

Stephen J. Puleo

From: Brent J. Libby
Sent: Wednesday, June 24, 2026 9:36 AM
To: Stephen J. Puleo; John K. Wescott
Subject: RE: Legal Review Request - Fire Protection Plan LUO Amendments revised

Steve,

I am all set with it as written and interpreted by Ben.

Thanks!

Brent J. Libby, Chief
Windham Fire-Rescue
375 Gray Road
Windham, Maine 04062
207-892-1911 x2
bjlibby@windhammaine.us

From: Stephen J. Puleo <sjpuleo@windhammaine.us>
Sent: Wednesday, June 24, 2026 8:21 AM
To: Brent J. Libby <bjlibby@windhammaine.us>; John K. Wescott <jkwescott@windhammaine.us>
Subject: RE: Legal Review Request - Fire Protection Plan LUO Amendments revised

Hi Brent and John,

Thank you both for your help with the LUO Amendments. I'm reaching out for clarification on one specific aspect before finalizing the Planning Board's feedback for the Council. One member raised a concern that referencing your review criteria under Chapter 70 might limit what the Fire Department would review in the site plan and subdivision application. Personally, I do not interpret it this way.

To clarify, Ben McCall stated in his email: "The site plan or subdivision plans themselves already need to include sufficient information for FD to determine whether or not Chapter 70 (shortcut for saying NFPA 1 and 101) is met. As such, I've whittled everything down here to the basic statement that subdivisions and site plans need to be consistent with Chapter 70. This would allow street connections, among other things, to be reviewed in a more holistic manner. If this isn't the result that FD is looking for, please let me know, and we can discuss further." Your response indicated you were all set, but I wanted to double-check and confirm that you are comfortable with how Ben has structured the amendments.

Could you please confirm your agreement with Ben's approach, or let me know if you have any concerns or suggestions? I have attached the amended ordinance language for your reference.

If possible, I would greatly appreciate your feedback by tomorrow.

Have a great day!

Steve Puleo

Planning Director

sjpuleo@windhammaine.us | www.windhammaine.us

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Public Hours: Monday 7:00–5:00 | Tuesday 7:00–6:00 | Wednesday 7:00–5:00

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From: Brent J. Libby <bjlibby@windhammaine.us>

Sent: Monday, June 15, 2026 11:55 AM

To: Stephen J. Puleo <sjpuleo@windhammaine.us>; John K. Wescott <jkwescott@windhammaine.us>

Subject: RE: Legal Review Request - Fire Protection Plan LUO Amendments revised

I'm all set with it.

If I follow the changes correctly, we are just eliminating a separate fire plan and stating that I must comply and meet our review as outlined in the applicable ordinances.

Brent

Brent J. Libby, Chief
Windham Fire-Rescue
375 Gray Road
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bjlibby@windhammaine.us

From: Stephen J. Puleo <sjpuleo@windhammaine.us>

Sent: Monday, June 15, 2026 10:14 AM

To: Brent J. Libby <bjlibby@windhammaine.us>; John K. Wescott <jkwescott@windhammaine.us>

Subject: FW: Legal Review Request - Fire Protection Plan LUO Amendments revised

Hi Brent and John,

Thank you both for your help on the Fire Protection review amendments. Ben raised some concerns that portions of my proposed language might be too restrictive. After considering his feedback, he recommended streamlining the standards to maintain their intent while improving clarity and efficiency.

Could you please review Ben's revised proposal and let me know by tomorrow afternoon if you're comfortable with the changes? Your input is important to ensure the amendments continue to reflect our shared goals for fire protection.

Thanks again for your time.

Best,

Steve Puleo

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From: Benjamin T. McCall <bmccall@dwmlaw.com>

Sent: Monday, June 15, 2026 9:01 AM

To: Stephen J. Puleo <sjpuleo@windhammaine.us>

Cc: Amanda L. Lessard <allessard@windhammaine.us>

Subject: RE: Legal Review Request - Fire Protection Plan LUO Amendments revised

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Steve –

Please circulate this draft to FD for their review. My thinking is that a “fire protection plan” shouldn't be required. Instead, the site plan or subdivision plans themselves already need to include sufficient information for FD to determine whether or not Chapter 70 (shortcut for saying NFPA 1 and 101) are met. As such, I've whittled everything down here to the basic statement that subdivisions and site plans need to be consistent with Chapter 70. This would allow street connections, among other things, to be reviewed in a more holistic manner.

If this isn't the result that FD is looking for, please let me know and we can discuss further.

Thanks,
Ben

From: Stephen J. Puleo <sjpuleo@windhammaine.us>
Sent: Monday, June 15, 2026 8:34 AM
To: Benjamin T. McCall <bmccall@dwmlaw.com>
Cc: Amanda L. Lessard <allessard@windhammaine.us>
Subject: RE: Legal Review Request - Fire Protection Plan LUO Amendments revised

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Thank you, Ben. I would like to share your simplified draft with Brent and John for their review. Is this version ready to be circulated to them?

Steve Puleo

Planning Director

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From: Benjamin T. McCall <bmccall@dwmlaw.com>
Sent: Friday, June 12, 2026 4:13 PM
To: Stephen J. Puleo <sjpuleo@windhammaine.us>
Cc: Amanda L. Lessard <allessard@windhammaine.us>
Subject: RE: Legal Review Request - Fire Protection Plan LUO Amendments revised

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Steve –

Please see the attached with a number of additional changes and comments for you. As a general comment: I'm starting to think that the concept of a "fire protection plan," is overkill. Chapter 70 adopts NFPA 1 and 101 by reference, meaning that the Town is required to enforce them. This includes in the

design of roads, site plans, and subdivisions. This review is already baked in. The attached draft doubles down on this, reminding the applicant that the Fire Chief needs to sign off on each plan for fire and life safety purposes – but this would be the case even without any amendments being added. A stripped-down version of this concept has been added as new Sec. 120-555C(8)(i) on Page 1. While there's nothing illegal with requiring a fire plan and having that reviewed by the Chief, I'm concerned that: (a) an applicant really isn't going to know what this plan needs to show, (b) fire safety aspects like turning radii and road lengths will already be shown on the plans, and (c) this standard has the possibility of creating more confusion for the Planning Board than it's worth.

If folks still want to go in this direction, the attached draft should do the trick (but note a few additional revisions that need to occur, particularly with regard to your new language re: waivers). But I would still encourage you and Brent to think about whether less is more here.

Happy to talk on Monday if that would be helpful. See you tomorrow (hopefully for not very long).

Ben

From: Stephen J. Puleo <sjpuleo@windhammaine.us>
Sent: Thursday, June 11, 2026 12:01 PM
To: Benjamin T. McCall <bmccall@dwmlaw.com>
Cc: Amanda L. Lessard <allessard@windhammaine.us>
Subject: RE: Legal Review Request - Fire Protection Plan LUO Amendments revised

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Hi Ben and Amanda,

I have revised the base your comments. Please look it over and let me know if I need to make further changes.

Thanks for all the help!

Steve Puleo

Planning Director

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From: Benjamin T. McCall <bmccall@dwmlaw.com>
Sent: Wednesday, June 10, 2026 10:35 AM
To: Stephen J. Puleo <sjpuleo@windhammaine.us>
Cc: Robert J. Burns <rjburns@windhammaine.us>; Amanda L. Lessard <allessard@windhammaine.us>
Subject: RE: Legal Review Request - Fire Protection and Life Safety LUO Amendments

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Hi Steve –

I've done a significant markup here, but have left some things to be done on your end in the interest of getting these comments back to you as soon as possible. Most of my comments are organizational, mainly that we need to ensure that a fire protection plan is added to the submission requirements for minor and major site plans and subdivisions. I've also made some substantive changes to the performance standard itself – my main concern is ensuring that the Planning Board is ultimately deciding whether the application meets the fire protection criteria. The Chief or Assistant Chief should be providing a report indicating whether the design meets Chapter 70 and NFPA 1/101, but the Planning Board must be the body that decides whether the entire application meets the performance standards (including fire protection).

Please review and let me know your thoughts. Please also be sure that the needed portions of Article 8 are added per the comments. If you have any questions in the meantime, please let me know.

Thanks,
Ben

From: Stephen J. Puleo <sjpuleo@windhammaine.us>
Sent: Tuesday, June 9, 2026 9:48 AM
To: Benjamin T. McCall <bmccall@dwmlaw.com>
Cc: Robert J. Burns <rjburns@windhammaine.us>; Amanda L. Lessard <allessard@windhammaine.us>
Subject: Legal Review Request - Fire Protection and Life Safety LUO Amendments

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Hi Ben, I wanted to ask if you could conduct a legal review and make any necessary corrections to the proposed LUO Amendments. I've attached the staff work and our review of the current proposal for your reference. As you may recall, this LUO initiative began last fall and included two separate sets of LUO Amendments—one drafted by staff and another by the Planning Board. Since the Fire Department was not satisfied with either version, we developed a Fire Protection and Life Safety review criteria section for Articles 8 and 9. The amendments are scheduled for a public hearing on June

22nd, followed by a Council hearing on July 14th. If possible, please provide your review by June 16th. Thank you very much!

Best regards,

Steve Puleo

Director of Planning

sjpuleo@windhammaine.us | www.windhammaine.us

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