

PLANNING BOARD MEMO • MAJOR SITE PLAN • SKETCH PLAN REVIEW

DATE: April 24, 2025

TO: Windham Planning Board
FROM: Amanda Lessard, Senior Planner/Project Manager
Cc: Steve Puleo, Planning Director
Eric Dube, PE, Trillium Engineering Group
Robert York, York Enterprises Park LLC

RE: #25-11 Major Site Plan – 4 Roosevelt Trail Redevelopment – 4 Roosevelt Trail – Sketch Plan Review – York Enterprise Park, LLC
Planning Board Meeting: April 28, 2025

Overview

The application is for the redevelopment of a former excavation material storage yard into a multi-unit contractor services development with associated parking on a 4.21 acre property at 4 Roosevelt Trail. Each of the two (2) proposed 7,100 sf buildings will have 7-units for contractor service businesses. The proposed development at 4 Roosevelt Trail is proposed to connect, via a new 26-foot-wide access drive, through the 12 Roosevelt Trail property from Roosevelt Trail to Vance Drive, behind the existing building. Both properties, 4 and 12 Roosevelt, are in the same ownership and the site plan review will consider both parcels under a common scheme of development. Staff have discussed with the applicant allowing the Town to locate a Wayfinding Sign at the town line at 4 Roosevelt Trail and to continue to allow the Town of Windham and the City of Westbrook plow trucks to use the access drive from Vance Drive to Roosevelt to reverse directions through the 12 Roosevelt property. The two properties are located in Chapter 502, Direct Watersheds of Lakes Most at Risk from New Development.

Tax Map: 7; Lot: 1 & 3E: Zone: Commercial III District (C-3) in the Highland Lake watershed. Use: Contractor Services.



Aerial View of the subject parcel relative to surrounding properties and street network.

Review History

This application is a revision/resubmission of a sketch plan application for project #24-02 York Redevelopment, a three 5,000 sf building 12-unit contractor services development, reviewed by the Planning Board on [January 22, 2024](#).

A Development Review Team meeting was held on April 16, 2025. Comments received during the meeting are reflected in the memo below.

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: *N/A*

MOTION: ~~[I move] the major plan application for project #25-11-4 Roosevelt Trail 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](#) 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.

None requested.

Waiver of the Site Plan Performance Standards. The Planning Board may waiver 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.

3. Public Hearing: No public hearing has been scheduled for this project. The Planning Board shall determine whether to hold a public hearing on the application.
4. Site Walk: A site walk has not been scheduled for this project. The Planning Board should determine if a site walk is necessary for this project.

Windham Planning Board,

MOTION: ~~[I move] the major plan application for the #24-02 York Redevelopment project at 4 and 12 Roosevelt Trail and identified on Tax Map: 7; Lot: 1 and 3E in the Commercial III district (C-3) is to be (approved with conditions/denied) with the following Findings of Fact, Conclusions, and Conditions of Approval.~~

FINDINGS OF FACT

Jurisdiction: The 4 Roosevelt Trail project is classified as a Major Site Plan, which the Planning Board is authorized to review of the construction of two (2) 7,100 sf buildings as Contractor Services complex and improvements and act on by [§120-805A\(2\)\(a\)](#) of the Town of Windham Land Use Ordinance.

Title, Right, or Interest: The applicant has submitted a copy of a Quitclaim Deed with Covenant from KR Horizons, LLC to York Enterprises Park, LLC, dated August 15, 2024, and recorded on August 22, 2024 at the Cumberland County Registry of Deeds in Book 40946 and Page 160. The applicant also **The applicant shall provide evidence of ownership of Map 7 Lot 3E.**

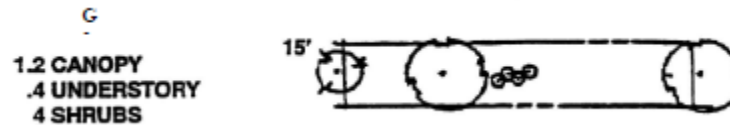
ARTICLE 4 ZONING DISTRICTS

- As shown on the Town of Windham [Land Use Map](#) approved by the Town Council, date August 15, 2023, Tax Map 7 Lot 1 and 3E is located in the C-3.
- The existing use was an excavating business with a 7,868 SF existing building on 12 Roosevelt Trail property, including two accessory structures, gravel driveway and gravel parking in front of the building. The 4 Roosevelt Trail property was used by the excavating business as a material storage area containing gravel, sand, pavement, etc.
- The proposed land use, Contractor Services, is permitted use in the C-3 District [§120-412B](#).
- Per [§120-412E\(3\)](#) Minimum front setback; Dimensional standards, the existing building on the 12 Roosevelt Trail property is an existing non-conforming principal building relative to the front setback along Route 302. The existing building was constructed in 2006 and has an approximately 45-foot front setback from Route 302 instead of the required 60 feet and exceeds the minimum 40-foot along a nonarterial street. The proposed two 7,100 sf buildings located on the 4 Roosevelt Trail property will comply with the required 60-foot front setback as well as the 10-foot rear and side yards setbacks. The applicant is not proposing any changes to the development of the existing building and associated driveways and parking areas at 12 Roosevelt Trail.
- According to [§120-412E\(3\)\(c\)](#) a minimum buffer along streets are required to confront with the buffer standards in the Article 5 performance standards (see below for more details). For the final plan review, the applicant will provide a Buffer Yard landscape plan for the frontage along Route 302 and Vance Drive.

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, see exhibit below.



§120-517 – Contractor services

- This section regulates types of contractor services to limited to a single unit, dual-axle vehicles only. The types of vehicles are classified by the Federal Highway Administration as Class 1-5 vehicles.
- Storage of materials including machinery, trailer, equipment, and materials must be stored indoors (see [§120-519](#), Contractor storage yard, for standards related to outdoor storage).
- Lighting used for security, safety, and operational needs must meet shielding or hooded lighting elements and not inhibit motorists and 0.5-foot candles at the property line.

§120- 812 – MAJOR SITE PLAN PERFORMANCE STANDARDS

§120-812A – Utilization of the Site

- The subject parcels are approximately 3.14 acres (141,105 SF) in size for Lot 3E and 4.21 acres (183,388 SF) in size for Lot 1. The two properties are owned by York Enterprises Parks, LLC and considered by the Town as a common scheme of the development.
- The sites front along Roosevelt Trail (Route 302) and Lot 3E also fronts on Vance Drive.
- The existing conditions show the two sites having approximately 2.2 acres (92,052 SF) of pavement and gravel driveways, parking areas, and material storage areas. Combined with the existing 7,686 SF building, the total impervious surfaces amount to 2.3 acres (99,752 SF).
- The applicant has converted the existing 7,686 SF principal structure into a Contractor Services use with access to Roosevelt Trail and Vance Drive.
- By permission of the previous and current owner, Town vehicles have historically been permitted to drive through the property to reverse their direction when plowing Route 302.
- The improvements proposed on Lot 1 include the construction of two 7,100 sf Contractor services building with seven garage and offices units per structure. The development will have a 24-foot-wide access driveway from Roosevelt Trail installed between the two structures. The driveway will connect to an internal 26-foot-wide two-way access driveway and connect with access driveway on the 12 Roosevelt Trail site.
- Both properties are entirely located in the Highland Lake watershed, a direct watershed of a lake most at risk from new development as designated in Chapter 502, Direct Watersheds of Lakes Most at Risk from New Development by the Maine Department of Environmental Protection.
- Both properties have wetland areas and no wetland impacts are proposed.
- A gravel road extends from the driveway of 12 Roosevelt Trail to 16 Vance Drive, which is an 11.24 acres parcel owned by York Enterprises Park, LLC. For the final plan review, the applicant shall provide an explanation of why the gravel road should be retained as part of the development and provide a draft easement to maintain the gravel road through site.
- During the Development Review Team meeting, the applicant was asked to provide an easement area for the Town to erect and maintain a Town gateway wayfinding sign. The applicant indicated that they would provide an area for the final plan review.

§120-812B – Vehicular Traffic

- (1)** The site is located on the south westerly side of Roosevelt Trail and abuts the City of Westbrook’s boundary line.

 - (a)** The applicant does not expect to impact any road intersections within a half mile of the project.
 - (b)** For the final plan review, the applicant shall provide a traffic analysis provide evidence the existing streets, Vance Drive, and intersections are expected to carry traffic generated by the development. The applicant shall provide, for the *final plan review*, a “traffic study,” prepared by a Maine licensed professional engineer, describing the impacts of the proposed project on the capacity, level of service and safety of adjacent streets **when the project generates 50 or more trips during either the a.m. or p.m. peak** hour, per [§120-811B\(2\)\(h\)](#).
- (2)** The access is 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. Site distances shall be shown on the final plan.
- (3)** The sites will be accessed through two 24-wide driveways to Roosevelt Trail and one 24-foot-wide driveway to Vance Drive.

 - (a)** The applicant is proposing to realign the private entrances and exists to the sites from Roosevelt Trail. Therefore, the applicant shall acquire, before the construction activity occurs, “opening permits” from the Town’s Department of Public Works.
 - (b)** The driveway access must meet a separation requirement of 75 feet.
- (4)** The applicant is a site 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.

§120-812C – Parking and Loading

- (1)** The applicant has designed a parking layout that accommodates 49 parking spaces, including four (4) ADA parking spaces, for the two 7,100 sf buildings. Each unit is proposed to have one overhead door and one-man door to enter and exit the units. Each unit will have a loading area for the use of the overhead door and one parking space designated for the unit.

(b) Parking lots on adjoining lots may be connected by accessways not exceeding 24 feet in width. **The sketch plan shows a 26-foot wide accessway connecting the adjoining lots.** For the final plan review, the applicant shall provide a draft reciprocal cross travel and parking easement for the common travel ways through the sites are designed with cross-travel easements to provide easy access to parking areas of both sites.

(d) The applicant meets [§120-812C\(1\)\(d\) Parking and loading](#) by providing 33 10’ x 20’ parking space, where 15 are required to comply with the 30%.
- (2)** The applicant states that the proposed number of parking spaces is adequate to provide parking and will meet the parking needs of the Contractor service use.

§120-812D – Pedestrian Traffic

- The applicant proposes both sites as Contractor services commercial development, in which pedestrian traffic within or adjacent very rare occur, the proposal does not include walkways or sidewalks along Roosevelt Trail.

§120-812E – Stormwater Management

- (1)** The applicants shall provide for final review 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.
 - (f)** Major site plans, regardless of size, shall comply with Sections 4C(2) and 4C(3) of the General Standards of the DEP Chapter 500 Stormwater Management Law.
- The site is located in the Town's Urbanized 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 required by the Post-Construction Stormwater Ordinance, [Chapter 201 Article II](#), see Condition of Approval #3.
- The site is located in the Highland Lake watershed, a direct watershed of a lake most at risk from new development as designated in DEP Chapter 502, thus in accordance with [§120-807F\(6\)](#), Town's third-party consulting engineer firm will review the final plan to ensure compliance with performance standards contained in § [120-812E](#), [F](#), [H](#), [J](#), and [K](#). The review shall include attendance at any scheduled Planning Board site walk.

§120-812F – Erosion Control

- (2)** The applicant shall have 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 existing building is served by a Portland Water District water main extended from the Roosevelt Trail ROW. The two new structures are proposed to be served for domestic by a Portland Water District (PWD) water main connection from across Roosevelt Trail.
- The applicant shall provide for *the final plan review* a written statement from PWD letter that the proposed water supply system conforms with its design and construction standards, will not result in an undue burden on the source or distribution system, and will be installed in a manner adequate to provide needed domestic flows.
- At the Development Review Team meeting, the Deputy Fire Chief commented, "There is an existing public fire hydrant within 1,000 feet of the site."

§120-812H – Sewage Disposal Provisions

- *For the final plan review*, the applicant shall provide the permit, design, or evidence from a Certified Site Evaluator that a subsurface wastewater disposal system meeting the requirements of the Subsurface Wastewater Disposal Rules will serve the proposed 14-unit Contractor service development.

§120-812I – Utilities

- The applicant states that the existing building has an existing underground utility connection (electrical, telephone, and telecommunication services) and the new structure will connect underground by either a new riser on an existing utility pole or upgrading and extending the existing underground services.
- A utility and grading plan shall be provided for the final plan review.

§120-812J – Groundwater Impacts

- The existing and the new buildings are either connected to the PWD public water system or will be. The proposed wastewater disposal system is not anticipating being a disposal system with a capacity of 2,000 gallons per day (GPD) or more.

§120-812K – Water Quality Protection

- The applicant states the site improvements are designed to protect Windham's water quality and the Highland Lake watershed by using a public water system, a state-approved wastewater disposal system, 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.
- The project is located within a direct watershed of a lake most at risk from development. If the project does not require review under Chapter 500 of the MaineDEP Stormwater Law the Planning Board may require a phosphorus control plan as part of the *final plan review*.

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

- (1) The proposed Contract services development 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 sites are not located in the Shoreland Zone.

§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 provided York Enterprises Parks, LLC's Secretary of State Certificate of Good Standing status. The applicant shall provide evidence of financial capacity for the final plan review.
- (2) The applicant has hired Trillium Engineering Group for site planning, permitting, and engineering services for the development of the contractor service buildings and site improvements.

§120-812O – Solid Waste Management

- To ensure proper disposal, the waste will be stored in a solid waste container in dumpster pad until it can be transported by licensed private waste hauler.

§120-812P – Historical and Archaeological Resources

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

§120-812Q – Floodplain Management

- The sites are not located in the mapped FEMA 100-year floodplain hazard area.

§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 final plan review.
- (2)** The applicant shall connect all light poles and other exterior light fixtures underground.

§120-812S – Noise

- (1)** The proposed Contractor service uses 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 a commercial 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 has not provided a landscaping plan, a planting schedule, or a location for snow storage. The applicant shall address these standards for the final plan review.
- The applicant has not provided a location for a dumpster, a concrete pad, or screening for the dumpster enclosure. The applicant shall address these standards for the final plan review.

§120-813 Commercial District Design Standards for Commercial District *(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 for Final Plan Review)

- 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 applicant shall address this standard for the final plan review.
- Required: [§120-813A\(2\)](#): Materials. The applicant shall address this standard for the final plan review.
- Required: [§120-813A\(3\)](#): Color. The applicant shall address this standard for the final plan review.
- Required: [§120-813A\(4\)](#): Roofline. The applicant shall address this standard for the final plan review.

- Required: [§120–813A\(5\)](#): Facades. The building’s front façade will be facing Roosevelt Trail. The applicant shall address this standard for the final plan.
- 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 applicant shall address this standard for the final plan review.
- Required: [§120–813A\(8\)](#): Architectural details. The applicant shall address this standard for the final plan review.
- 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.
- Optional: [§120–813B\(6\)](#): Screening, Utility, and Service Areas. The dumpster will be screened with fencing.
- Optional: [§120–813B\(7\)](#): Parking Lot Landscaping.
- 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.
- Optional: [§120–813C\(2\)](#): Lighting Coordinated with Architecture.
- Optional: [§120–813C\(3\)](#): Lighting Coordinated with Landscaping.
- Required: [§120–813C\(4\)](#): Existing Trees Preserved. The applicant shall address this standard for the final plan review.
- Required: [§120–813C\(5\)](#): Snow Storage Areas Designated. Snow storage areas are shown on the plan.
- Optional: [§120–813C\(6\)](#): Planting variety.
- Optional: [§120–813C\(7\)](#): Planting suitability.
- Optional: [§120–813C\(8\)](#): Mass plantings.
- 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.

CONCLUSIONS (N/A)

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.~~
14. ~~All freshwater wetlands within the proposed subdivision **have/have not** 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.~~

CONDITIONS OF APPROVAL (REQUIRED)

1. Approval is dependent upon and limited to the proposals and plans contained in the application dated April 7, 2025 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 or [§120-815](#) of the Land Use Ordinance.
2. 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.

3. 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.
4. Prior to issuing a building permit, the applicant shall provide the Town Planner executed easements with the Town to allow municipal vehicles to cross the property located at 12 Roosevelt along the driveway from Vance Drive to Roosevelt Trail and area next the municipality's town line for a municipal gateway sign.
5. The development is subject to the following [Article 12 Impact Fees](#), to be paid with the issuance of new building permits for new use: [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](#).