

APPLICATION COMPLETENESS & STAFF REVIEW COMMENTS MEMO

DATE: June 25, 2026

TO: Dustin Roma PE, DM Roma Consulting Engineers
Jarod Robie, Robie Holdings, LLC

FROM: Natalie Thomsen, Town Planner

Cc: Steve Puleo, Planning Director
Windham Planning Board

RE: 25-12 – MJR SUB SP – Legacy Village Retirement Community – Webb Road – Preliminary Plan Review – Robie Holdings, LLC

Scheduled for Planning Board meeting: **July 13, 2026**

Thank you for submitting your application on May 19, 2026. The application status is **complete/incomplete**. The staff has reviewed the application and found several outstanding items that need your attention before the Planning Board sketch plan review. Your application is **scheduled for review on July 13, 2026**. The Planning Board meeting is an "in-person meeting" at the Town Council Chambers in the Town Hall located at 8 School Street. The meeting begins at 6:30pm, and your attendance is required.

Project Information:

The applicant proposes to divide a 21.43-acre vacant parcel into two lots. Lot 1 (15.31 acres) is proposed to be developed as Legacy Village Retirement Community, a 30-unit detached dwelling retirement community served by a new private access drive (Legacy Drive, approximately 1,100 linear feet), a public 8-inch water main extension of approximately 1,000 linear feet along Webb Road connecting to the existing main at Gray Road, and a shared on-site wastewater disposal system utilizing FujiClean CEN Advanced Treatment Units. Lot 2 (6.12 acres) is proposed as a country subdivision lot for future single-family residential use with an on-site well and individual septic system. The project also includes three underdrained stormwater filter basins, curbed roadway with 5-foot sidewalk, street trees, six common parking spaces, and a mailbox/water meter shed structure at the Legacy Drive entrance on Webb Road.. Tax Map: 6; Lot: 33-F; Zone: Farm (F) / Retirement Community + Care Facility Overlay (RCCF) zoning districts in the Black Brook to Presumpscot River watershed.

Preliminary Subdivision Application Completeness

Staff has reviewed the application for Project 25-12, Legacy Village Retirement Community, submitted by Robie Holdings, LLC on May 19, 2026. The application includes a 24-section narrative, a 13-sheet plan set prepared by DM Roma Consulting Engineers (dated May 18, 2026), a Stormwater Management Report, a Class A High Intensity Soil Survey, a wetland delineation, watershed maps, and supporting agency correspondence. Staff has identified the following items requiring applicant response prior to or at the Planning Board preliminary review:

2. WAIVER REQUESTS

The applicant has submitted two waiver requests with the preliminary application:

Waiver 1 – Performance Standard §120-911(B)(1): Public Water System Connection for Lot 2.

The applicant requests a waiver to allow Lot 2 to be served by a private on-site well rather than a public water main connection, citing that extending the 8-inch main an additional 600 feet solely to serve one house lot is not economically feasible. A new public hydrant will be installed at the Legacy Drive/Webb Road intersection and will be located within 1,000 feet of the proposed Lot 2 structure, providing adequate fire protection. Staff requests that the Planning Board confirm whether this justification is sufficient and note that this waiver will carry forward to final plan review.

Waiver 2 – Submission Requirement §120-910(C)(3)(C): Hydrogeological Assessment. The applicant requests a waiver of the hydrogeological assessment requirement, noting that (a) Lot 1 will be served by FujiClean CEN Advanced Treatment Units designed to reduce nitrate-nitrogen to below 10 mg/L before discharge to the leach field, eliminating the need for a property-line nitrate calculation, and (b) Lot 2 is a 6.12-acre country subdivision lot sized to provide ample separation between on-site well and wastewater systems. Staff finds this justification reasonable at the preliminary stage, pending MDHHS approval of the engineered wastewater system for Lot 1.

Planning Department

§120-910C(1)(f) – Proposed Covenants or Deed Restrictions. Partially satisfied. Section 8 states that Legacy Village is intended to be developed as a condominium and that a Condominium Declaration will be submitted with the Final Plan application. The Declaration is required prior to final plan approval and must address maintenance responsibilities for Legacy Drive, the stormwater BMPs, common parking, and landscaping; transfer of stormwater maintenance to the condominium association; and unit owner roofline drip edge obligations. No response required at preliminary stage, but applicant should confirm this timeline at the hearing.

§120-910C(1)(k)[1] – PWD Capacity Letter (Water). Outstanding. The application states a Portland Water District Ability to Serve Letter is pending and will be provided upon receipt. This letter is required prior to final plan approval. The applicant should provide a status update at the preliminary hearing.

§120-910C(3)(d)/(e) – Traffic Impact Analysis. The application includes a trip generation analysis in Section 14 using ITE Trip Generation Manual (10th edition). The combined project is projected to generate 138 total daily vehicle trips, 11 AM peak hour trips, and 13 PM peak hour trips. The trigger threshold for a formal traffic impact analysis under §120-910C(3)(e) is 28 or more parking spaces or more than 140 vehicle trips per day. The proposed project includes parking for a minimum of 96 vehicles (30 units x 2 driveway spaces + 30 garage spaces + 6 common spaces) and projects 138 daily trips, which is just below the 140-trip threshold. Staff notes the parking count exceeds 28 spaces and recommends the Planning Board discuss with the applicant whether a formal traffic impact analysis is warranted, particularly given the unresolved sight distance concern at the Legacy Drive/Webb Road intersection

- [§120-910C\(3\)\(b\)](#) A landscape plan, including a list of proposed plant species and their size at the time of installation and maturity. The plan should include street trees required by [§120-911E\(1\)\(b\)](#).
 - The site plans (Sheets S-1 and S-2) show 26 street trees along Legacy Drive and 4 evergreen screening trees (minimum 6 feet tall) near the common parking area. That's it. What the plans do not include:
 - Species names for any of the trees
 - Sizes at time of installation
 - Sizes at maturity
 - Any foundation or ornamental plantings (Section 13 of the narrative says landscaping preference is "left to the individual unit owners")
 - A formal landscape plan sheet

Staff Review Comments

The memo will be updated as staff comments are provided.

As staff review comments related to compliance with any applicable review criteria become available, I will send them to you ASAP. We will need your response by July 8, 2025 or earlier to be included in the Planning Board agenda. Thank you for your attention to these matters. Provide one copy of your response to staff comments with all revised application materials and one (1) plan set. Email an electronic copy of your response letter, supporting documentation, and plan set. Please feel free to call me with any questions or concerns.

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