



# Town of Windham

Town Offices  
8 School Road  
Windham, Maine

## Meeting Minutes - Final

### Planning Board

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Monday, April 14, 2025

6:00 PM

Council Chambers

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#### 1. Call to Order – Chair's Opening Remarks

#### 2. Roll Call and Declaration of Quorum

*Chair, Marge Govoni, called the meeting to order. Other members present were: Shonn Moulton, Anne Daigle, Evert Krikken, Kathleen Brown, and Rick Yost.*

*Planning Director Steve Puleo, and Senior Planner Amanda Lessard were also present.*

#### 3. PB 25-012 Approval of Minutes - The meeting of March 10, 2025

Attachments: [Minutes 3-10-2025 - draft](#)

*Shonn Moulton made a motion to approve the minutes from March 10, 2025.*

*Seconded by Anne Daigle.*

*Vote: Five in favor. No one opposed. Evert Krikken abstained.*

### Public Hearings & Continuing Business

#### 4. PB 25-009 #24-29 Amended Major Site Plan & Conditional Use - Camping World Expansion - Final Plan Review - 480 Roosevelt Trail - Camping World RV Sales, LLC

This application is an amendment to a site plan last approved by the Planning Board on October 25, 2021. The proposed project will include demolishing the existing sales center on the north end of the site and building a 20,500 square foot RV sales and service addition onto the southern existing building. There will also be site improvements made, including adding automobile parking and RV delivery stalls, site lighting, and one new driveway entrance on Roosevelt Trail will be constructed to replace the two existing curb cuts. The existing gravel RV inventory storage areas will be paved with asphalt as much as storm water quality and detention calculations allow. Subject property is identified as Tax Map: 15: Lot: 1A and found in the Commercial III (C-3) zoning district and in the Ditch Brook watershed.

Attachments: [24-29\\_MJR\\_SP\\_CU\\_FP\\_PB\\_MEMO\\_CampingWorld\\_041025.pdf](#)  
[Camping World-SIGHT DISTANCE 04092025.pdf](#)  
[Camping World - Traffic Impact Fee Memo 04092025.pdf](#)  
[Peer Review Camping World Left-Turn 03-21-25](#)  
[24-29\\_CampingWorld\\_Response Letter 2025-03-17](#)  
[24-29\\_MJR\\_SP\\_CU\\_APPL\\_REV 2025-03-17](#)  
[24-29\\_MJR\\_SP\\_CU\\_PLANS\\_REV CampingWorld 2025-03-17](#)  
[24-29 CampingWorld ArchitectPlans 2025-01-17](#)  
[24-29\\_MJR\\_SP\\_CU\\_FP\\_AC\\_MEMO CampingWorld 030325](#)  
[24-29\\_MJR\\_SP\\_CU\\_APPL CampingWorld 2025-02-18](#)  
[24-29\\_MJR\\_SP\\_CU\\_PLANS CampingWorld 2025-02-18](#)

*Michael Warntjes, from Excel Engineering was present with Paul Birdsall, Director of Facilities for Camping World. Mr. Warntjes described the project:*

- *Their goal was to improve the site while maintaining existing operations and services.*
- *To facilitate ingress and egress, they proposed one, 60 foot wide driveway instead of the existing multiple driveways.*
- *They would construct a new sales and service building.*
- *Existing RV storage would maintain the same footprint.*
- *MDOT had determined a left turn lane was not required.*
- *DEP permits were pending.*

*Amanda Lessard explained:*

- *The town's peer review engineer concurred that a left turn lane was not warranted and verified compliance of site distances with the ordinance.*
- *A waiver request had been submitted for the curb cuts and driveway openings performance standard. The applicant was reducing the existing curb cuts from two to one and so staff supported the waiver request.*
- *The Outdoor Retail Sales use was limited to the applicant and would not run with the application*
- *They had to show evidence of their DEP permit prior to any development on the site.*

#### *Public Comment*

*The was no public comment. Public hearing was closed.*

*Evert Krikken made a motion that the Major Site Plan & Conditional Use final plan application for project #24-29 Camping World Expansion project 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 Anne Daigle.*

*Vote: All in favor.*

*Evert Krikken made a motion to approve the waiver request of §120-522B(2)(b) Curb cuts and driveway openings to allow for a 60 foot wide curb cut instead of a 40 wide curb cut.*

*Seconded by Anne Daigle.*

*Vote: Four in favor. Evert Krikken and Kathleen Brown opposed.*

*Evert Krikken made a motion that the Major Site Plan and Conditional Use application for the #24-29 Camping World Expansion identified on Tax Map: 15; Lot: 1A; Zone: Commercial III (C-3) and located in the Ditch Brook watershed is to be approved with conditions with the following Findings of Fact, Conclusions, and Conditions of Approval.*

#### **FINDINGS OF FACT**

*Jurisdiction: The Camping World Expansion project is classified as a Major Site Plan, which the Planning Board is authorized to review and act on by §120-803A(1) of the Town of Windham Land Use Ordinance. Automobile Repair Services are a conditional use in the Industrial District so in accordance with §120-516.B the Planning Board shall serve as the review authority.*

*Title, Right, or Interest: The applicant has submitted a copy of a Property Deed between FRHP Lincolnshire, LLC, and FRHP 3, LLC dated November 29, 2022, and recorded on December 2, 2022, at the Cumberland County Registry of Deeds in Book 39877 and Page 253; and a copy of a Lease Agreement between FRHP 3 LLC, and Camping World RV Sales, LLC dated November 29, 2022.*

*Public Hearing: A public hearing was held on April 14, 2025. The hearing was noticed in the Portland Press Herald, Windham Eagle and by mail to abutters within 500 feet of the property. No members of the public provided comments on the application.*

*Site Walk: A site walk was held on April 14, 2025. The site walk was noticed in the Portland Press Herald, Windham Eagle and by mail to abutters within 500 feet of the property.*

#### **ARTICLE 4 ZONING DISTRICTS**

- *As shown on the Town of Windham Land Use Map approved by the Town Council, date April 9, 2024, Tax Map: 15; Lot: 1A, the property is located in the Commercial III (C-3) Zoning District, §120-408.*
- *The proposed land uses, Retail Sales, Outdoor and Retail Sales are permitted uses in the C-3 District, per §120-412B and in Article 5 Performance Standards and Automobile Repair Services is a permitted conditional use in the C-3 District, per §120-408C(2), where the repair of commercial trucks shall be limited to those vehicles with a gross vehicle weight rating equal to, or less than, 26,000 pounds per §120-412F(1).*
- *The lot conforms to the C-3 dimensional standards of §120-408E.*

#### **ARTICLE 5 PERFORMANCE STANDARDS**

##### **§120-507 – Automobile Repair Services**

- *The sale of gasoline or other petroleum products shall not be allowed as an accessory use.*

##### **§120-511 – Buffer yards**

- *C(3)(b) C-3 District buffer along streets: use Buffer Yard G, see exhibit below.*

##### **§120-516 – Conditional Use (see below)**

- *The applicant shall meet the requirements of a conditional use permit.*

**§120-548 – Retail sales, outdoor**

- *If outdoor retail sales are conducted in parking lot, the minimum off-street parking space requirements shall be maintained.*
- *The plan delineates the area on which the outdoor retail sales will be conducted.*
- *Outdoor retail sales shall be limited to the applicant. See condition of approval #4.*
- *Outdoor retail sales shall not be located in any side setback or landscaped buffer strip.*

**§120- 812 – MAJOR SITE PLAN PERFORMANCE STANDARDS****§120-812A – Utilization of the Site**

- *The subject parcel is approximately 16.85 acres in size as noted on the Boundary & Topographic Survey revised 3-13-25. This plan revises the 2021 site plan approval that listed the lot size as 15.4 acres.*
- *Camping World, Trailer and Service currently occupies the property and consists of several large sales and service buildings and gravel and paved parking areas for the display of recreational vehicles and trailers.*
- *The applicants are proposing to demolish the existing 7,700 square foot existing sales building and a 4,000 square foot portion of the existing service building and construct a 20,500 square foot RV sales and service addition onto the remaining 6,300 square foot existing service building.*
- *No additional wetland impacts are proposed beyond what was shown on previously approved site plans.*
- *The site is located in the Ditch Brook watershed.*

**§120-812B – Vehicular Traffic**

- (1) *The site is located on the southerly side of Roosevelt Trail and all customer vehicular traffic will access the site from Route 302. As previously approved, the driveway on Danielle Drive is gated and used for occasional deliveries of RV inventory with no customer access permitted.*
  - (a) *The applicant does not expect to impact any road intersections within a half mile of the project.*
  - (b) *The traffic memo dated March 10, 2025 states that the proposed development will generate ten (10) and (6) entering trips during the AM and PM peak hours of the adjacent street. A traffic study is not required as the project is not expected to generate 50 or more trips during either the a.m. or p.m. peak hour, per §120-811B(2)(h).*
  - *During review of the sketch plan at a meeting on February 10, 2025 the Planning Board requested a traffic analysis with input from MaineDOT regarding a turn lane. The submitted traffic analysis concluded that a left turn lane was found not to be warranted. The applicant provided a copy of email correspondence from MaineDOT agreeing with the turn lane analysis methodology. The Town's third-party traffic engineer reviewed the traffic analysis and concurred with the applicant's analysis that a left turn lane is not warranted.*
  - *The development is located in the North Route 302 Road Improvement Impact Fee Collection Area. In accordance with §120-1204D(2), the applicant has determined that there will be two (2) new primary trips to be generated by the development that passes through the Route 302/Angler's Road/Whites Bridge Road intersection. The requisite impact fee total is specified in Condition of Approval #5.*
- (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.*
  - *The sight distance at the new entrance is measured to be 635 feet looking to the left and the right. Both exceed the required minimum 425 feet for a standard vehicle and meet the 635 feet for a larger vehicle for the 45 MPH posted speed.*

(3) The applicant proposes that the site will be accessed by one 60 feet wide (see waiver request) newly constructed driveway entrance, replacing the two existing driveways on Roosevelt Trail. The access is approximately in the same location as the existing easterly entrance.

(a) The construction activity will require an "entrance permit" from the Town's Department of Public Works.

(b) The realigned driveway access must meet a separation requirement of 75 feet.

(4) The site is designed to allow internal vehicular circulation in common with the other property owner for the safe movement of passenger, RV service, and emergency vehicles through the site.

#### §120-812C – Parking and Loading

(1) The applicant has designed a parking layout that accommodates a total of 60 passenger vehicle spaces with three (3) ADA spaces, 6 RV delivery stalls and approximately 301 representative RV inventory spaces. The footprint of the RV inventory parking at the back of the lot is consistent with previous approvals.

(d) The applicant meets §120-812C(1)(d) Parking and loading by providing 100% of the parking spaces at 10' x 20' parking space size.

(2) The applicant states that the proposed number of spaces is adequate to provide vehicle parking for approximately 15 employees and customers.

- At the Development Review Team meeting the Town Engineer requested a comparison of the existing and proposed number of parking spaces.

#### §120-812D – Pedestrian Traffic

The applicant is proposing to provide an 8-foot-wide sidewalk along the front of the building. A 6' high ornamental security fence will separate the customer parking area from access to the side and rear of the building.

#### §120-812E – Stormwater Management

(1) The applicants provided a stormwater management system design for the collection and disposal of all the stormwater that runs off parking areas, roofs, travel ways, and other surfaces.

(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. The property is subject to Maine DEP Site Location of Development Act permit L-27551-26 -C-N issued to FRHP LINCOLNSHIRE, LLC on September 21, 2021. The final plan submission included evidence that a minor amendment application was submitted to Maine DEP on January 29, 2025. See Condition of Approval #6.

- The site is located in the Town's Urbanize Area and regulated by the MS4 (Municipal Separate Storm Sewer System). The applicant states that the site disturbance is anticipated to be more than an acre and will be subjected to the annual maintenance and inspection report to the Town, see Condition of Approval #2.

Town Engineer's Comments March 20, 2024 on the applicant's response:

- Response #1: I accept their response to my first comment related to classifying the work in the front parking area as maintenance instead of redevelopment.
- Response #2: I reviewed photos from the contractor that built the existing stormwater BMPs for the proposed redevelopment, specifically photos of underdrain soil filters #2 and #3. These photos in the attached e-mail show installation of the soil filter material and underdrain pipes without a liner. The approved plans show that a liner was to be installed below the underdrain and filter material, which is required under Maine DEP Ch. 500 unless there is at least 18" separation between the bottom of the underdrain bedding and the high seasonal water table and bedrock. These 2 soil filters should be rebuilt so that they conform with the approved plans and Ch. 500.

- Response #3: I am OK with the further explanation Excel has provided regarding the change in impervious area pre- and post-development for catchment 1.
- Response #4: Excel has proposed adding a level spreader to the culvert outlets discharging into underdrain soil filters 2 and 3 to control flow and remove collect sediment. I concur with this addition to these BMPs.
- Response #5: I acknowledge that the pre- and post-development flows have been provided in their response, but I still don't think the routing diagrams are properly represented, or at least they don't help to understand how the subcatchments are interconnected. Even if the impervious areas pre- and post-development are relatively similar, the drainage paths have changed to some degree and it would be helpful if this was represented more realistically.

#### §120-812F – Erosion Control

(2) The applicant has provided for the final plan review an erosion and sedimentation control plan that will meet 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.

#### §120-812G – Water Supply Provisions

(1) The new building is proposed to be served for domestic and fire protection (sprinklered) by a Portland Water District water main connection from across Roosevelt Trail. A fire hydrant is located approximately 200 feet from the site.

- The applicant provided and Ability to Serve letter from Portland Water District dated February 7, 2025 approving the water system design for a new 6-inch fire service and 2 -inch domestic water service.
- At the Development Review Team meeting, the Town Engineer commented that a street opening permit from the Public Works Department would be required to connect to the water main.

#### §120-812H – Sewage Disposal Provisions

- The applicant has provided HHE-200 Subsurface Wastewater Disposal System Application dated August 18, 2024, in which the Site Evaluator has designed a replacement system to serve 50 employees at 600 gallons per day. The Town permitted the installation on August 19, 2024.
- The 2021 Maine DEP Site Location of Development Act permit specifically states that the wastewater from the trailers and RVs, or any other wastewater source other than the normal sanitary wastewater from the facility, is not allowed to be disposed of in the existing wastewater disposal field.
- At the Development Review Team meeting staff asked for additional information related to handling of effluent from RVs. The applicant's response to comments dated March 17, 2025 states that a dump station has been removed from the plans and if Camping World pursues a dump station in the future, DHHS and DEP approval will be obtained prior to seeking Town approval for a site plan amendment.

#### §120-812I – Utilities

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

#### §120-812J – Groundwater Impacts

- The new building is proposed to be 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, an 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) *The proposed wastewater treatment facility does not anticipate handling, storing, or using any materials identified by the federal or state as hazardous, special, or radioactive. The applicants have provided a list of any materials that would fit in those categories for the final plan review and have made provision for safe storage and handling of the materials.*

**§120-812M – Shoreland Relationship**

- *The site is not in a shoreland zoning district.*

**§120-812N – Technical and Financial Capacity**

- (1) *The applicants estimate of the project cost of \$7,000,000. The project will be self-financed, and the applicant provided financial filings for Camping World to indicate the availability of liquid assets to finance the development. The applicant has provided their Secretary of State certificate of good standing dated January 17, 2025.*
- (2) *The applicant has hired Excel Engineering, for site planning, permitting, and engineering services and Wilkus Architects for building design.*

**§120-812O – Solid Waste Management**

- *To ensure proper disposal, a screen in dumpster pad and screening, east of the building. All waste will be transported to a licensed disposal facility.*

**§120-812P – Historical and Archaeological Resources**

- *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 provided a photometric plan on Sheet C3.1 dated March 14, 2025 with locations and details of fixtures. The direct or indirect illumination does exceed 0.5 footcandles at the lot line or upon abutting residential properties.*
- (2) *The applicant shall connect all light poles and other exterior light fixtures underground.*

**§120-812S – Noise**

- (1) *The proposed facility shall not exceed 65 dB between 7:00 AM to 10:00 PM and 55 dB between 10:01 PM to 6:59 AM. For the final plan, the applicant shall meet the required performance standards of the §120-545D Noise standards for restaurant use.*
- (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 provided a landscape and restoration plan on Sheet C1.4B dated March 14, 2025 that includes a planting schedule, calculations and details. The sketch plan shows a location of a dumpster enclosure at the rear of the proposed building. The applicant has Trash Enclosure Details plan sheet AS102 with details for a*

*concrete pad, and screening for the dumpster enclosure with a chain link fence with privacy slats.*

*§120-813 Commercial District Design Standards (In addition to meeting all the Design Standard in the C-3 district, the applicants must comply with a minimum of eight (8) other Design Standards.)*

**§120-813A – Architecture/Building**

- *Required: §120-813A(1): Building style. The building is not a national franchise prototype and is not stylized to the point where it is a form of advertising. The exterior façade is not typical of a prototype Camping World building. This building has incorporated parapets, canopies and minimal building signage.*
- *Required: §120-813A(2): Materials. The front façade of the proposed building features a stone wainscot that extends along the sides of the building. Additionally, there is an EIFS bump-out on both the front and side façades, complemented by changes in vertical and horizontal metal siding.*
- *Required: §120-813A(3): Color. The colors used on this building are low-reflectance with warm natural earth tone colors.*
- *Required: §120-813A(4): Roofline. Parapets have been incorporated along the perimeter of the roof. Additionally, variations in the wall height have been introduced to ensure that no horizontal line exceeds 50 feet in length. A front canopy eyebrow and side canopy have also been included to enhance the visual appeal and break up the wall facade. There is no proposed roof top equipment.*
- *Required: §120-813A(5): Facades. The building's front façade is facing Roosevelt Trail. The total length of the front façade is 93'0", requiring 37'3" of transparent openings. The front façade provides 73'0" of transparent openings as shown on the architectural rendering. Additionally, the facade facing Roosevelt Trail is characterized by multiple material changes, varied articulations, and projections.*
- *Required: §120-813A(6): Building style coordination (multi-building). There is only one building on the site; this section is not applicable.*
- *Required: §120-813A(7): Building entrance shall be clearly defined and highly visible. The front entrance is characterized by a prominent glass storefront, flanked by display windows on both sides. In addition, a large canopy extends over the front facade, providing coverage, while integrated downlighting beneath the canopy serves to emphasize and highlight the storefront.*
- *Required: §120-813A(8): Architectural details. The front entrance is characterized by a prominent glass storefront, flanked by display windows on both sides. In addition, a large canopy extends over the front facade, providing coverage, while integrated downlighting beneath the canopy serves to emphasize and highlight the storefront.*
- *Optional: §120-813A(9): LEED certification.*

**§120-813B – Site/Parking**

- *Optional: §120-813B(1): Parking Location.*
- *Optional: §120-813B(2): Internal Traffic Flow.*
- *Optional: §120-813B(3): Interconnected parking lots.*
- *Optional: §120-813B(4): Orientation of Building.*
- *Optional: §120-813B(5): Screening, parking. Plant materials and landscaping elements are incorporated to create effective buffers between residential and commercial properties. There is a proposed landscaped screen between the parking lot and Route 302. Also, decorative fence will be provided surrounding the RV inventory parking, at the sides facing Route 302.*
- *Optional: §120-813B(6): Screening, Utility, and Service Areas. Service areas, trash receptacles, and mechanical equipment will be screened to minimize visibility from roadways, entrances, nearby neighborhoods, and public spaces.*

- *Optional: §120–813B(7): Parking Lot Landscaping. The parking lot provides 8,851 SF of landscaped area, exceeding 15% of the total area, as shown on the Landscape and Restoration Plan.*
- *Optional: §120–813B(8): Low Impact Stormwater.*
- *Optional: §120–813B(9): Shared Stormwater Treatment.*

#### §120–813C – Landscaping/Lighting

- *Optional: §120–813C(1): Lighting/Photometric Plan. A lighting/photometric plan has been submitted following the requirements. See plan C3.1 of the plan set.*
- *Optional: §120–813C(2): Lighting Coordinated with Architecture.*
- *Optional: §120–813C(3): Lighting Coordinated with Landscaping.*
- *Required: §120–813C(4): Existing Trees Preserved. No tree removal is anticipated within the limits of disturbance for this project.*
- *Required: §120–813C(5): Snow Storage Areas Designated. Designated snow storage areas are included in the parking area design, as seen on sheet C1.1 of the plan set.*
- *Optional: §120–813C(6): Planting variety. The planting plan will incorporate a variety of plant materials that offer seasonal color and texture, creating an appealing yet low-maintenance environment while maintaining a balanced approach between monoculture and excessive variety. See sheet C1.4 for the variety of plantings.*
- *Optional: §120–813C(7): Planting suitability. The planting plan will focus on low-maintenance plant materials that are resistant to insect infestations, drought, disease, roadside salt, and auto emissions, while being hardy to Maine winters. See sheet C1.4 for plant species chosen.*
- *Optional: §120–813C(8): Mass plantings. Shrubs and perennials will be planted in large masses or drifts to create a visually appealing effect for both motorists and pedestrians. Reference sheet C1.4 of the plan set.*
- *Optional: §120–813C(9): Illumination levels.*

#### §120–813D – Bicycle/Pedestrian

- *Optional: §120–813D(1): Continuous internal walkways.*
- *Optional: §120–813D(2): Links to community.*
- *Optional: §120–813D(3): Outdoor activity.*
- *Optional: §120–813D(4): Sidewalks and planted esplanades.*
- *Optional: §120–813D(5): Crosswalks for sidewalks.*
- *Optional: §120–813D(6): Bicycle parking and racks. The total building square footage will be 26,800, requiring 3 bike spaces. 4 bike spaces are provided in front of the building.*

#### §120-516 - CONDITIONAL USE REVIEW CRITERIA

*The applicant shall provide evidence that the project will conform with §120-516 Conditional Use.*

#### §120-516(H)(1) - Property Value

- *The applicant states there will be no negative impacts to the economic value of surrounding sites. The site has been used as a sales and service facility for RV's since it was built in 1984.*

#### §120-516(H)(2) - Wildlife Habitat

- *There are no significant wildlife habitat or spawning grounds identified on the site.*

#### §120-516(H)(3) - Botanical Species

- *There are rare or endangered botanical species identified on the site.*

#### §120-516(H)(4) - Potable Water

- See above in Major Site Performance Standards, §120-812G.

**§120-516(H)(5) - Sewage Disposal**

- See above in Major Site Performance Standards, §120-812H.

**§120-516(H)(6) - Traffic**

- See above in Major Site Performance Standards, §120-812B.

**§120-516(H)(7) - Public Safety**

- The RV repair use will not overburden police, fire and rescue services. The expansion will improve the access and circulation on the site for emergency services and the building will be served with sprinkler and alarms.

**§120-516(H)(8) - Vibration**

- The RV repair use will not produce vibrations.

**§120-516(H)(9) - Noise**

- See above in Major Site Performance Standards, §120-812S.

**§120-516(H)(10) - Off-Street Parking and Loading**

- See above in Major Site Performance Standards, §120-812C.

**§120-516(H)(11) - Odors**

- The project will not emit any noxious or odorous matter.

**§120-516(H)(12) - Air Pollution**

- The RV repair use will not cause the emission of dust or other form of air pollution. The applicant states that a Maine DEP Air and Emission Permit is not required for the paint booth.

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**§120-516(H)(13) - Water Pollution**

- See above in Major Site Performance Standards §120-812J and §120-812K

**§120-516(H)(14) - Erosion and Sediment Control**

See above in Major Site Performance Standards §120-812F.

**§120-516(H)(15) - Hazardous Material**

- See above in Major Site Performance Standards, §120-812L.

**§120-516(H)(16) - Zoning District and Performance Standards**

- See above in Major Site Performance Standards, §120-413C(2).

**§120-516(H)(17) - Solid Waste Management**

- See above in Major Site Performance Standards, §120-812O.

**§120-516(J) – Inspections**

- The Review Authority (Planning Board) may require the provision of third-party inspection during the construction of the proposed use. The applicant shall be responsible for all third-party inspections and an escrow account for the inspections.

**APPROVED WAIVERS**

1. The Planning Board approved the waiver of §120-522B(2)(b) Curb cuts and driveway openings to allow for a 60 foot wide curb cut instead of a 40 wide curb cut.

*Motion: Made by E. Krikken, seconded by A. Daigle, and approved 4- (E. Krikken and K. Brown opposed).*

#### 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 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 the 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 groundwater.*
11. *The proposed site plan 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 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 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 site 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.*

#### CONDITIONS OF APPROVAL

1. *Approval is dependent upon and limited to the proposals and plans contained in the application dated October 3, 2024 as amended April 9, 2025 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 §120-815 of the Land Use Ordinance.*
2. *Approval is subject to the requirements of the Post-Construction Stormwater Ordinance, Chapter 201 Article II. 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 June 1st of each year.*
3. *In accordance with §120-815C(1)(b) of the Land Use Ordinance, the Construction of improvements covered by any site plan approval shall be completed within two years of the date upon which the performance guarantee is accepted by the Town Manager. If construction has not been completed within the specified period, the Town shall, at the*

*Town Manager's discretion, use the performance guarantee to either reclaim and stabilize the site or to complete the improvements as shown on the approved plan.*

*4. In accordance with §120-548D of the Land Use Ordinance, the outdoor retail sales approval shall be limited to the applicant and therefore, shall not run with the land.*

*5. The development is subject to the following Article 12 Impact Fees, to be paid with the issuance of new building permits for the expanded uses: North Route 302 Road Improvements Impact Fee of \$765.30; 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, Section 120-1201C.*

*6. Prior to the required pre-construction meeting and any development and demolition, the applicant is required to submit evidence of an amended or revised Maine Department of Environmental Protection Site Location of Development Act approval #L-227551-26 -C-N dated September 21, 2021, to the Town Planner, which matches the Planning Board's approved site plan for the development.*

*Seconded by Anne Daigle.*

*Vote: All in favor.*

**5. PB 25-010**

**#25-07 LUO Amendments to Article 3, 4, 8, and 9 - Stormwater Consistencies with Maine DEP for Municipal Delegated Review Authority.**  
The town is proposing amendments to Chapter 120 Land Use Ordinance (LUO) in Article 1 General, Article 3 Definitions, Article 8 Site Plan, and Article 9 Subdivision to align the town's stormwater and site development provisions with the Department of Environmental Protection (DEP) stormwater rules and other state regulations to qualify for delegated authority status.

**Attachments:** [25-07 PB MEMO LUOAmendmentsForDelegated Review 040725.pdf](#)  
[25-07 PB REDLINE LUOAmendmentsForDelegated Review\(JB REV\) 040725.pdf](#)  
[25-07 LUO Amendments for Delegated ReviewTable 040725.pdf](#)  
[25-07 PB WKFLW LUOAmendmentsForDelegated Review 022525.pdf](#)

*Steve Puleo explained the purpose of the amendments was to establish consistency between town ordinances, DEP stormwater rules, and State requirements. The town wanted to obtain delegated review authority. This would expedite the review period of Planning Board applications and allow for town enforcement of permits.*

**Public Comment**

*The was no public comment. Public hearing was closed.*

**Board Comment**

- There should not be definitions for things that were not included anywhere in the ordinance.*
- If important new terms were included in the changes, they should be included in the definitions also.*

*Evert Krikken made a motion to recommend with comments approval of the proposed amendments to the Code of the Town of Windham Chapter 120 Land Use Ordinance to Amendments to Articles 1, 3, 8, and 9 to align Windham Stormwater provision with Maine*

*DEP for Municipal Delegated Review Authority.*

*Seconded by Anne Daigle.*

*Vote: All in favor.*

## **New Business**

6. [PB 25-011](#) #24-25 Amended Major Subdivision & Site Plan - Andrew School Redevelopment/WDCJCS Subdivision - 55 High Street - Preliminary Plan Review - Great Falls Construction Inc & Westbrook Development Corp. The application is for 17 market-rate apartments in two buildings. The plan amends the October 28, 2024 approval by continuing the mixed-income development consisting of 18 affordable apartments for senior housing, to bring a new total of 35 units on the 2.39 acre property. This project also includes associated parking areas, internal vehicular drive aisles, pedestrian pathways, subsurface stormwater treatment measures and the completion of the centralized open space area. The development will be served by public water and sewer. Subject property is identified as Tax Map: 37; Lot: 24; Zone: Village Commercial (VC) in the Presumpscot River watershed.

**Attachments:** [24-25 AMD MJR SUB-SP PP PB MEMO AndrewSchool 040925.p](#)

[df](#)

[24-25 CommentResponse AndrewSchool 2025-03-20](#)

[24-25 PLANS REV AndrewSchool 2025-03-20](#)

[24-25 AMD MJR SUB SP PRLM APPL AndrewSchool 2025-03-03](#)

[24-25 AMD MJR SUB SP PRLM PLANS AndrewSchool 2025-03-03](#)

[24-25 MJR SUB-SP FP PB APPR LTR AndrewSchool 102924](#)

*Amy Bell Segal, from Sebago Technics was representing the application with Julie Curran from Great Falls Construction. She explained the proposal would be the addition of:*

- *Two buildings with 17 market rate one and two bedroom apartments to the 18 affordable units that were previously approved.*
- *One transformer*
- *One gang mailbox located at building 4*
- *Bike racks*
- *An enclosed dumpster*
- *Evergreens added as buffering where vegetation removal was necessary.*
- *Outdoor lighting for the parking lot.*

*Amanda Lessard reviewed:*

- *The looped parking area provided adequate emergency vehicle access and adequate parking for the additional units.*
- *The additional development now required a full DEP permit.*
- *Site plan review required some constructed amenities for the open space.*
- *Waiver of the traffic impact analysis had been granted by the Planning Director.*
- *Waivers for a high intensity soils survey and hydrogeological analysis had been granted. Because site development conditions had not changed, staff felt those didn't*

need to be revisited.

- There was a street connection waiver request. The Fire Department had no issue with it and staff supported the request.

Evert Krikken made a motion that the Amended Major Subdivision & Site Plan preliminary application for project #24-25 Andrew School Redevelopment project 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 Anne Daigle.

Vote: All in favor.

Evert Krikken made a motion to approve the waiver request of § 120-911M(5)(b)[7] Street Connection Requirements, permitting Andrew School Redevelopment/WDCJCS Subdivision to have 1 street connection to High Street.

Seconded by Kathleen Brown.

Vote: All in favor.

Evert Krikken made a motion that the Amended Major Subdivision & Site Plan preliminary plan application for the #24-25 Andrew School Redevelopment/WDCJCS Subdivision identified on Tax Map: 37; Lot: 24; Zone: Village Commercial (VC) and located in the Presumpscot River watershed is to be approved with conditions with the following Findings of Fact, Conclusions, and Conditions of Approval.

#### FINDINGS OF FACT

*Jurisdiction: The Andrew School Redevelopment project is classified as a Major Subdivision & Site Plan, which the Planning Board is authorized to review and act on by §120-905A(2) of the Town of Windham Land Use Ordinance.*

*Title, Right, or Interest: The applicant has submitted documentation of an award between the Town of Windham and Great Falls Construction. For final plan review, please provide an acceptable form to satisfy the Right, Title, and Interest evidence.*

#### ARTICLE 3 DEFINITIONS

*Dwelling, Multifamily: "A building containing three or more dwelling units. A multifamily dwelling may 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, Tax Map: 37; Lot: 24.
- The property is located in Village Commercial (VC) zoning district.
- Multifamily dwellings are a permitted use found in § 120-415B.

#### ARTICLE 5 PERFORMANCE STANDARDS

*§120-511 – Buffer yards*

*C(3)(b) Commercial Districts (C-1, C-2, C-3, C-4, VC and WC Districts): use Buffer Yard G.*

#### §120-911 - SUBDIVISION PERFORMANCE STANDARDS

**§120-911A – Basic Subdivision layout**

(2) Utilities are shown on the provided subdivision plan.

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

(3) The applicants have shown connection with the public water system on the provided subdivision plan. For the Final Plan Review, the applicant shall submit documentation of Ability to Serve from PWD.

**§120-911C - Erosion Control and sedimentation control**

(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.

(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 has provided evidence of site suitability for subsurface sewage disposal prepared State of Maine Subsurface Waste Disposal Rules.

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

(1) The applicants are developing the access driveway and dwelling units in the open space

of the site, preservation the natural beauty and aesthetics.

(a) The applicant has provided 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 applicant has included a landscape plan with the application.

(2) For final plan review, the applicant must reserve or dedicate maintenance of open space.

**§120-911F – Conformance with Land Use Ordinances**

**Comprehensive Plan:**

- The plan does meet the goals of the 2017 Comprehensive Plan.
- Subdivision Ordinance
- the applicants have provided a landscaping plan.
- 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.

**§120-911G – Financial and Technical Capacity**

(1) The applicant has provided evidence of financial and estimated cost of development.

(1) The applicant has provided evidence of technical capacity. The applicants have

contracted Sebago Technics, Inc. to manage the permitting and design of the development.

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

(1) The applicant has provided evidence that the subdivision shall not increase any contaminant concentration in the groundwater and shall meet the State primary drink water standards. A hydrogeological evaluation shall be required to demonstrate nitrates as nitrogen meet the maximum contaminant level.

(2) The proposed development will connect to available water supply provided by the Portland Water District (PWD) that has an existing main along High Street. 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 project will require a Chapter 500 Stormwater Management Law permit for MeDEP.
- A Stormwater Permit by Rule with Maine DEP will be required. For final plan review, the Applicant should submit documentation that a Notice of Intent for this permit has been filed with DEP
- 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.

**§120-911K – Conservation Subdivision**

(1) The development is in the VC district and therefore is not required to meet the conservation subdivision ordinance.

**§120-911L – Compliance with Timber Harvesting Rules**

• The applicants stated the subdivision will not involve timber harvesting activity.

**§120-911M – Traffic Conditions and Street**

- A Traffic Memorandum was submitted by the Applicant that concludes that proposed traffic levels are below the threshold for requiring a traffic Management Plan (TMP) from (6 peak hour trips) Maine DOT or a Traffic Impact Analysis under the Town's Subdivision ordinance (58 trips/day). This appears to be appropriate for the scale of the development.

**§120-911N – Maintenance of common elements.**

• For the final plan review, the applicants shall provide draft condominium association documents for the Town Attorney's review.

**(SUBDIVISION) CONCLUSIONS (Final 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 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 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/has not 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.
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.
18. The timber on the parcel being subdivided has/has not been harvested in violation of rules adopted pursuant to Title 12, §8869, sub§14.

#### CONDITIONS OF APPROVAL (REQUIRED)

1. Approval is dependent upon and limited to the proposals and plans contained in the application dated August 27, 2024 as amended TBD 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 §120-914 or §120-815 of the Land Use Ordinance.
2. Approval is subject to the requirements of the Post-Construction Stormwater Ordinance, Chapter 201. 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 June 1st of each year.
3. In accordance with §120-815C(1)(b) of the Land Use Ordinance, the Construction of improvements covered by any site plan approval shall be completed within two years of

*the date upon which the performance guarantee is accepted by the Town Manager. If construction has not been completed within the specified period, the Town shall, at the Town Manager's discretion, use the performance guarantee to either reclaim and stabilize the site or to complete the improvements as shown on the approved plan.*

*4. In accordance with §120-914B(5) 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 Manager's discretion, use the performance guarantee to either reclaim and stabilize or to complete the improvements as shown on the approved plan.*

*5. Recreation Impact Fee (\$600 x 4 = \$2,400), Open Space Impact Fee (\$450 x 18 = \$8,100), Public Safety Impact Fee (\$1,008 x 4 = \$4,032); and Municipal Office Impact Fee (\$333 x 4 = \$1,332). All fees (\$2,400 + \$8,100 + \$4,032 + \$1,332 = \$15,864) will be determined and collected for any building, or any other permits necessary for the development, §120-1201C (MASTER FEE SCHEDULE)*

*Seconded by Anne Daigle.*

*Vote: All in favor.*

7. [PB 25-013](#) #25-08 Major Site Plan - A-Plus Auto Sales & Service - 1027 Roosevelt Trail - Sketch Plan Review - A-Plus Sale & Service, Inc  
The application is for a 24,000 square foot building with associated parking for automobile sales and repair services on a 11-acre property. Subject property is identified as Tax Map: 21; Lot: 12; Zone: Commercial I North (C1-N) and Stream Protection (SP) in the Hyde Brook/Sebago Lake watershed.

Attachments: [25-08 MJR SP SKP PB MEMO APlus 040925.pdf](#)  
[25-08 MJR SP SKP APP A Plus Auto 032425](#)  
[25-08 MJR SP SKP PLAN A Plus Auto 032425](#)

*Andy Morrill, from Sebago Technics, was present with Andrew Coppersmith, one of the applicants. They proposed:*

- Construction of a 24,000 square foot sales and service building
- 218 parking spaces
- One, 40 foot wide entrance/exit
- An esplanade, sidewalk, and 25 foot landscape buffer along Route 302

*Amanda Lessard explained:*

- There was an area of stream protection zoning at the rear of the parcel, which was located in a lake watershed most at risk of new development and an MS4 area.
- The landscape buffer requirement was 20 feet.
- The plan needed to show ADA parking spaces.

8. [PB 25-014](#) #25-10 Land Use Ordinance Amendments to Article 3 Definitions and Article 5 Performance Standards - Controlled Access Streets.  
The Town is proposing an amendment to Chapter 120, Land Use

Ordinance (LUO), Article 3 Definition of Controlled Access Streets and Article 5, to add Veterans Memorial Drive (the Eastern Connector) to §120-521A, along with Manchester Drive. This amendment would require limited-access driveway curb cuts from the new road to be spaced at least 300 feet apart.

**Attachments:** [25-10 LUO Redline Amendments ControlledAccessStreets 040325.pdf](#)

[25-10 PB MEMO LUO Amendments ControlledAccessStreets 040325.pdf](#)

*Steve Puleo explained the amendment would add Veterans Memorial Drive and Manchester Drive to the ordinance as limited access roads, requiring curb cuts to be at least 300 feet apart. This was in support of the vision from the Comprehensive Plan and the 21st Century Downtown Plan.*

## **Other Business**

### **9. Adjournment**

*Evert Krikken made a motion to adjourn.*

*Seconded by Shonn Moulton.*

*Vote: All in favor.*