



# Town of Windham

Town Offices  
8 School Road  
Windham, Maine

## Meeting Minutes - Draft

### Planning Board

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Monday, March 9, 2026

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: Kathleen Brown, Patrick Roberts, and Melissa Young.*

*Planning Director, Steve Puleo, was also present.*

#### 3 [PB 26-004](#) Approval of Minutes - The meeting of January 12, 2026

**Attachments:** [Minutes 1-12-2026 - draft.pdf](#)

*Kathleen Brown made a motion to approve the minutes from the January 12, 2026 meeting.*

*Seconded by Melissa Young.*

*Vote: All in favor.*

### **Public Hearings & Continuing Business**

- 4 [PB 26-007](#) #24-31 Turning Leaf Heights - Major Site Plan & Subdivision - Preliminary Plan Review - Turning Leaf Drive - Gateway Development LLC  
The application proposes to subdivide the 12.2 acre property into 5 lots with a 1,200-foot extension of Turning Leaf Drive and a 600-foot extension of Drive-In Lane and develop 152 residential dwelling units in 21 buildings consisting of three (3) buildings with 32 units each, two (2) buildings with 12 units each, and sixteen (16) duplex buildings. All units will be served by public water and public sewer. All units will be served by public water and public sewer. Subject property is identified as Tax Map: 14; Lot: 9B; Zone: Commercial I (C-1) and Stream Protection (SP) in the Ditch Brook watershed.

**Attachments:** [24-31 MJR SUB-SP PRLM PB MEMO TurningLeafHeights 030526.pdf](#)  
[24-31 AC&SR MEMO TurningLeafHeights MJR SUB-SP PRLM 030526.pdf](#)  
[24-31 MJR SUB-SP PP Response TurningLeafHeights 2026 2 12.pdf](#)  
[24-31 MJR SUB-SP PP PLANS REV TurningLeafHeights 2026 2 5.pdf](#)  
[24-31 MJR SUB-SP PP Response Turning Leaf Heights 2025 11 17.pdf](#)  
[24-31 MJR SUB-SP PP PLANS REV Turning Leaf Heights 2025 11 17.pdf](#)  
[24-31 AC&SR MEMO TurningLeafHeights MJR SUB-SP PRLM 073025.pdf](#)  
[24-31 MJR SUB-SP PP APPL Turning Leaf Heights 7-7-2025.pdf](#)  
[24-31 MJR SUB-SP PP PLANS Turning Leaf Heights 7-7-2025.pdf](#)  
[PublicComments\\_BodbbbyYurrita\\_112024.pdf](#)  
[PublicComments\\_DeborahAgneta\\_112424.pdf](#)  
[PublicComments\\_EllenRuth\\_112524.pdf](#)  
[PublicComments\\_JosephMcIntyre\\_112024.pdf](#)  
[PublicComments\\_VM\\_BodbbbyYurrita\\_112024.pdf](#)  
[Public Comments Lauren Moulton 103024.pdf](#)  
[Public Comments Lauren Moulton TownManger 112024.pdf](#)  
[PublicComments\\_BetseySanborn\\_112024.pdf](#)  
[RICH FAMILY LTD 3RD AMENDMENT 12-2013.PDF](#)

*Dustin Roma, from DM Roma Consulting Engineers, was present representing the application. He explained:*

- *The number of units per building and type of buildings had changed. Overall, the number of units was the same.*
- *The parking requirement was unchanged.*
- *The Fire Department had concerns regarding accessibility for emergency access.*
- *The development agreement between the town and developer had been finalized.*
- *They wanted to phase construction.*
- *The third party consultant had requested additional analysis of the traffic review.*

*Steve Puleo explained:*

- *152 units in multi-family and two family were proposed, based on the present plan.*
- *A waiver was requested for the street construction standards.*
- *Sewer was to be installed in Turning Leaf Drive with a private pump station for the use of all the units.*
- *Turning Leaf Drive would be extended.*
- *Public water was proposed.*
- *Multi-family buildings would have fire suppression.*
- *The Fire Chief had requested hydrant movement to the intersection with Turning Leaf Drive*
- *Traffic at full build-out would require a traffic movement permit.*

*Public Comment*

*There was no public comment. Public comment was closed.*

*Board Comment*

- *What was the extent of build-out before a traffic movement permit would be required?*
- *Would the application have to return to the Board before build-out of the second phase?*
- *At what point would changes to the intersection with Route 302 be considered?*
- *Two dumpsters didn't seem adequate.*
- *Bike racks were only shown at one building.*
- *The snow removal area was in an inconvenient location.*
- *Please check with the school department about a cluster bus stop.*
- *How would the wastewater system work?*
- *Please include some detailed outdoor and recreation space in the plan.*
- *Was there compliance with the Comprehensive Plan?*

*Kathleen Brown made a motion that the Major Subdivision preliminary application for project #24-31 Turning Leaf Heights project was found complete in regard to the submission requirements, but the Planning Board retained the right to request more information where review criteria were not fully addressed.*

*Seconded by Patrick Roberts.*

*Vote: All in favor.*

*Waiver Request*

*Dustin Roam explained the waiver was needed because the residential thoroughfare standards required a fairly narrow road.*

- *There had been feedback from public services that having an 18 to 20 foot wide road and expecting two cars to pass was very tight, especially in neighborhood developments where there was curbing on both sides.*
- *They weren't asking to build a lesser road. They were asking to widen the road to allow room for snow plowing and maneuverability, based on past experience.*
- *A 24 foot road would provide enough room for two cars to pass and keep speeds down. They would also construct sidewalks.*

*Board Comment*

- *What was the justification for the waiver request?*
- *Was the waiver request for Turning Leaf Drive and Drive In Lane?*
- *What standard would the roadway serving the duplexes use?*
- *Did Public Works or Engineering have any comment about the potential extension of the road through Commons Drive and its adequacy?*
- *The ordinance required the waiver request in writing. Could the Board have verbal confirmation that the waiver request met the 12 items that needed to be addressed?*
- *More information regarding traffic impact was needed.*

*Dustin Roma provided confirmation.*

*Kathleen Brown made a motion to approve the waiver of §120-911M(5)(b)[8] Street construction practices to allow the construction of the proposed residential street section that includes 24 foot pavement width.*

*Seconded by Melissa Young.*

*Vote: All in favor.*

*Kathleen Brown made a motion that the Major Site Plan & Subdivision preliminary application for the #24-31 Turning Leaf Heights identified on Tax Map: 14; Lot: 9-B; Zone: Commercial I (C-1) and Stream Protection (SP) in the Ditch Brook watershed was to be approved with conditions, noting that the conditions were modified to include additional traffic impact analysis, with the following Findings of Fact, Conclusions, and other Conditions of Approval.*

#### *FINDINGS OF FACT*

*Jurisdiction: The Turning Leaf Heights Subdivision project is classified as a Major Site Plan & Subdivision, which the Planning Board is authorized to review and act on by §120-903 of the Town of Windham Land Use Ordinance.*

*Title, Right, or Interest: The applicant has submitted a copy of a Quitclaim Deed with Covenant between Timm Realty LLC (Grantor) and Gateway Development, LLC (Grantee), dated August 5, 2014, and recorded on August 5, 2014, at the Cumberland County Registry of Deeds in Book 31719 and Page 84.*

*The applicant has submitted a copy of a Warranty Deed between The Rich Family Limited Partnership (Grantor) and Gateway Development, LLC (Grantee), dated March 1, 2006, and recorded on March 1, 2006, at the Cumberland County Registry of Deeds in Book 24400 and Page 96.*

*The applicant and the Town of Windham have entered into a Development Agreement where the Town intends to convey its fee interest in the paper street portion of the Drive In Lane right-of-way to Gateway Development, LLC.*

#### *ARTICLE 3 DEFINITIONS*

*DWELLING, MULTIFAMILY: "A building containing three or more dwelling units. A multifamily dwelling may be attached to nonresidential uses."*

*DWELLING, TWO-FAMILY: "A building containing two attached dwelling units. A two-family dwelling may, or may not, be attached to a nonresidential use."*

#### *ARTICLE 4 ZONING DISTRICTS*

- As shown on the Town of Windham Land Use Map approved by the Town Council, date January 27, 2026, Tax Map: 14; Lot: 9-B is located in the Commercial I (C-1) zoning district and Stream Protection (SP) shoreland zoning district governed by the provisions of*

#### *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.*

*§120-541 – Net residential area of acreage*

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

Districts).

§ 120-911 - SUBDIVISION PERFORMANCE STANDARDS

§ 120-911A – Basic Subdivision layout

(1) The property is 12.2 acres exceeding the minimum lot size in the Commercial I (C-1) zoning district Dimensional standards, per § 120-415E.

(a) The applicant provided a net residential density calculation by deducting 56,270 SF of road R/W, 86,050 SF of steep slopes, and 16,652 SF within the 100-year floodplain for the net area of 8.68 acres. The C-1 district does not have a net residential density standard to determine the allowed number of dwelling units.

(b) The five (5) proposed lots side lot lines are perpendicular to the proposed roadway.

(e) The E-911 Addressing Officer has assigned lot numbers and a street name, Monty Way, which are shown on the plan.

(2) The plans show where the proposed utilities will be located and shall be installed underground.

(3) The plans show the location of the proposed subdivision monuments.

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

(1) The applicants have shown connection with the public water system on the provided subdivision plan, from the end of the water main in Turning Leaf Drive, extending the main to serve the lots and dwellings in the subdivision.

- Fire hydrants shall be provided every 1,000 feet. The Fire Department requested that the hydrant shown on the February 2025 preliminary plan at the end of Turning Leaf (between buildings 9-10 and 11-12) be moved back to the intersection of Turning Leaf and Drive In Lane.

- The proposed buildings with more than 2 units must be served by sprinkler systems.

- The applicant provided an "Ability to Serve" letter from the Portland Water District dated February 7, 2025 approving the water and wastewater system to serve the development.

§ 120-911C - Erosion Control and Impact on Water Bodies

- The applicant provided a Class A high intensity soil survey plan, report and test pit logs, prepared by Mark Hampton Associates, Inc dated August 8, 2024.

- The applicant provided a memorandum of wetland delineation and vernal pool study of Turning Leaf Heights dated December 18, 2024 prepared by certified wetland scientist and licensed site evaluator Alexander Finamore of Mainely Soils, LLC describing the wetland and waterbody resources on the property and with a finding that the one vernal pool found onsite did not meet the criteria to be a Maine DEP significant vernal pool.

(1) The applicant has 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.

(2) The plan was developed by Maine licensed professional civil engineer stating that the plan will prevent soil erosion and sedimentation from entering water bodies, wetlands, and adjacent properties.

(3) The applicant or developer shall consider the topsoil as part of the subdivision is not to be removed from the site.

(4) Except for normal thinning and landscaping, existing vegetation shall be left intact to prevent soil erosion.

*§ 120-911D – Sewage disposal*

- *The development will connect to the public sewer system, which is currently under construction. Coordination with the Town of Windham and the PWD is ongoing.*
- *The applicant provided an “Ability to Serve” letter from the Portland Water District dated February 7, 2025 approving the water and wastewater system to serve the development.*
- *The Town Engineer requested that the applicant provide water/wastewater flow data from a similar, recently building residential development that may more realistically represent flow to be expected from this development.*
- *The applicant provided additional information in the February 5, 2026 response.*

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

*(1) The applicant is developing access from Turning Leaf Drive and Drive In Lane and development is located in proximity to existing development. A stream protection area along the eastern boundary protects Ditch Brook. The project avoids any development in the Stream Protection Shoreland Zone.*

*(a) The preliminary plan includes a note prohibiting 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 must provide a landscape plan including a list of proposed plant species and their size at the time of installation and maturity, including the street tree plantings no more than 50 feet apart. The plan set revised February 5, 2026 includes landscaping plans with plant lists for each lot in the subdivision.*

*(2) The final plan shall identify areas of open space and the condominium association documents identifies that the association is responsible for the common areas that includes the open space.*

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

- *The plan does meet the goals of the 2016 Comprehensive Plan and is located in the North Windham growth area.*

*Land Use Ordinance:*

- *There is no net residential density in this zoning district.*

*Subdivision Ordinance*

- *Standard notes and the standard conditions of approval and approved waiver must be shown on the plans.*

*• Per §120-913B(3)(d) the final plan shall include a note that it is the revision of a previously approved and recorded plan and shall show the title of the subdivision and the book and page or cabinet and sheet on which the original plan is recorded at the Registry of Deeds.*

*• Digital transfer of the subdivision plan data must be submitted with the final Plan submission for inclusion with the Town’s GIS*

*• The Traffic Impact Study contemplates phasing of the buildout of the development. In accordance with §120-914A(6) the Board may approve plans to develop a major subdivision in separate and distinct phases. This may be accomplished by limiting final approval to those lots abutting that section of the proposed subdivision street which is covered by a performance guarantee. A phasing plan should be submitted. Phased plans may be subject to any conditions the Board deems necessary in order to ensure the orderly development of the plan per §120-912C(1).*

*Growth Management, Chapter 101:*

- *Growth permits are required for the creation of each new dwelling not already been*

allocated by the Development Agreement approved by the Town Council. Growth permits for dwelling units to be located in a proposed subdivision, may be applied for after the project receives preliminary subdivision approval from the Planning Board pursuant to Article 9 of Chapter 120, Land Use.

§ 120-911G – Financial and Technical Capacity

- The applicant provided a cost estimate for the construction of the subdivision infrastructure and a letter from Maine Community Bank dated October 8, 2024 stating that the applicant has sufficient financial capacity to undertake the development.
- As evidence of technical capacity, the applicants contracted DM Roma Consulting Engineers.

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

- (1) The applicants have not anticipated impacts on the quality of the groundwater as the development will be connected to public sewer and public water systems.
- (2) The Portland Water District will provide the public water supply, and the development will not use private wells or groundwater.

§ 120-911I – Floodplain Management

- A portion of the property lies within Zone AE of the FEMA Flood Hazard Area, but no development is planned within this zone, ensuring compliance with floodplain management standards.

§ 120-911J – Stormwater

- (1) Stormwater management for subdivisions shall incorporate appropriate treatment measures for water quantity and quality to meet the requirements specified below for development of the lots as well as the infrastructure to support the project. Each application shall include, for each lot, maximum developed area, disturbed area, and impervious area, as those terms are defined in DEP Chapter 500, Stormwater Management.
  - o The Stormwater Management Plan included with the preliminary plan proposes to manage stormwater runoff from development with one (1) wet pond and roofline drip edges from each of the proposed buildings. The plan also included a stormwater maintenance and inspection plan.
  - The development will generate approximately 4.97 acres of impervious surfaces and a total developed area of 9.42 acres, requiring a Site Location of Development Permit and a Maine Construction General Permit (MCGP) from Maine DEP.
  - The development is subject to Maine DEP Site Location of Development Act Permit L-31404-87-A-N issued July 11, 2025.
  - The responsibility of maintaining the stormwater management system will be assigned to the future Condominium Association, as per §120-911N.
  - The Town Engineer reviewed the preliminary plan submission and provided the following comments:
    - o The report indicates that these stormwater BMPs treat 99% of the project's impervious surface and over 91% percent of the site's developed areas, which appears to be reasonable based on my review.
    - o Questions about the HydroCAD modeling analysis mention of a grassed soil filter and an EP-1 pond.
      - The applicant satisfactory responded to these comments in the February 5, 2026 submission by deleting the mention of the grassed soil filter and clarifying that the EP-1 pond is the existing non-significant vernal pool depression that functions as a pond in the stormwater model.

§ 120-911K – Conservation Subdivision

- *The project is not located in Farm (F), Farm Residential (FR), or in the Medium-density Residential (RM) zoning districts.*

§ 120-911L – Compliance with Timber Harvesting Rules

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

§ 120-911M – Traffic Conditions and Street

- *As the project includes 146152 residential units, there will be two points of access from the subdivision (Turning Leaf Drive and Drive-In Lane) to meet the standard requiring two connections to public streets.*
- *Subdivision that are expected to generate over 140 trips per day shall submit a traffic impact analysis per § 120-910C(3)(e).*
- *The Applicant submitted a Traffic Impact Study dated February 12, 2026 prepared by Barton & Loguidice that indicates that the subdivision is proposed to be developed in two Phases: Phase 1 of 64 multi-family units and 32 townhouse units and Phase 2 of an additional 56 multi-family apartment units. The analysis of the full build traffic operations generates 107 trips in the PM peak hour and 1038 trips during a typical weekday. Phase 1 will generate 84 trips in the PM peak house and 679 trips during a typical weekday. Phase 2 will trigger a MaineDOT Traffic Movement Permit.*
  - o *The traffic study was reviewed by Gorrill-Palmer on March 3, 2026 and additional information was requested related to capacity and turn lane warrant analyses, and crash mitigation for HCL #6 and #8.*
  - o *The Town Engineer commented that the rest of the application does not seem to reference project phases so this needs to be clarified.*
- *For final plan review the applicant shall provide an estimate of the number of new peak hour trips expected to pass through the Route 302/Anglers Road/Whites Bridge Road intersection in order to calculate the North Route 302 Road Improvements Impact Fee not in Condition #3.*
- *Turning Leaf Drive and Drive In Lane both exceed the required minimum 250 feet of sight distance for the 30 MPH posted speed.*
- *The applicant is proposing to extend Turning Leaf Drive, a private road, and Drive In Lane, a public street. The new subdivision streets should meet the Town's C-1 "Residential Street" standard for design and construction. found in Appendix B. Turning Leaf Drive beyond the intersection with Drive In Lane is proposed to be a private access drive to serve the multifamily development.*
  - o *The applicant has requested a waiver from the pavement width standard to allow the construction of the proposed residential street section that includes 24 foot pavement width.*
  - o *The condominium association will maintain the R/W road once the subdivision is completed. The development is also subject to a Road Maintenance Agreement for the portion of Turning Leaf Drive that leads from River Road to the development parcel.*
  - o *The private road note of §120-911M(5)(a)[5][e] is shown on the plan.*
- *The applicant should clarify if the "limit of accessway easement" is equal to the right-of-way width of Turning Leaf Drive in order to provide continuation of the road where future development is possible in accordance with §120-911M(3)(a).*
- *Driveway and street opening permits will need to be obtained from Windham Public Works prior to construction of the extension of Drive In Lane.*

§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.*
- *The condominium association documents shall be recorded in the Cumberland County Registry of Deeds within 90 days of the date that the subdivision plan is recorded. See COA #3.*

**SUBDIVISION CONCLUSIONS**

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 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 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, the lots created within the subdivision 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. (N/A)*
18. *For any proposed subdivision that crosses municipal boundaries, the proposed subdivision will/will not cause unreasonable traffic congestion or unsafe conditions with respect to the use of existing public ways in an adjoining municipality in which part of the subdivision is located. (N/A)*
19. *The timber on the parcel being subdivided has/has not been harvested in violation of rules adopted pursuant to Title 12, §8869, sub§14. (N/A)*

**CONDITIONS OF APPROVAL**

1. *Approval is dependent upon and limited to the proposals and plans contained in the application dated October 7, 2024 as amended [the date of the final plan approval] and supporting documents and oral representations submitted and affirmed by the applicant, and conditions, if any, imposed by the Planning Board. Any variation from such plans, proposals, supporting documents, and representations is subject to review and approval by the Planning Board or the Town Planner in accordance with §120-912 of the Land Use*

Ordinance.

2. The applicant shall, prior to Final Site Plan review, submit a revised traffic impact analysis reflecting the full build-out and all proposed phases of the development. The analysis shall include, at a minimum: (1) a traffic signal warrant analysis for the intersection of the Drive-In Lane and Route 302, prepared in accordance with applicable Maine Department of Transportation standards; and (2) identification of the projected development threshold, including the corresponding number of dwelling units, at which a Traffic Movement Permit (TMP) will be required by MaineDOT.

3. In accordance with §120-911N(5) of the Land Use Ordinance, the homeowners' association documents shall be approved as to form by the Town Attorney and recorded in the Cumberland County Registry of Deeds within 90 days of the date that the subdivision plan is recorded in the Cumberland County Registry of Deeds. Evidence of such recording shall be provided to the Planning Department. No lots shall be sold in the subdivision prior to recording of such homeowners' association documents and all deeds shall reference the declaration establishing the homeowners' association.

4. The development is subject to the following Article 12 Impact Fees, to be paid with the issuance of new building permits for the expanded uses: North Route 302 Road Improvements Impact Fee of TBD (TBD during final plan review per peak hour trip through Route 302/Anglers Rd/Whites Bridge Intersection); Public Safety Impact Fee; and Municipal Office Impact Fee. All fees will be determined and collected for any building, or any other permit for the development, §120-1201C.

5. 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 Manger's discretion, use the performance guarantee to either reclaim and stabilize or to complete the improvements as shown on the approved plan.

6. 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.

Seconded by Melissa Young.

Vote: All in favor.

**New Business**

- 5      [PB 26-006](#)      #25-12 Webb Road Subdivision (Formerly Webb Road Retirement Community) - Major Subdivision Sketch Plan Review - Webb Road & Read Road - Robie Holdings, LLC  
 The application is for the development of a 5-lot conservation subdivision on a 21.43 acre property. Four lots will be served by a minor private road 400 feet in length, private wells, private wastewater disposal systems, and underground utilities and be provided with 4.69 acres of open space. Lot 5 is intended to be retained by the owner for a future phase of development. Subject property is identified as Tax Map: 6; Lot: 33-F; Zone: Farm (F) and

Retirement Community and Care Facility Overlay District (RCCFO) in the Black Brook watershed.

- Attachments:** [25-12 WebbRd PB MEMO MJR SUB SKP 021826.pdf](#)  
[25-12 MJR SUB SKP PLAN WebbRd 2026 2 11.pdf](#)  
[25-12 MJR SUB SKP APPL WebbRd 2026 2 11.pdf](#)  
[25-12 PUBLIC COMMENT Parmelee 06-19-25.pdf](#)  
[25-12 PUBLIC COMMENT Andrews 02-20-26.pdf](#)

*Dustin Roma, from DM Roma Consulting Engineers, was present representing the application. He explained:*

- *The original plan had changed due to site challenges. They now proposed four single family lots on a smaller access road and a fifth lot that would be retained by the developer for later development under a different application.*
- *The access road would be built to minor private road standards, and it would be paved.*
- *They proposed wells for each lot, with sprinkler systems for houses.*
- *Waivers were requested.*

*Steve Puleo discussed:*

- *A two connection road was not really feasible because of ledge and slope on the property.*
- *The applicant requested waivers of the open space requirement.*
- *A waiver of the requirement for a hydrogeological assessment had been granted by staff.*
- *A conceptual plan of future development was needed.*
- *The public water connection waiver was not supported by the Fire Chief because of concern for limitations to future development of the property.*

*Board Comment*

- *What modifications would be necessary to meet the open space requirement?*
- *It felt uncomfortable to grant waivers on good-faith for a density or development the Board hadn't yet seen.*
- *The applicant owned the adjoining large lot, and the impact to it without a waiver would result in a smaller development.*
- *Would the well water be tested for potability vs. public water?*
- *There was too much currently unknown about future development to give positive guidance with waivers at the present time.*

## **Other Business**

### **6 Adjournment**

*Kathleen Brown made a motion to adjourn.*

*Seconded by Melissa Young.*

*Vote: All in favor.*