the proposed development area for some lots. Longview Partners completed a Class A High Intensity Soil Survey on the property, which included additional test pits that produce a soil classification confidence interval that is assumed accurate to within 1/8 of an acre. For each of the lots where the test pit locations are within the tree save areas or in the filter basin, there are similar soils throughout the lot where a leach field could be located based on the Class A High Intensity Soil Survey.
- An easement has been added to the Subdivision Plan around the intermediate road turnaround.
- We have revised the bark mulch picnic area and trail-head kiosk area to be outside of any potential future roadway that could be constructed to connect to the abutting property. A note has also been added to the Subdivision Plan indicating that if the roadway is extended within the right of way, the parking spaces will be relocated in front of the recreation area within a widened shoulder on the side of the new roadway. There is adequate turn-out width to accomplish this. It seems reasonable, and in the best interest of the Town, to provide the parking spaces in the location currently shown so that they are accessible and visible to the public. In the event that the road is extended in the future, it seems reasonable that the person extending the roadway could relocate the parking spaces to the road shoulder without incurring unreasonable costs to do so.
- We identified two significant errors on the previously approved subdivision plan for this project.
  - The parcel identified as Lot 63-13 was listed as having an area of 35.57 acres. We calculated the area of the lot to be 39.09 acres, which we confirmed as being correct with the Licensed Land Surveyor who assisted in the preparation of the previous plan.
  - The Net Residential Density Estimate shown on the previously approved plan indicated the overall parcel could support 31 lots, however the calculations were based on a maximum net residential density of 80,000 square feet, which is incorrect. When you recalculate the maximum allowable lots based on the net residential density factor in the Farm Zone of 60,000 square feet, the total allowable lots on the property is 40 lots. The proposed project phase includes “bonus lots” as defined under the cluster subdivision ordinance, but it is important to note that the 14 lots approved previously, when combined with the proposed 22 lots, produces a total of 36 lots, which is 4 less than what is permitted on the total parcel. This fact further supports our request for a waiver from the 50% net buildable area in the open space standard, because we are not truly benefiting from “bonus lots” when you consider the overall parcel.

Upon your review of this information, please let us know if you have any questions or require any additional information.

Sincerely,

DM ROMA CONSULTING ENGINEERS

*Dustin M. Roma*

Dustin M. Roma, P.E.  
President

**TOWN OF WINDHAM**  
**SUBDIVISION & SITE PLAN APPLICATION**

**Performance and Design Standards Waiver Request Form**

(Section 808 – Site Plan Review, Waivers)

(Section 908 – Subdivision Review, Waivers)

For each waiver request from the Performance and Design Standards detailed in Section 811 or Section 911 of the Town of Windham Land Use Ordinance, as applicable, please submit a separate completed copy of this waiver request form.

**Subdivision or Project Name:** MAJESTIC WOODS SUBDIVISION

**Tax Map:** 6 **Lot:** 63-13

**Waivers are requested from the following Performance and Design Standards (add rows as necessary):**

Ordinance Section	Standard	Mark which waiver this form is for
911-K-4-B-2	50% NET AREA IN COMMON OPEN SPACE	×
911-M-5-B-6-2	SIDEWALKS OR EXPANDED SHOULDER REQUIRED	×
910-C-1-C-5	TRAFFIC IMPACT ASSESSMENT	×

a. Describe how a waiver from the standard indicated above will improve the ability of the project to take the property's pre-development natural features into consideration. Natural features include, but are not limited to, topography, location of water bodies, location of unique or valuable natural resources, relation to abutting properties or land uses. Attach a separate sheet if necessary.

1. THE PROJECT COULD POTENTIALLY BE MODIFIED TO MEET THIS REQUIREMENT, BUT THE LOT LAYOUTS WOULD BE UNCONVENTIONAL AND IRREGULAR. WE HAVE PROPOSED TO DEVELOP A LOOP TRAIL TO THE BROOK WITH DESIGNATED PARKING, A TRAILHEAD IDENTIFICATION KIOSK, AND A SITTING AREA WITH A PICNIC TABLE TO ENHANCE THE OPEN SPACE IN LIEU OF PROVIDING MORE UPLAND AREA.
2. THE PROPOSED 24-FOOT WIDE PAVED SURFACE WITH 2-FOOT SHOULDERS WILL BE ADEQUATE FOR BOTH PEDESTRIAN AND VEHICULAR MOVEMENTS. THERE ARE NO SIDEWALKS ON THE UNPAVED SWETT ROAD.
3. THE ISSUE OF TRAFFIC IMPROVEMENTS WAS ADDRESSED WITH PREVIOUS PROJECT PHASES

(continued next page)

Ordinance Section: \_\_\_\_\_

b. Will the waiver have an impact on any of the following criteria?

	Yes	No
Water or air pollution		×
Light pollution or glare		×
Water supply		×
Soil erosion		×
Traffic congestion or safety		×
Pedestrian safety or access		×
Supply of parking		×
Sewage disposal capacity		×
Solid waste disposal capacity		×
Scenic or natural beauty, aesthetics, historic sites, or rare or irreplaceable natural areas		×
Flooding or drainage issues on abutting properties		×
The Town's ability to provide the subdivision with public safety services (if subdivision)		×

If granting the waiver will result in an impact on any of the criteria above, please provide more detail below.



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February 14, 2018

Town of Windham

Planning Department

8 School Rd.

Windham, ME 04062

Re: Shoreland Development, LLC financial capacity, Majestic Woods 22 lot subdivision

To Whom It May Concern;

We have an existing commercial banking relationship with the owners of Shoreland Development LLC. I have discussed the project with them and they appear to have the financial capacity to develop the project as planned and presented.

Sincerely

A handwritten signature in black ink, appearing to read 'Aaron Cannan'.

Aaron Cannan  
Sr. Vice President-Commercial Services

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## Information Summary

[Subscriber activity report](#)

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Legal Name	Charter Number	Filing Type	Status		
SHORELAND DEVELOPMENT, LLC	20052627DC	LIMITED LIABILITY COMPANY (DOMESTIC)	GOOD STANDING		
Filing Date	Expiration Date	Jurisdiction			
03/17/2005	N/A	MAINE			
Other Names	(A=Assumed ; F=Former)				
NONE					

### Clerk/Registered Agent

THOMAS F JEWELL  
477 CONGRESS STREET

PORTLAND, ME 04101

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