

PLANNING BOARD MEMO • MAJOR SITE PLAN & SUBDIVISION

DATE: September 19, 2025

TO: Windham Planning Board
FROM: Amanda Lessard, Senior Planner/Project Manager
Cc: Steve Puleo, Planning Director
Dustin Roma, PE, DM Roma Consulting Engineers
Ron Smith, Casco Bay Holdings, LLC

RE: #25-18 250 Windham Center Road Condos – Major Subdivision & Site Plan – Preliminary Plan Review – 250 Windham Center Road – Casco Bay Holdings, LLC
Planning Board Meeting & Public Hearing: September 22, 2025

Overview –

The application is for a 6-unit residential condominium development in 3 duplex buildings on a 3.26 acre property. The development will have a 400-foot private access driveway and be served by public water, private wastewater disposal systems, and underground utilities. Subject property is identified as Tax Map: 12; Lot: 52-A; Zone: Windham Center (WC) in the Black Brook watershed.



Figure 1: Aerial View of the subject parcel(s) relative to surrounding properties and street network

Review History

A Development Review Team meeting was held on July 7, 2025. The Planning Board reviewed the sketch plan on July 14, 2025. At that meeting the Board discussed that a raised sidewalk on Windham Center Road would be beneficial, the entrance needed site distance improvements and requested the proposed landscaping and open space areas. The Board held a site walk on September 15, 2025.

The applicant provided a preliminary subdivision application that states that the 6 dwelling units are intended to be apartments while the stormwater management plan states that a condo association will be responsible for maintenance. Staff provided comments on the preliminary plan submission to the applicant in an attached memo dated September 17, 2025. As of the date of this memo, the applicant has not provided a response to staff comments.

SUBDIVISION/SITE PLAN REVIEW

PLEASE NOTE: The staff memo is a reference guidance document, and suggested topics for board discussion are listed; ~~the strikethrough text is items for the final review;~~ ***bold and italic text represent unaddressed existing and/or new staff comments;*** or plain underlined text are items that have been addressed by the applicant; and *italic text is for information or previously reviewed and/or approved items.*

Staff Comments:

1. Complete Application:

MOTION: [I move] the Major Site Plan & Subdivision preliminary application for project #25-18 250 Windham Center Road Condos project is found complete in regard to the submission requirements based on the application checklist, but the Planning Board retains the right to request more information where review criteria are not fully addressed.

2. Waivers:

Waiver of Submission Requirements: *The Planning Director, or designee, may waive any of the submission requirements of [§120-811](#) or [§120-910](#) based upon a written request by the applicant. Such a request shall be submitted at the time of the preapplication conference for minor developments or as part of the sketch plan application for major developments. A waiver of any submission requirement may be granted only if the Planning Director, or designee, finds that the information is not required to determine compliance with the standards and criteria of the Land Use Ordinance.*

a) [§120-910C\(3\)\(a\)](#) High Intensity Soil Survey

The Planning Director has waived the High Intensity Soil Survey submission requirement

b) [§120-910C\(3\)\(c\)](#) Hydrogeologic Assessment

The Planning Director has waived the submission requirement.

Waiver of the Site Plan Performance Standards. *The Planning Board may waive the requirements of [§120-812](#) if it finds that extraordinary an unnecessary hardship, not self-imposed, may result from strict compliance with the site plan review standards. In all cases, waivers shall not be deemed a right of the applicant, but rather shall be granted at the discretion of the Planning Board. The applicant shall submit a list of the requested waiver(s) in writing. For each waiver requested, the applicant shall submit answers to each criterion in [§120-808B\(2\)](#).*

None requested.

Waiver of the Subdivision Performance Standards. *The Planning Board may waive the requirements of [§120-911](#) Performance and Design Standards when the applicants demonstrates that the performance standards of these regulations and the criteria of the subdivision statute have been or will be met, and the public health, safety, and welfare are protected and provided the waivers do not have the effect of nullifying the intent and purpose of the land use ordinance. In granting site waivers, the Planning Board shall utilize the criteria in [§120-908C\(2\)](#).*

None requested.

3. Public Hearing: A public hearing is scheduled for September 22, 2025.
4. Site Walk: A site walk was held on September 15, 2025.

Findings of Fact, Conclusions, and Conditions of Approval for the Windham Planning Board:

MOTION: [I move] the Major Site Plan & Subdivision preliminary application for the #25-18 250 Windham Center Road Condo development identified on Tax Map: 12; Lot: 52-A; Zone: Windham Center (WC) in the Black Brook watershed is to be **(approved with conditions/denied)** with the following Findings of Fact, Conclusions, and Conditions of Approval.

FINDINGS OF FACT

Jurisdiction: The Windham Center Road Condos project is classified as a Major Site Plan & Subdivision, which the Planning Board is authorized to review and act on by [§120-903](#) and by [§120-803A\(1\)](#) of the Town of Windham Land Use Ordinance.

Title, Right, or Interest: The applicant has submitted a copy of a Quitclaim Deed Without Covenant between Sawin Capital, LLC and Casco Bay Holdings, LLC dated April 29, 2025, and recorded on April 30, 2025 at the Cumberland County Registry of Deeds in Book 41413 and Page 54.

ARTICLE 3 DEFINITIONS

Dwelling, Two-family: “A building containing two attached dwelling units. A two-family dwelling may, or may not, be attached to a nonresidential use.”

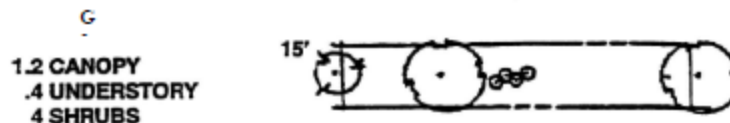
ARTICLE 4 ZONING DISTRICTS

- As shown on the Town of Windham [Land Use Map](#) approved by the Town Council, date April 9, 2024, Map: 12; Lot: 52-A.
- The property is located in in Windham Center (WC) zoning district.
- New, enlarged or rebuilt uses shall provide sidewalks along any public way that border the property when there is an existing sidewalk to which the proposed sidewalk can connect, per [§120-415.1F\(1\)\(g\)](#). **The preliminary plan does not show a proposed sidewalk on Windham Center Road.**
- Street trees shall be planted along the street frontage of Windham Center Road, at least one tree every 50 feet, per [§120-415.1F\(1\)\(i\)](#).

ARTICLE 5 PERFORMANCE STANDARDS

§120-511 – Buffer yards

- C(3)(b) Buffers along streets. Commercial Districts (C-1, C-2, C-3, C-4, VC and WC Districts): use Buffer Yard G, see exhibit below. **The preliminary plan does not show any landscaping along Windham Center Road.**



§120-541 – Net residential area of acreage

- B. The net residential area or acreage of a lot proposed for subdivision, as defined, shall be calculated by subtracting the eight (8) items listed in the subsection from the gross acreage of a lot and dividing the resulting net residential area of the parcel by the net residential density standard of the appropriate zoning district (see [Article 4](#), Zoning Districts).

§120-911 – SUBDIVISION PERFORMANCE STANDARDS

§120-911A – Basic Subdivision layout

- (1) The property has 3.26 acres exceeding the minimum lot size in the WC zoning district. **The existing house lot must be conveyed prior to final plan review.**
 - (a) The applicant provided a net residential density calculation; the applicant deducted 41,530 SF of poorly drained soils, for the net area of 100,840 SF. The net residential density for WC is 15,000 SF, equaling 6 dwelling units.
 - (e) For the final plan review, the applicant shall consult with the E-911 Addressing Officer to assign lot numbers and a street name.
- (2) Underground utilities are shown on the provided subdivision plan.
- (3) All subdivision boundaries corners shall be marked. **There are several property corners on the subdivision plan that do not show existing or proposed iron pins.**

§120-911B – Sufficient water; water supply.

- (3) The applicants have shown connection with the public water system in Windham Center Road on the provided subdivision plan. Existing hydrants are located in front of Corsetti's

Market on Gray Road and at 262 Windham Center Road. All units in the subdivision are within 1,000 feet of a hydrant. For the final plan review, the applicant shall provide an “Ability to Serve” letter from the Portland Water District.

§120-911C - Erosion Control and sedimentation control

- Wetlands were delineated by Alex Finamore with Mainely Soils LLC in June 2025. The development proposes impacts to 2,360 sf of forested wetlands.
 - (1) The applicants have provided a soil erosion and sediment 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.
 - The project will disturb more than an acre of land. The contractor/developer will need to file for a Construction General Permit from Maine DEP before starting work.
 - (2) The plan developed by a Maine licensed professional civil engineer preventing soil erosion and sedimentation from entering water bodies, wetlands, and adjacent properties.
 - (3) The applicant or developer shall consider the topsoil as part of the subdivision is not to be removed from the site.
 - (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.*

§120-911D – Sewage disposal

- (2) The applicant is proposing a private sewage system for 6 unit condominium development. The project has a total wastewater design flow of 1,620 gallons per day based on six dwelling units each having three bedrooms. The wastewater disposal has been divided into two wastewater disposal fields. The HHE-200 designs are included in the preliminary plan submission.

§120-911E – Impact Natural Beauty, Aesthetics, Historic Sites, Wildlife Habit, Rare Natural Areas, or Public Access to the Shoreline

- (1) The applicant is developing access from Windham Center Road. By creating the access driveway in the general location of the existing driveway.
 - (a) The subdivision plan includes a note not allowing the clearing of trees where tree cover is depicted on the plan for at least five years. Mandatory buffer for stormwater or other reasons shown on the plan shall not be cleared of vegetation unless the Planning Board grants an amendment to the subdivision or maintenance that does not alter the purpose for which the buffer was required.
 - (b) The subdivision plan includes landscape plan including a list of proposed plant species and their size at the time of installation and maturity, including the street tree plantings no more than 50 feet apart

- (2) For final plan review, the applicant shall provide reservation or dedication and maintenance of open space, common land, facilities such as the stormwater management system, among others, and service in the form of homeowner's association documentation.

§120-911F – Conformance with Land Use Ordinances

Comprehensive Plan:

- The plan does meet the goals of the 2024 Comprehensive Plan. The property is located in the Windham Center growth area.

Land Use Ordinance, Chapter 120 Article 9:

- There is a net residential density in the Windham Center zoning district of 15,000 SF

Subdivision Ordinance, Chapter 120 Article 9:

- Standard notes, the standard conditions of approval, and approved waiver must be shown on the plans.
- For the final plan review, a digital transfer of the subdivision plan data must be submitted for inclusion with the Town's GIS.

Growth Management, Chapter 101:

- Growth permits are required for the creation of each new dwelling unit. Growth permits for dwelling units to be located in a proposed subdivision, may be applied for after the project receives preliminary subdivision approval from the Planning Board pursuant to Article 9 of Chapter 120, Land Use.

§120-911G – Financial and Technical Capacity

- (1) The Applicant has provided an estimated cost of the project and a letter from Norway Savings showing sufficient financial resources to construct, operate, and maintain all aspect of the proposed development.
- (2) The applicant has provided evidence of technical capacity, identifying the past experience of the principals and the professional engineers, surveyors and soil scientists hired to manage the permitting and design of the development.

§120-911H – Impact on Ground Water Quality or Quantity

- (1) The subdivision proposes septic systems that will comply with the State of Maine Subsurface Waste Disposal Rules.
- (2) The proposed development will connect to available water supply provided by the Portland Water District (PWD) with an extension of existing main along Windham Center Road. The scale of this development is not anticipated to adversely impact the overall quality or quantity of available water supply.

§120-911I – Floodplain Management

- The subject property is not within a mapped FEMA Floodplain boundary.

§120-911J – Stormwater

- The subdivision will result in 18,073 SF of impervious area and 23,006 SF of developed area. Since the project will result in the construction of less than one (1) acre of impervious surface

but will disturb more than one acre, the project will be required to obtain a Stormwater Permit By Rule from the MDEP.

- For final plan review, A Stormwater PBR from Maine DEP will be required.
- For final plan review, the applicant shall provide condominium documents include a draft deed for the units with covenants and restriction, by-laws, and stormwater maintenance and inspection plan, among other requirements.
- The Stormwater Management Plan submitted indicates that the proposed development includes water quality treatment that complies with Maine DEP Ch. 500 Redevelopment Standard and the Town of Windham's Subdivision Ordinance through the construction of one (1) underdrained filter basin and roofline drip edges around each of the buildings.
- The responsibility of maintaining the stormwater management system will be assigned to the future Condominium Association, as per [§120-911N](#).
- For final plan review, applicants must submit condominium documents such as a draft deed with covenants and restrictions, a bylaw, and a stormwater maintenance and inspection plan.
- **The Town Engineer commented:**
 - **Please clarify/show how the steep slopes at the end of the road and on the underdrain soil filter embankment will be stabilized. Based on the proposed grading, the slopes are 2:1 so something more substantial than just loam, seed and hay mulch will be needed.**
 - **Please provide a detail/plan for stormwater management prior to and during construction of the underdrain soil filter. Will the UDSF be generally shaped and act as a sediment basin prior to placing drainage and filter media? If so, provide a detail for this use.**

§120-911K – Conservation Subdivision

- (1) The applicant is not proposing a conservation subdivision, therefore this section is not applicable.

§120-911L – Compliance with Timber Harvesting Rules

- The applicant stated the subdivision will not involve timber harvesting activity.

§120-911M – Traffic Conditions and Street

- The Applicant submitted a traffic summary that indicates that the subdivision will generate 4 trips in the PM peak hour and 43 trips during a typical weekday. A traffic impact analysis is not required as the project does not generate 140 trips per day or 50 vehicle trips in the peak hour.
- The applicant is proposing a new street connections to Windham Center Road, an access driveway meeting the Town's "Major Private Road" standard for design and construction. found in [Appendix B](#).
 - The condominium association will maintain the R/W road once the subdivision is completed.
 - The private road note of [§120-911M\(5\)\(a\)\[5\]\[e\]](#) is shown on the plan.
- The access drives must exceed the required minimum 200 feet of sight distance for the 25 MPH posted speed. Sight distance looking right extends through the signalized intersection

with Gray Road. To achieve the required sight distance looking left, excavation will occur along the roadside to remove the embankment.

- The applicant is proposing a hammerhead turn around at the end of the access driveway for vehicle and truck maneuvering.
- Driveway and street opening permits will need to be obtained from Windham Public Works prior to construction of the driveways and installation of the water main extension.

§120-911N – Maintenance of common elements.

- For the final plan review, the applicant shall provide draft condominium association documents for the Town Attorney's review and comment.

§120- 812 – MAJOR SITE PLAN PERFORMANCE STANDARDS

As the application is for Preliminary Subdivision Review, the submission has not been fully reviewed against the Site Plan Review standards of Article 8.

§120-812A – Utilization of the Site

- The subject parcel is approximately 3.26 acres in size.
- There is an existing single-family dwelling on the site that is proposed to be split off as a separate lot not part of the subdivision. An existing barn will be demolished.
- The site fronts along Windham Center and has 100 feet of road frontage.

§120-812B – Vehicular Traffic

- (1) The site is located on the easterly side of Windham Center Road. The applicant is proposing a new road connection to Windham Center Road, realigning the existing driveway. The entrance is proposed to be a Condominium driveway meeting the Town's "Major Private Road" standard for design and construction. A right-of-way is not required for an access driveway in the Multi-family performance standards, found in §120-814B(6)(b)[2].

 - (a) The applicant does not expect to impact any road intersections within a half mile of the project.
 - (b) See subdivision review. The project is not expected to generate 50 or more trips during either the a.m. or p.m. peak hour.
- (2) The access shall be designed to have minimum sight distance, according to MDOT and Appendix B Street Design and Construction Standards, to avoid hazardous conflicts with existing turning movements, to avoid traffic congestion, and to prevent queuing of vehicles entering and exiting the site.

 - At the Development Review Team meeting the applicant described that a portion of the hill along the frontage of the property will need to be cut back to improve site distance looking left.
- (3) The proposal site will be accessed by an access driveway from Windham Center Road.
- (4) The site is designed to allow internal vehicular circulation in common with the other property owner for the safe movement of passenger, service, and emergency vehicles through the site. The existing dwelling at 250 Windham Center Road is proposed to have an easement to utilize the access driveway.

§120-812C – Parking and Loading

- (1) The applicant has designed a parking layout that accommodates two (2) parking spaces for each of the 3 duplex buildings.

§120-812D – Pedestrian Traffic

There are no existing sidewalks along the property frontage on Windham Center Road. Sidewalks are not required for the access drive. The curb cut for the abutting property, Corsetti's Market, is very large, but has a sidewalk at the Route 202 intersection.

§120-812E – Stormwater Management

- (1) The applicants have provided a stormwater management system design for the collection and disposal of all the stormwater that runs off of parking areas, roofs, travel ways, and other surfaces. See subdivision review.
- (f) Major site plans, regardless of size, shall comply with Sections 4C(2) and 4C(3) of the General Standards of the MDEP Chapter 500 Stormwater Management Law.

§120-812F – Erosion Control

- (2) The applicant have provided for the preliminary plan review an erosion and sedimentation control plan that will meet the Basic Standards per Section 4(A) of the MeDEP Chapter 500 Stormwater Rule.

§120-812G – Water Supply Provisions

- (1) The existing building is served by a Portland Water District water main.
- The applicant shall provide for *the final plan review* a PWD letter or email stating the system has capacity to serve the new residential development.

§120-812H – Sewage Disposal Provisions

- *See Subdivision Review*

§120-812I – Utilities

- The applicant all utility connections (electrical, telephone, and telecommunication services) will be subsurface.
- A utility and grading plan has been provided.

§120-812J – Groundwater Impacts

- The building conversion is connected to the PWD public water system, and the wastewater disposal system is not anticipating a disposal system with a capacity of 2,000 gallons per day (GPD).

§120-812K – Water Quality Protection

- The applicant states development will help protect Windham's water quality by using a public water system, a state-approved wastewater disposal system that shall comply with the State's drink water standards, and stormwater management system to provide

treatment to runoff. The day-to-day operations do not require substances that are hazardous, such as fuels, industrial chemicals, waste, etc.

§120-812L – Hazardous, Special and Radioactive Materials

- (1) No hazardous materials will be stored on site.

§120-812M – Shoreland Relationship

- The site is not in a shoreland zoning district.

§120-812N – Technical and Financial Capacity

- (1) The applicant has not provided an estimate of the project cost of development or financial capacity evidence. The applicant shall provide evidence of financial capacity for the *preliminary plan review*.
- (2) The applicant has hired DM Roma Consulting Engineers, for site planning, permitting, and engineering services for site development.

§120-812O – Solid Waste Management

- The applicant proposes that the two-family dwellings with participate in the Town's curbside collection program.

§120-812P – Historical and Archaeological Resources

- The applicant shall provide for *preliminary plan review* evidence from the State showing that there are no historic or archaeological resources onsite.

§120-812Q – Floodplain Management

- The site is not located in the mapped FEMA 100-year floodplain hazard.

§120-812R – Exterior Lighting

- (1) The applicant will provide an acceptable lighting plan with hooded or shielded fixtures, cut sheets, and locations for review for the preliminary plan review.
- (2) The applicant shall connect all light poles and other exterior light fixtures underground.

§120-812S – Noise

- (1) The proposed condominium shall not exceed 55 dB between 7:00 AM to 10:00 PM and 45 dB between 10:01 PM to 6:59 AM.
- (3) No construction activities are allowed between the hours of 10:00 PM and 6:00 AM.

§120-812T – Storage of Materials and Screening (Landscape Plan)

- The applicant will provide a landscaping plan and planting schedule for *preliminary plan review*.

§120-814 Multifamily development standards.

A. Building Architecture. For the *final plan review*, the applicant shall provide building elevations for review.

(1) Architectural variety

- (a) The building has a variety of techniques to visually break up the façade, a varied roof lines, and some variation in window sizes. **For final plan review, at least two different building designs shall be provided.**

(2) Facade.

- (a) The building horizontal articulations are provided throughout the building, and rooflines incorporate varying heights and ridgelines.

(3) Orientation.

- (a) The building entrances shall be oriented to face the street.
(b) Buildings may be oriented to open space areas, provided that street frontages are developed consistent with above.

B. Site design.

(1) Parking.

- (b) Provisions are made for snow storage in the design of all parking areas. The areas used for snow does not conflict with proposed landscaping. The areas shall be sited to avoid problems with visibility, traffic circulation, drainage, or icing during winter months.

(2) Screening.

- (a) Utilities. Service areas, loading docks, delivery areas, trash receptacles, and mechanical equipment will be screened to minimize visibility from sensitive view-points such as public and private roadways, main entrances, residences outside the development, public open spaces, and pathways. Service areas shall be screened with architectural elements such as walls or fences. Screening may be further enhanced with evergreen trees, shrubs, and earth berms. Gates on utility enclosures shall be designed to prevent sagging.
- (b) Existing residential abutters. When new residential development is adjacent to an existing residential use, landscaping, including large evergreen trees, and/or garden features (e.g., trellis or supplementary fencing), will provide a buffer or screening between properties and obscure direct sightlines into private yard areas or windows on adjacent properties. **Provide screening for the existing residential abutter at 250 Windham Center Road. Does the existing vegetation within the proposed treeline provide a sufficient buffer or screening to the existing residential abutters at 2 and 8 Corsetti's Way?**

(3) Bicycle/pedestrian.

- (a) Internal traffic flow internal walkways.
(c) Bicycle parking/racks.

- [1] The development will provide facilities for the parking of bicycles at a ratio of 0.5 bicycle parking space per dwelling unit.

(4) Recreation and open space.

- (a) For the *final plan review*, the applicant must designate and permanently reserve a minimum of 15% of the total lot area as usable common open space. Within the common open space, a minimum of 1,500 square feet (250 square feet/each of the

first 10 units) of contiguous area with constructed amenities for passive use (e.g. outdoor courtyards, seating areas, or family picnic area with amenities such as landscaping, lighting, weather protection and other features that encourage use year-round) or active areas (e.g., children's play areas, play fields, and community gardens).

(5) Landscape/lighting.

A plan for site lighting and landscaping must be provided for final plan review.

(a) Landscaping.

(c) Lighting

(6) Access drive standards.

(b) Other districts.

[1] Design standards. Access drives shall be designed to conform to the standards for "major private roads" in these regulations, including the standards contained in Table 3, Table 4, and the applicable cross sections in Appendix B Street Standards.

[2] Rights-of-way. The minimum right-of-way width for a "major private road" in Table 3 of Appendix B is not applicable to an access drive.

[3] Setbacks. There shall be no minimum setback required between an access drive and a structure.

(c) Curb cuts on the access drive must be separated by a minimum of 75 feet where possible and aligned with curb cuts on the opposite side of the access drive to the greatest extent possible.

(d) Access drives shall remain private and shall not be maintained or repaired by the Town. A note shall appear on the site plan: All internal access roads and driveways shall remain private and shall be maintained by the developer, lot owners, homeowners/condominium association, or road association and shall not be offered for acceptance, or maintained, by the Town of Windham unless they meet all municipal street design and construction standards at the time of offering.

SUBDIVISION CONCLUSIONS (*For preliminary plan review*)

1. The development plan **reflects** the natural capacities of the site to support development.
2. Buildings, lots, and support facilities **will** be clustered in those portions of the site that have the most suitable conditions for development.
3. Environmentally sensitive areas, including but not limited to wetlands; steep slopes; flood plains; significant wildlife habitats, fisheries, and scenic areas; habitat for rare and endangered plants and animals; unique natural communities and natural areas; and sand and gravel aquifers **will** be maintained and protected to the maximum extent.
4. The proposed subdivision **has** sufficient water available for the reasonably foreseeable needs of the site plan.
5. The proposed subdivision **will not** cause unreasonable soil erosion or a reduction in the land's capacity to hold water so that a dangerous or unhealthy condition results.
6. The proposed use and layout **will not** be of such a nature that it will make vehicular or pedestrian traffic no more hazardous than is normal for the area involved.
7. The proposed subdivision **will** provide adequate sewage waste disposal.

8. The proposed subdivision **conforms/does not conform** to a duly adopted subdivision regulation or ordinance, comprehensive plan, development plan, or land use plan.
9. The developer **has** the adequate financial capacity to meet the standards of this section.
10. The proposed subdivision **will not** alone or in conjunction with existing activities, adversely affect the quality or quantity of groundwater.
11. The proposed subdivision **will** provide for adequate stormwater management.
12. The proposed location and height of buildings or structure walls and fences, parking, loading, and landscaping shall be such that it **will not** interfere or discourage the appropriate development in the use of land adjacent to the proposed site or unreasonable affect its value.
13. On-site landscaping **does/does not** provide adequate protection to neighboring properties from detrimental features of the development that could be avoided by adequate landscaping.
14. All freshwater wetlands within the proposed subdivision **have** been identified on the plan.
15. Any river, stream, or brook within or abutting the subdivision **has** been identified on any maps submitted as part of the application.
16. If any lots in the proposed subdivision have shore frontage on a river, stream, brook, or great pond as these features are defined in [Title 38, §480-B](#), none of the lots created within the subdivision **has/does not have** a lot-depth to shore frontage ratio greater than 5 to 1. **N/A**
17. The long-term cumulative effects of the proposed subdivision **will/will not** unreasonably increase a great pond's phosphorus concentration during the construction phase and life of the proposed subdivision.
18. For any proposed subdivision that crosses municipal boundaries, the proposed subdivision **will/will not** cause unreasonable traffic congestion or unsafe conditions with respect to the use of existing public ways in an adjoining municipality in which part of the subdivision is located. **N/A**
19. The timber on the parcel being subdivided **has/has not** been harvested in violation of rules adopted pursuant to [Title 12, §8869, sub§14](#). **N/A**

SITE PLAN CONCLUSIONS (*final plan review*)

1. ~~The plan for development **reflects/does not reflect** the natural capacities of the site to support development.~~
2. ~~Buildings, lots, and support facilities **will/will not** be clustered in those portions of the site that have the most suitable conditions for development.~~
3. ~~Environmentally sensitive areas, including but not limited to, wetlands; steep slopes; flood plains; significant wildlife habitats, fisheries, and scenic areas; habitat for rare and endangered plants and animals; unique natural communities and natural areas; and sand and gravel aquifers **will/will not** be maintained and protected to the maximum extent.~~
4. ~~The proposed site plan **has/does not have** sufficient water available for the reasonably foreseeable needs of the site plan.~~
5. ~~The proposed site plan **will/will not** cause unreasonable soil erosion or a reduction in the land's capacity to hold water so that a dangerous or unhealthy condition results.~~
6. ~~The proposed use and layout **will/will not** be of such a nature that it will make vehicular or pedestrian traffic no more hazardous than is normal for the area involved.~~

- ~~7. The proposed site plan **will/will not** provide adequate sewage waste disposal.~~
- ~~8. The proposed site plan **conforms/does not conform** to a duly adopted site plan regulation or ordinance, comprehensive plan, development plan, or land use plan.~~
- ~~9. The developer **has/does not have** the adequate financial capacity to meet the standards of this section.~~
- ~~10. The proposed site plan **will/will not** alone or in conjunction with existing activities, adversely affect the quality or quantity of groundwater.~~
- ~~11. The proposed site plan **will/will not** provide for adequate stormwater management.~~
- ~~12. The proposed location and height of buildings or structure walls and fences, parking, loading, and landscaping shall be such that it **will/will not** interfere with or discourage the appropriate development in the use of land adjacent to the proposed site or unreasonably affect its value.~~
- ~~13. On site landscaping **does/does not** provide adequate protection to neighboring properties from detrimental features of the development that could be avoided by adequate landscaping.~~

CONDITIONS OF APPROVAL

1. Approval is dependent upon and limited to the proposals and plans contained in the application dated June 23, 2025 as amended [*the date of the final plan approval*] and supporting documents and oral representations submitted and affirmed by the applicant, and conditions, if any, imposed by the Planning Board. Any variation from such plans, proposals, supporting documents, and representations is subject to review and approval by the Planning Board or the Town Planner in accordance with [§120-912](#) or [§120-815](#) of the Land Use Ordinance.
2. In accordance with [§120-914B\(5\)](#) and [§120-815C\(1\)\(b\)](#) of the Land Use Ordinance, the Construction of improvements covered by any subdivision plan approval shall be completed within two years of the date upon which the performance guarantee is accepted by the Town Manager. The developer may request a one-year extension of the construction completion deadline prior to the expiration of the period. Such request shall be in writing and shall be made to the Planner. The Town Manager may require an update to the schedule of values and the amount of the guarantee when accepting an extension of the construction period. If construction has not been completed within the specified period, the Town shall, at the Town Manger's discretion, use the performance guarantee to either reclaim and stabilize or to complete the improvements as shown on the approved plan.
3. In accordance with [§120-911N\(5\)](#) of the Land Use Ordinance, the condominium association documents, including but not limited to the condominium declaration, bylaws, plat, and plans, shall be approved as to form by the Town Attorney and recorded in the Cumberland County Registry of Deeds within 90 days of the date that the subdivision plan is recorded in the Cumberland County Registry of Deeds. Evidence of such recording shall be provided to the Planning Department. No units shall be sold in

- the subdivision prior to recording of such condominium association documents and all deeds shall reference the declaration establishing the condominium association.
4. The development is subject to the following [Article 12 Impact Fees](#), to be paid with the issuance of new building permits for the uses: [Recreation Impact Fee](#), [Open Space Impact Fee](#), [Public Safety Impact Fee](#); and [Municipal Office Impact Fee](#). All fees will be determined and collected for any building, or any other permit for the development, [§120-1201C](#).