



Town of Windham

Town Offices
8 School Road
Windham, Maine

Meeting Minutes - Draft

Planning Board

Wednesday, May 31, 2017

7:00 PM

Council Chambers

Special Meeting

Call To Order

Roll Call and Declaration of Quorum

The meeting was called to order by Chair, David Douglass. Other members present were: Keith Elder, Bill Walker, and Nick Kalogerakis.

Town Engineer, Jon Earle, was also present.

Approval of Minutes

[PB 17-051](#) May 8, 2017

Attachments: [Minutes 5-8-17 - draft](#)

Keith Elder made a motion to accept the minutes as written.

Seconded by Nick Kalogerakis.

Vote: Three in favor. No one opposed. Bill Walker abstained.

[PB 17-052](#) May 22, 2017

Attachments: [Minutes 5-22-17 - draft](#)

Keith Elder made a motion to accept the minutes as written.

Seconded by Nick Kalogerakis.

Vote: Two in favor. No one opposed. Bill Walker and Nick Kalogerakis abstained.

Public Hearing

[PB 17-053](#) 17-09 Clark Farm II. Minor Subdivision final plan review. Laurence & Kathryn Clark to request review of a three lot subdivision. The subject property is located at Webb Road and Swett Road and identified on Tax Map: 6 Lot: 51, Zone: Farm (F).

Attachments: [17-09 Clark Farm II Subdivision Sketch 05-17-17](#)
[Submission combined 05-01-17](#)
[Waiver Request Form 05-17-17](#)

Mr. Sukeforth, of Maine Boundary Consultants, was present with Larry Clark, the applicant. He explained the project was a minor subdivision. The owners wanted to convey lot 2 to Maine Farmland Trust. They would retain lot 1 and had no current plans to develop lot 2. Another lot had been conveyed previously.

Mr. Clark stated the purpose of the project was to avoid developing the property and to keep it as farm land. They had requested waivers of those things that would affect drainage or the environment since there wouldn't be much development.

Mr. Sukeforth reviewed the waiver requests:

- Solid waste – There would be very little, if any, development that resulted in solid waste. Any solid waste would be disposed of appropriately.*
- Significant wildlife habitat – The goal was to protect the property and that would result in minimal disturbance.*
- Deed Restrictions – There would be an agricultural conservation easement that would be recorded at the registry of deeds.*
- Location of wetlands, waterbodies, etc. - The goal was to protect the property and that would result in minimal disturbance.*
- Disposal of stumps and demolition debris - The goal was to protect the property and that would result in minimal disturbance. Any demolition debris would be disposed of appropriately.*
- Surface drainage - The goal was to protect the property and that would result in minimal disturbance to drainage.*
- Soil and erosion control plan - The goal was to protect the property and that would result in minimal disturbance.*
- Subsurface wastewater disposal systems – There were none expected.*
- Driveway locations – There were no current plans to develop the lots.*

There was no public comment. The public hearing was closed.

Continuing Business

[PB 17-054](#) 17-09 Clark Farm II. Minor Subdivision final plan review. Laurence & Kathryn Clark to request review of a three lot subdivision. The subject property is located at Webb Road and Swett Road and identified on Tax Map: 6 Lot: 51, Zone: Farm (F).

Attachments: [17-09 Clark Farm II Subdivision Sketch 05-17-17](#)
[Submission combined 05-01-17](#)
[Waiver Request Form 05-17-17](#)

Jon Earle explained the waiver requests were for submission requirements and not performance standards. They would not carry over to further development of the 121 acre lot.

Chris Cabot, from Maine Farmland Trust, explained when they protected a parcel with an agricultural conservation easement they typically allowed one farmstead area

where they designated two to five acres so the farmer could build a house and barns and other agricultural structures. Nothing was planned now.

Jon Earle confirmed that they would not have to come back to the Planning Board to do that, as long as they stayed under 5,000 square feet of development. They would have to get permits from Code Enforcement.

Bill Walker made a motion to accept the waivers as written and as part of the submission.

Seconded by Keith Elder.

Vote: All in favor.

Keith Elder made a motion that the application for project 17-09 Clark Farm II Subdivision was found complete in regard to the submission requirements based on the application checklist, but the Planning Board retained the right to request more information where review criteria were not fully addressed.

Seconded by Nick Kalogerakis.

Vote: All in favor.

Keith Elder made a motion that the subdivision application for 17-09 Clark Farm II on Tax Map: 6, Lot: 51 was to be approved with conditions with the following findings of fact and conclusions:

FINDINGS OF FACT

A. POLLUTION

- A portion of the proposed 142.6 +/- acre conveyance to Maine Farmland Trust is located within the mapped 100 year flood plain.
- This subdivision is not located over a significant sand and gravel aquifer.
- The new lots will not result in undue air or water pollution.

B. WATER

- All lots will be served by individual private wells.

C. SOIL EROSION & SEDIMENTATION CONTROL & STORMWATER MANAGEMENT

- No development is proposed for the two lots subject to review. As such there will be no change in the quantity or quality of stormwater runoff, or disturbance of soils that might be subject to erosion.

D. TRAFFIC

- The subdivision lots will have access from either Swett Road or Webb Road.
- Based on the distance to uses that would generate pedestrian trips, sidewalks are not required.

E. SEWERAGE

- *No new subsurface wastewater disposal systems (septic systems) are proposed as there is no development proposed for either of the lots subject to subdivision review.*

F. SOLID WASTE

- *This subdivision should not produce an undue burden on the Town's ability to collect and dispose of solid waste.*

G. AESTHETICS

- *No new development, either new streets or new house lots, are proposed as part of this application.*
- *The large 142 acre lot is anticipated to be transferred to the Maine Farmland Trust. It is possible that new agricultural buildings may be constructed in the future.*

H. CONFORMITY WITH LOCAL PLANS AND ORDINANCES

- *Comprehensive Plan:*
- *The plan does meet the goals of the 2003 Comprehensive Plan.*

- *Land Use Ordinances:*
- *These lots exceed the minimum lot size require in the Farm (F) zone (60,000 SF).*
- *Net residential density calculations are not shown as such a calculation is not applicable to this application.*

- *Subdivision Ordinance*
- *Standard notes and the standard condition of approval are shown on the plans.*
- *Digital transfer of the subdivision plan data must be submitted with the Final Plan submission for inclusion with the Town's GIS.*

I. FINANCIAL AND TECHNICAL CAPACITY

- *Demonstration of the applicant's financial capacity is not applicable as there is no new infrastructure or buildings proposed as part of this application.*
- *The applicant has retained the services of a Maine licensed Professional Land Surveyor to assist with the application.*

J. RIVER, STREAM OR BROOK IMPACTS

- *The proposed layout of the subdivision avoids stream crossings. This project will not adversely impact any river, stream, or brook.*

CONCLUSIONS

1. *The proposed subdivision will not result in undue water or air pollution.*
2. *The proposed subdivision has sufficient water available for the reasonably foreseeable needs of the site plan.*
3. *The proposed subdivision will not cause an unreasonable burden on an existing water supply.*
4. *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.*

5. *The proposed subdivision will not cause unreasonable highway or public road congestion or unsafe conditions with respect to the use of the highways or public roads existing or proposed.*
6. *The proposed subdivision will provide for adequate sewage waste disposal.*
7. *The proposed subdivision will not cause an unreasonable burden on the municipality's ability to dispose of solid waste.*
8. *The proposed subdivision will not have an undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites, significant wildlife habitat identified by the Department of Inland Fisheries and Wildlife or the municipality, or rare and irreplaceable natural areas or any public rights for physical or visual access to the shoreline.*
9. *The proposed subdivision conforms with a duly adopted site plan regulation or ordinance, comprehensive plan, development plan, or land use plan.*
10. *The developer has adequate financial and technical capacity to meet the standards of this section.*
11. *The proposed subdivision is not situated entirely or partially within the watershed of any pond or lake or within 250 feet of any wetland, great pond or river as defined in Title 38, Chapter 3, subchapter I, article 2-B M.R.S.A.*
12. *The proposed subdivision will not alone or in conjunction with existing activities, adversely affect the quality or quantity of ground water.*
13. *The proposed subdivision is not situated entirely or partially within a floodplain.*
14. *All freshwater wetlands within the proposed subdivision have not 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. *The proposed subdivision will provide for adequate storm water management.*
17. *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, section 480-B, none of the lots created within the subdivision have/do not have a lot depth to shore frontage ratio greater than 5 to 1. (N/A)*
18. *The long-term cumulative effects of the proposed subdivision will not unreasonably increase a great pond's phosphorus concentration during the construction phase and life of the proposed subdivision.*
19. *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)*
20. *Timber on the parcel being subdivided has not been harvested in violation of rules adopted pursuant to Title 12, section 8869, subsection 14.*

CONDITIONS OF APPROVAL

1. *Approval is dependent upon, and limited to, the proposals and plans contained in the application dated February 21, 2017, as amended May 1, 2017, and supporting documents and oral representations submitted and affirmed by the applicant, and conditions, if any, imposed by the Planning Board, and any variation from such plans, proposals and supporting documents and representations are subject to review and approval by the Planning Board or the Town Planner in accordance with Section 913 of the Land Use Ordinance.*

Seconded by Bill Walker.

Vote: All in favor.

[PB 17-055](#)

17-02 Plaza Project. Major site plan final plan. Martin Lippman to request review of a 4,960 square foot daycare and revision to a minor site plan. The subject property is located at 881 - 885 Roosevelt Trail and identified on Tax Map: 18, Lots: 19A and 20. Zone: Commercial 1(C-1).

Attachments: [17-02 Plaza Project 5-22-2017](#)

[The Plaza - Response Letter - 2017_5_17](#)

[SITE PLAN - THE PLAZA - 2017_5_17](#)

[JAMAR_Inc_L27338AN](#)

[Rachel St_email 05-18-17](#)

Dustin Roma, a civil engineer with DM Roma Consulting Engineers was present with Martin Lippman, the applicant. He explained:

- *They had obtained DEP permits.*
- *The approved road name was Plaza Drive.*
- *There was an existing septic system on the property which took wastewater from multiple buildings. The existing stone bed was located where the daycare facility would go. A new field would be built behind the phase 1 building and all wastewater from the buildings would be routed there.*
- *There was a waiver request for shared parking.*
- *There was a waiver request to limit lighting to .5 footcandles at the property line.*
- *They had shown a reserved future parking area on the plan.*
- *The Fire Marshall had approved the building design.*

Keith Elder made a motion to grant the waiver for lighting.

Seconded by Nick Kalogerakis.

Vote: Three in favor. No one opposed. Bill Walker abstained.

Keith Elder made a motion to waive the standard for shared parking.

Seconded by Nick Kalogerakis.

Vote: All in favor.

Keith Elder made a motion that the application for project 17-02 Plaza Project, Phase II was found complete in regard to the submission requirements based on the application checklist, but the Planning Board retained the right to request more information where review criteria were not fully addressed.

Seconded by Nick Kalogerakis.

Vote: All in favor.

Keith Elder made a motion to approve The Site Plan application for 17-02 Plaza Project Phase II on Tax Map: 18, Lots: 19A and 20 is to be approved with conditions with the following findings of fact and conclusions as noted in the May 3, 2017 and the May 18, 2017 staff memos:

FINDINGS OF FACT (from May 3, 2017 staff memo)

Utilization of the Site

- *The three parcels (Lot 20, 19A, and 21) total 17.67 acres and include a 4,800 square foot hearing aid store with associate parking and a former garden center. Ten (10) acres are in a conservation easement to benefit the Town, adjacent to the Donnabeth Lippman Park site.*
- *Lot 20 is currently undeveloped. A 4,800 square foot retail/office building was approved by the Staff Review Committee on November 29, 2016.*

Vehicular and Pedestrian Traffic

- *Phase II of the project proposes a realignment to the Phase I access drive. The applicant should more clearly identify on the final site plan the areas of the Phase I that are proposed to be amended. This entrance will be shared by the existing hearing aid business, the Phase I retail building, and the Phase II daycare.*
- *The site shows a total of 32 parking spaces. The minimum required by the ordinance for a day care use is 45 parking spaces (3.5 spaces per 100 capacity + staff). 30% of these spaces must measure 10'x20'. The Site Plan Sheet S-1 dated February 6, 2017 notes shared parking to be utilized on premises with other buildings and potential future parking area over septic field if needed. The ordinance requires allows the Board to reduce the required number of parking spaces where the applicant can show, through a parking study performed by a Maine Licensed Professional Engineer, that the peak period parking demand of the uses is non-conflicting.*
- *In an email dated February 10, 2017 Town Engineer Jon Earle, P.E., requested that 13 shared parking spaces be identified on the plan.*
- *A traffic impact study prepared by William C. Eaton, PE, of Eaton Traffic Engineering, dated has been submitted as part of the bound submission dated February 6, 2017. The Phase I retail use plus the Phase II day care use will generate 106 PM peak hour trips.*
- *A Maine Department of Transportation Traffic Movement Permit is required for this project and must be submitted with the final plan.*
- *The Overall Site Plan on Sheet OAS-1 dated February 6, 2017 shows a future road and sidewalk continuing through Lot 21. This secondary access point is not considered in the traffic impact study.*
- *The project may be subject to the North Route 302 Road Improvements Impact Fee (Section 1204). A traffic analysis shall be conducted in order to determine the traffic impact and requisite impact fee total, as measured by additional vehicle trips to be generated by a development project that pass through the North Route 302 Capital Improvement District in the peak commuter hour.*
- *A traffic movement permit scoping meeting was held at Windham Town Hall on March 22nd for the project. Subsequent to the meeting, a permit was issued by Stephen Landry, P.E. State Traffic Engineer (Permit No. 01-00212-A-N).*
- *In reference to the email from Jon Earle, P.E., Town Engineer dated February 10th, the 13 parking spaces to be identified as shared are not identified on the plan.*
- *The applicant's traffic engineer needs to provide information regarding the number of additional vehicle trips to be generated by the development that pass through the North Route 302 Capital Improvement for the purpose of calculation of the impact fee.*

Sewage Disposal and Groundwater Impacts

- *The development will be served by a private subsurface wastewater disposal*

(septic) system.

- Test pit results prepared by Albert Frick, dated September 30, 2016, have been submitted as Attachment E of the bound submission dated October 7, 2016, and shows that the property has adequate soils to support a private septic system. The proposed system will serve this proposed retail use, the existing Hearing Aid Center on Lot 19A, the existing real estate office on Lot 19B, and a future day care use on Lot 19A.
- The location for the disposal area is shown on the site plan behind the proposed building. This plan does not show the boundaries of Lot 20 so it cannot be determined if the field is located entirely on Lot 20 or partially on Lot 19A and would require easements.
- In an email dated October 19, 2016, Will Haskell, P.E., of Gorrill-Palmer Consulting Engineers, stated that the HHE 200 provides vague information on the inverts of the septic tank and outlet pipe and recommends the submission of additional information.
- A revised site, grading and utility plan (Sheet C-100) was submitted on October 28, 2016.
- In an email dated November 1, 2016, Will Haskell, P.E., of Gorrill-Palmer Consulting Engineers, stated that the latest submission did not appear to acknowledge or address review comments related to the septic tank inverts and outlet pipe.
- A response to peer review comments dated November 8, 2016 was submitted on November 10, 2016 and state that a pump station is not required. A revised site, grading and utility plan (Sheet C-100) now shows a boulder retaining wall at the rear of the proposed building. Proposed sewer and septic easements are shown on Exhibits C, D, and E prepared by Survey, Inc. dated November 9, 2016.
- In an email dated November 14, 2016, Will Haskell, P.E., of Gorrill-Palmer Consulting Engineers, stated that the retaining wall extends up to about 7 feet in height and notes that design plans and calculations shall be submitted for the boulder wall as part of the building permit process.
- In a response to comments dated November 15, 2016, submitted on November 16, 2016, James Manzer, P.E., PTOE, of Sevee & Maher Engineers, Inc, notes that the retaining wall is a standard design used by his firm and the details can be address as part of the building permit process.
- The Phase II day care will utilize the septic system that was approved as part of Phase I.
- The disposal field footprint shown on Sheet S-1 varies with the footprint shown on Sheet GU-1. The footprint shown on S-1 is shown under the proposed access road to the development.

Stormwater Management

- A stormwater management plan is not required for a Minor Site Plan.
- In an email dated September 21, 2016, Will Haskell, P.E., of Gorrill-Palmer Consulting Engineers, stated that stormwater quantity management shall be designed to maintain the peak flows from the 2, 10, and 25 year storm events at or below the pre-development levels. Also, consideration should be given to minor increase in the stormwater runoff to the existing culvert under Route 302 for Outlet Brook.
- A Stormwater Management Report has been submitted dated October 3, 2016 prepared by Sevee & Maher Engineers, Inc. The report considers the total 7.65 acres on Lots 20, 19A, and 21 under the control of the applicant.
- This project (Phase 1) will result in a net increase in impervious surface of 0.37 acres, increasing the percent of impervious surface from 11.4 percent to 16.2

percent of the total parcel area. Stormwater will be managed with an underdrain soil filter proposed in the landscaped area at the front of the site along the parking lot adjacent to Route 302, and runoff will be directed to the wood areas at the rear of the lot.

- The extent project for Phase I results in just under 1 acres of land disturbance, therefore, a Maine DEP stormwater permit does not appear necessary at this time.
- In an email dated October 19, 2016, Will Haskell, P.E., of Gorrill-Palmer Consulting Engineers, stated that the Stormwater Plan generally conforms with the Town's Site Plan Ordinance Requirements relative to stormwater quantity. Minor site plans are not required to provide stormwater quality treatment. Mr. Haskell requested a specification be provided from the clay material for the underdrain soil filter detail, or an alternate material specified. Also, the grading should be revised to route drainage around the disposal field.
- A revised site, grading and utility plan (Sheet C-100) was submitted on October 28, 2016.
- In an email dated November 1, 2016, Will Haskell, P.E., of Gorrill-Palmer Consulting Engineers, stated that the latest submission did not appear to acknowledge or address review comments related to the underdrain soil filter liner.
- A response to peer review comments dated November 8, 2016 was submitted on November 10, 2016. A revised site, grading and utility plan (Sheet C-100) and drainage details (Sheet C-302) includes a note that there is no ledge in the detention pond area. Proposed grading and drainage easements are shown on Exhibits A and B prepared by Survey, Inc. dated November 9, 2016.
- In a response to comments dated November 15, 2016, submitted on November 16, 2016, James Manzer, P.E., PTOE, of Sevee & Maher Engineers, Inc., notes that the owner will have to complete a "Notice of Intent to Comply with Maine Construction General Permit" for Lot 19A.
- Per Section 812.E., a stormwater plan needs to be submitted that meets the standards DEP Chapter 500 Stormwater Management. A stormwater management report was submitted as of the sketch plan application dated February 6, 2017. The proposed development for Phase 1 and 2 will result in a net increase of 46,935 square feet of impervious surface and an additional 81,505 square feet of additional developed area.
- This project requires a Maine Department of Environmental Protection (DEP) Chapter 500 Stormwater Permit. The permit must be submitted as part of the Final Plan.
- In an email dated February 10, 2017 Town Engineer Jon Earle, P.E., stated that the project exceeds the requirement for stormwater treatment by providing 2 underdrain soil filters and a roof drip edge.
- The grading and drainage easements on Lot 21 should be shown on the final plan.
- A stormwater permit from Maine DEP is still under review and is required prior to final approval for the project.
- The grading easement on Lot 21 is not shown on the final plan.

Erosion Control

- A soil erosion and sediment control plan has been submitted on Sheet C-300 of the plan set dated October 3, 2016.
- In an email dated October 19, 2016, Will Haskell, P.E., of Gorrill-Palmer Consulting Engineers, stated that the Erosion and Sedimentation Control Plan generally conforms to the Town's Site Plan Ordinance requirements.
- A soil erosion and sediment control plan has been submitted on Sheet D-100 of the plan set dated February 6, 2017.

- In an email dated February 10, 2017 Town Engineer Jon Earle, P.E., stated that provisions for temporary and permanent erosion and sediment control have been adequately provided.

Utilities

- All new utilities run to the building are underground.
- There is an existing fire hydrant on Route 302 in front of the Hearing Aid Center property. The hydrant location is shown on the plan
- The applicant must secure a written statement from the Portland Water District stating that there is adequate water supply and pressure for this use.
- In an email dated October 19, 2016, Will Haskell, P.E., of Gorrill-Palmer Consulting Engineers, requested that the applicant obtain clarification from the District on whether the existing water services to the site need to be removed back to the water main in Route 302.
- A response to peer review comments dated November 8, 2016 was submitted on November 10, 2016. A revised site, grading and utility plan (Sheet C-100) now shows a boulder retaining wall at the rear of the proposed building. Proposed gas, water and electric easements are shown on Exhibits G, H, I, J, and K prepared by Survey, Inc. dated November 9, 2016.
- Gordon S. Johnson, P.E. at the Portland Water District supplied an "Ability to Serve" letter dated November 15, 2016. The existing 8-inch service to the site may be used. The existing 1-inch service to the site must be terminated.
- In an email dated November 14, 2016, Will Haskell, P.E., of Gorrill-Palmer Consulting Engineers, stated that related to the retaining wall, consideration should be given to the location of the termination of the 8" water service for extension to the future development.
- In a response to comments dated November 15, 2016, submitted on November 16, 2016, James Manzer, P.E., PTOE, of Sevee & Maher Engineers, Inc., stated that the proposed grade elevations over the proposed water line extension at the end of the driveway is about the same as the existing grade of the gravel over the existing waterline near the road. Any spots of concern can be remedied during construction with extruded polystyrene rigid foam insulation.
- In an email dated November 14, 2016, Will Haskell, P.E., of Gorrill-Palmer Consulting Engineers, responded that the concern for the location of the waterline for future development as it appears to dead end at the back of the retaining wall.
- Underground utilities are shown on the Grading & Utility Plan Sheet GU-1 dated February 6, 2017. A proposed hydrant is shown at the end of the access road.
- The Phase II sketch plan application dated February 6, 2017 includes a copy of the November 15, 2016 ability to serve letter from the Portland Water District.
- In an email dated February 10, 2017 Town Engineer Jon Earle, P.E., commented that it was unclear if the letter was confirming ability for full buildout of Phase 1 and 2.
- The applicant has confirmed that the Portland Water District's ability to serve the project is for both Phases 1 & 2.

Financial Capacity

- Evidence of financial capacity has been provided in the form of a letter dated September 6, 2016, from Peter H. Godsoe, Vice President at Norway Savings Bank, stating that the applicant has sufficient capacity to complete this project.
- As part of the Phase 2 Final Plan submission, the applicant must show an estimate the total project costs, and submit evidence of financial capacity to complete the project as proposed.

- *The Phase 2 Final Plan submission does not include an estimate of the total project costs or a letter of financial capacity to complete the project.*

Landscape Plan

- *Landscaping is shown on Sheet SP-2 in the plan set submitted October 7, 2016.*
- *In an email dated October 19, 2016, Will Haskell, P.E., of Gorrill-Palmer Consulting Engineers, required a detail for the gravel bed along the edge of the front parking areas as this area may be prone to erosion from sheet flow off the pavement area. Consideration should be given to stabilizing this edge with riprap or a turf reinforcement mat (TRM).*
- *A revised Landscaping Plan Sheet SP-2 was submitted on November 22, 2016. 12'x50' of pervious pavement is shown on the north side of the building next to the access driveway to allow for trash pick-up. The area of pervious pavement should also be shown on the site plan.*
- *A landscaping plan must be submitted as part of the Phase 2 final plan set.*
- *Landscaping showing the locations of proposed street trees is shown on Sheet S-1 of the plan submission.*

Conformity with Local Plans and Ordinances

1. Land Use

- *This project meets the setback requirements of the C-1 zoning district.*
- *This project meets the minimum lot size requirements and minimum lot frontage requirements (minimum 100 feet) of the C-1 zoning district.*
- *This project meets the landscaped buffer strip (20 feet along front property line) and curb cut requirements of the C-1 zoning district (one per lot).*

2. Comprehensive Plan

- *This project meets the goals and objectives of the 2003 Comprehensive Plan.*

3. Others:

- *Design Standards, Section 813. The project must meet the design standards of the C-1 zoning district, along with a minimum of eight (8) of the elective Design Standards.*
 - o *The applicant has supplied a narrative in the October 27, 2016 submission addressing the Standards in Section 813.A.*
 - o *Revised building elevations and landscaping plan (Sheet SP-2) were submitted on November 22, 2016. Parapets have been added to break up the roof line along the side and rear elevations and shield view of mechanical equipment, and additional detailing has been added to the building façade. Snow storage areas and a bike rack location/detail are shown on the landscaping plan.*
 - o *Building elevations for the day care were submitted as part of the Phase 2 sketch plan submission on February 6, 2017.*
- *Chapter 221 Street Naming and Addressing: Following consultation with the Assessing Department, a proposed road name must be shown on the Final Plan.*
- *A proposed road name is not shown on the Final Plan.*

Impacts to Adjacent/Neighboring Properties

- *A 6'x20' shed addition for trash and utilities with a double wood door for trash is shown on the left building elevation. This addition is not shown on the site plan.*
- *In the November 22, 2016 submission the applicant has eliminated the shed addition and added a 12'x50' area of pervious pavement on the north side of the*

building next to the access driveway to allow for trash pick-up.

- Exterior lighting locations are show on Sheet SP-3 in the plan set submitted October 7, 2016.
- In an email dated October 19, 2016, Will Haskell, P.E., of Gorrill-Palmer Consulting Engineers, requested a photometric plan because of concern that Fixture A will result in light spillage over the property line.
- A photometric plan dated October 31, 2016 was submitted. This plan does not show the boundaries of Lot 20, however it appears that the illumination at the Hearing Aid Center exceeds the maximum 0.5 footcandles allowed by Section 812.R.
- A revised photometric plan was submitted on November 22, 2016. The illumination at the southern property line with Lot 21 exceeds the maximum 0.5 footcandles allowed by Section 812.R.
- A 2nd revised photometric plan was submitted on May 3, 2017 indicating that a different fixture is being used. The illumination at the property line continues to exceed the maximum 0.5 footcandles allowed by Section 812.R.
- Proposed light poles are shown on the Grading & Utility Plan Sheet GU-1 dated February 6, 2017.

CONCLUSIONS

1. The plan for development 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 site plan has sufficient water available for the reasonably foreseeable needs of the site plan.
5. The proposed site plan 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 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 provide for adequate sewage waste disposal.
8. The proposed site plan conforms to a duly adopted site plan regulation or ordinance, comprehensive plan, development plan, or land use plan.
9. The developer has/does not have adequate financial capacity to meet the standards of this section.
10. The proposed site plan will not alone or in conjunction with existing activities, adversely affect the quality or quantity of ground water.
11. The proposed site plan will provide for adequate storm water 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 provide adequate protection to neighboring properties from detrimental features of the development.

CONDITIONS OF APPROVAL

1. Approval is dependent upon, and limited to, the proposals and plans contained in the application dated April 17, 2017 and supporting documents and oral

representations submitted and affirmed by the applicant, and conditions, if any, imposed by the Staff Review Committee, and any variation from such plans, proposals and supporting documents and representations are subject to review and approval by the Planning Board or the Town Planner in accordance with Section 814.G. of the Land Use Ordinance.

2. Approval is subject to the requirements of the Post-Construction Stormwater Ordinance, Chapter 144. Any person owning, operating, leasing or having control over stormwater management facilities required by the post-construction stormwater management plan must annually engage the services of a qualified third-party inspector who must certify compliance with the post-construction stormwater management plan on or by May 1st of each year.

Summary of the information included in the submission for the May 22nd meeting (from May 18, 2017 staff memo):

- The Maine Department of Environmental Protection stormwater permit L27333AN was received on May 18th and has been included with the electronic submission to the Board.
- An HHE 200 plan from Albert Frick Associates has been submitted that shows the existing tank serving the abutting Maine Real Estate building connecting to the new disposal field behind the Phase 1 building. The disposal field has been designed to accommodate flow from the 3 properties (Phase 1, Phase 2, and Maine Real Estate). The applicant has indicated they will work directly with the abutting landowner on the terms of relocating to the new septic field.
- An email from Rachel St. Pierre representing the Maine Real Estate office has been included with the meeting submission.
- The applicant is working with the Assessing Department on acceptance of the street name.
- The applicant has clarified the Town Engineer's comment regarding the discrepancy in the disposal field footprints on the two plan sheets.
- A letter of financial capacity has been included with the submission.
- Waiver requests for the parking and photometric standards have been included with the submission.

Adjournment

Bill Walker made a motion to adjourn.

Seconded by Keith Elder.

Vote: All in favor.