

**PLANNING BOARD MEMO • MAJOR SITE PLAN • SKETCH PLAN REVIEW**

DATE: September 18, 2025

TO: Windham Planning Board  
 FROM: Amanda Lessard, Senior Planner/Project Manager  
 Cc: Steve Puleo, Planning Director  
 Dustin Roma PE, DM Roma Consulting Engineers  
 Brandon Lussier, Lussier Apartments, LLC  
 RE: #25-23 Roosevelt Commercial – Amended Major Site Plan – Sketch Plan Review –  
 Roosevelt Trail – Lussier Apartments, LLC  
 Planning Board Meeting: September 22, 2025

**Overview**

The application is to construct a 4,980 sf building with associated parking for a contractor services use on a 1.25 acre property on Roosevelt Trail. The plan is an amendment to major site plan #05-28 North Business Park approved by the Planning Board on June 12, 2006. This lot was split off from the parcel at 233 Roosevelt Trail in 2022. Tax Map: 10A; Lot: 25A; Zone: Commercial III (C-3) in the Colley Wright Brook watershed.

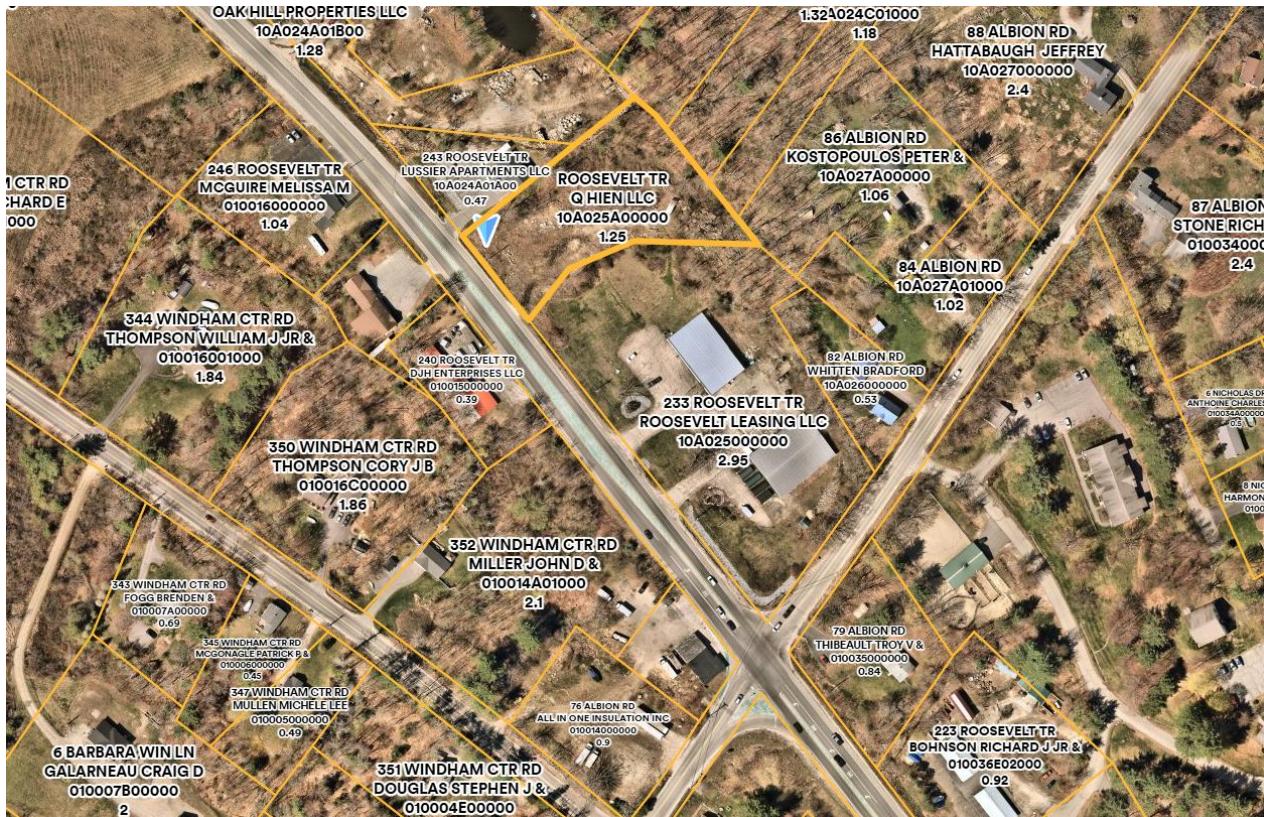


Figure 1: Aerial View of the subject parcel(s) relative to surrounding properties and street network

A Development Review Team meeting was held on September 8, 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 site plan application for project #25-23 Roosevelt Commercial 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 waive the requirements of [§120-812](#) if it finds that extraordinary and 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 #25-23 Roosevelt Commercial project at Roosevelt Trail and identified on Tax Map: 10A; Lot: 25A 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 Roosevelt Commercial project is classified as an amendment to a Major Site Plan, which the Planning Board is authorized to review 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 Warranty Deed from Q Hien, LLC to Lussier Apartments, LLC, dated August 26, 20245, and recorded on August 27, 202 at the Cumberland County Registry of Deeds in Book 41682 and Page 310.

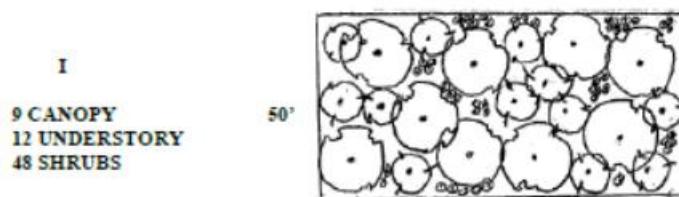
#### ARTICLE 4 ZONING DISTRICTS

- As shown on the Town of Windham [Land Use Map](#) approved by the Town Council, date August 15, 2023, Tax Map 10A Lot 25A is located in the C-3.
- The proposed land use, Contractor Services, is permitted use in the C-3 District [§120-412B](#).
- Per [§120-412E\(3\)](#) The proposed building will comply with the 60 feet minimum front setback from an arterial street (Route 302) as well as the 10-foot rear and side yards setbacks.
- Per [§120-412E\(4\)\(c\)](#) a minimum buffer is required along the along the street (see Article 5 [§120-511](#) performance standards below for more details).
- The property abuts the Farm Zone and according to [§120-412F\(7\)](#) a zoning district boundary buffer is required. See Article 5 [§120-511](#) performance standards below for more details.

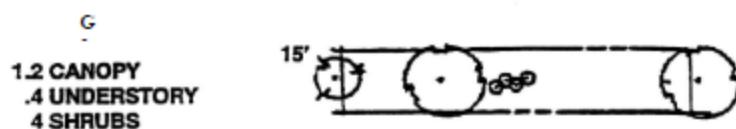
#### ARTICLE 5 PERFORMANCE STANDARDS

##### §120-511 – Buffer yards

C(3)(b) All nonresidential uses permitted in the commercial zoning districts and proposed to abut a Residential Zoning District shall use Buffer Yard I along the boundary abutting the Residential Zoning District line, see exhibit below.



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 parcel is approximately 1.25 acres in size, created in 2022 from Lot 10 which had received site plan approval in 2006 for the development of 2 warehouse buildings.
- The property has approximately 146 feet of frontage along Roosevelt Trail (Route 302).
- The property is currently undeveloped but appears to have trees cleared recently by the previous owner.
- No wetlands are shown on the plan.

### **§120-812B – Vehicular Traffic**

**(1)** The site is located on the north easterly side of Roosevelt Trail and abuts another property owned by the applicant.

(a) For the final plan review, the applicant shall demonstrate that intersections on arterial streets within a half mile of any entrance road which are functioning at a level of service D or better prior to the development shall function at a minimum at level of service D after development.

(b) For the final plan review, the applicant shall provide a traffic analysis provide evidence the existing streets 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 shall be designed to have minimum sight distance, according to MDOT and [Appendix B Street Design and Construction Standards](#) (710 feet in each direction), 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 site is proposed to be accessed through a 24-wide driveway to Roosevelt Trail.

(a) Private entrances/exits shall be located in accordance with Table 2 in [Appendix B Street Design and Construction Standards](#). This requirement may be reduced if the shape of the site does not allow conformance with this standard.

- The applicant is proposing to improve an existing curb cut on Roosevelt Trail. There are no records that this entrance was previously permitted. The change of

use requires the applicant to acquire, per [120-522C](#), before the construction activity occurs, an entrance permit from the Town's Department of Public Works.

- Route 302 is this section has a posted speed of 45 mph, therefore the driveway access must meet a separation requirement of 265 feet in accordance with Table 2 in Appendix B.
- Following discussion at the development review team meeting the applicant stated existing driveways that are on the same side of the street the distance between the northern edge of the new driveway and the nearest edge of the driveway to the north is approximately 110 feet and the distance between the southern edge of the new driveway and the closest edge of the driveway to the south is approximately 220 feet. There are 2 driveways on the opposite side of the street within 265 feet of our proposed driveway entrance, one has 20 feet of separation to the south and the other has 90 feet of separation to the north.

(b) Private accessways in or out of a development shall be separated by a minimum of 75 feet where possible.

(c) Accessways shall be aligned with accessways on the opposite side of a public street to the greatest extent possible. There is a mountable concrete median, nearly flush with the pavement, located in the center of Route 302.

(4) The applicant is a site designed to allow internal vehicular circulation 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 5 parking spaces, including one (1) ADA parking spaces, for the 4,980 sf buildings. Three overhead doors are proposed for the rear portion of the building – one on the front and two on the side.

(b) All parking spaces, access drives, and impervious surfaces are to be located at least five feet from any side or rear lot line.

(d) All parking stalls proposed meet the 90 degree parking requirement to be a minimum stall width of at least nine feet zero inches and a stall depth of at least 18 feet zero inch.

(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 a Contractor services commercial development, in which pedestrian traffic within or adjacent very rarely 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.

#### **§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 building is proposed to be served by a private well. Public water is not available in the public street adjacent to the property.

- At the Development Review Team meeting the applicant noted that there is an existing public fire hydrant within 1,000 feet of the building, at Route 302 on the south side of Albion Road, so sprinklers are not required for this buildings by [Chapter 70](#).

#### **§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 service development.

#### **§120–812I – Utilities**

- The proposed building shall be served by underground utility connection (electrical, telephone, and telecommunication services).
- A utility and grading plan shall be provided for the final plan review.

#### **§120–812J – Groundwater Impacts**

- 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**

(3) The site is in the Colley Brook watershed and is not in a direct watershed of lakes most at risk from new development or in an urban impaired stream watershed as identified by the Maine Department of Environmental Protection.

#### **§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 shall provide Lussier Apartments, 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 DM Roma Consulting Engineers 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 September 2, 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. 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](#).