

## APPLICATION COMPLETENESS & STAFF REVIEW COMMENTS MEMO

DATE: July 16, 2025

TO: Dustin Roma PE, DM Roma Consulting Engineers  
Blaine Rich, Gateway Development LLC

FROM: Amanda Lessard, Senior Planner/Project Manager

Cc: Steve Puleo, Planning Director  
Windham Planning Board

RE: #24-31 Turning Leaf Heights - Major Site Plan & Subdivision - Preliminary Plan Review -  
Turning Leaf Drive - Gateway Development LLC

Requested Planning Board meeting: July 28, 2025

Thank you for submitting your preliminary application on July 7, 2025. The application is **incomplete**. The staff has reviewed the application and found several outstanding item listed below under **"Preliminary Subdivision Application Completeness"** that must be provided before the Planning Board preliminary plan review is scheduled for a public hearing, in accordance with Windham Land Use Ordinance [§120-907B\(4\)\(b\)](#). As the application is not complete to meet the advertising deadlines for the July 28<sup>th</sup> meeting, the review will be postponed. Your application is tentatively **scheduled for review on August 11, 2025** if the application is found to be complete by July 30, 2025. 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 6:00pm, and your attendance is required.

### **Project Information:**

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 149 residential dwelling units in 14 buildings consisting of three (3) buildings with 31 units each, two (2) buildings with 12 units each, seven (7) buildings with four (4) units each, and two duplex buildings. 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.

### **Preliminary Subdivision Application Completeness**

- [§120-910C\(1\)\(a\)](#) A fully executed and signed application form. Property owner/applicant's name (principal(s) of LLC) is not included on the application form.
- [§120-910C\(1\)\(d\)](#) Evidence of right, title or interest in the Drive-In Lane right-of-way.
- [§120-910C\(3\)\(b\)](#) Landscape Plan. For the subdivision application the landscaping plan should include the buffer yard landscaping and street right-of-way plantings. Additional landscaping plans for each lot may be included in the final site plan submission.
- [§120-910C\(3\)\(e\)](#) Traffic Impact Analysis. The Planning Director does not support granting this submission requirement waiver as the information is required to determine compliance with the standards of [§120-911M](#) and criteria of the Land Use Ordinance.

- [§120-913B\(3\)](#) Revisions to approved plans submission requirements. This plan amends the 3rd Amended Subdivision Plan of the Rich Family Limited Partnership Property approved December 9, 2013 and recorded at Plan Book 231 Page 455 to remove the cul-de-sac on Lot 12. The application should include a copy of the approved plan and the proposed plan should include the amendment note required by [§120-913B\(3\)\(d\)](#).

### **Staff Review Comments**

*The memo will be updated as staff comments are provided.*

### **Planning Department**

*As the application is for Preliminary Subdivision Review, the submission has not been fully reviewed against the Site Plan Review standards of Article 8.*

1. Per [§120-911A\(3\)\(b\)](#), all subdivision boundary and lot corners shall be marked. There are several property corners on the subdivision plan that do not show existing or proposed iron pins.
2. Buffer Yard G (15') is required adjacent to and parallel with the front property line of a lot or parcel per [§120-511C\(3\)](#). Show the buffer yard on the subdivision and site plan.
3. The maximum building height noted on the plan is incorrect. See [§120-410E\(7\)](#).
4. The minimum front yard noted on the plan is incorrect. See [§120-410E\(4\)](#). Show the front setback on the plan. Confirm compliance of this front setback dimensional standard for each lot.
5. General Note 2 lists the parcel area as 12.2 acres while the 2013 subdivision lists the parcel area as 11.92 acres. The submitted April 2023 boundary survey does not include lot areas. Please clarify the parcel size.
6. Show the net density calculations on the plan. While there is no net density in C-1, the gross area should be quantified as specified by [§120-541B](#).
7. The preliminary plan application is for the development of 149 dwelling units. The Site Location of Development Act Permit issued by Maine DEP on July 11, 2025 is for the development of 146 residential dwellings. For final plan review, provide a revised permit or documentation from DEP that revision to the permit is not required for the additional dwelling units.
8. What is the street type from [Appendix B](#) proposed for the extension of Turning Leaf Drive and Drive In Lane? The typical roadway section on Sheet D-2 does not comply with the traffic lane width of the residential or commercial street standard required in the C-1 District in accordance with [§120-410F\(11\)](#).
9. The two perpendicular parking spaces located along Drive-In Lane do not meet the street design standard. The commercial and residential street standards allow for the right-of-way and pavement width to be increased by additional width required by a perpendicular parking configuration.
10. Per [§120-911E\(2\)\(c\)](#), the common land shall be shown on the final plan with appropriate notations on the plan to indicate it shall not be used for future building lots.
11. For final plan review, 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 determine the amount of the [North Route 302 Road Improvements Impact Fee](#).
12. The dumpster pad on Drive-In Lane is within the front yard setback and must be relocated.

13. Is a sign proposed for any portion of the multifamily development? If so, for final plan review, provide the location, front view, materials, and dimensions of proposed signs, together with the method for securing the sign in accordance with [§120-811B\(1\)\(d\)\[2\]\[h\]](#).
14. [§120-814A](#) Multifamily Development Standards. For final plan review:
  - a. The site plan shall designate, within the common open space, the required amount of contiguous area (9,450 square feet for 149 units) and the proposed constructed amenities for passive use or active areas required by [§120-814B\(4\)\(c\)](#).
  - b. Parking areas with 40 or fewer parking stalls shall landscape a minimum of 10% of the total area. Parking areas with greater than 40 parking stalls shall landscape a minimum of 15% of the total area.
  - c. Show snow storage areas on the plan.
15. Recommended CONDITIONS OF APPROVALS:
  1. Approval is dependent upon and limited to the proposals and plans contained in the application dated February 17, 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. In accordance with [§120-911N\(5\)](#) of the Land Use Ordinance, 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 in the Cumberland County Registry of Deeds. Evidence of such recording shall be provided to the Planning Department. No units shall be sold in the subdivision prior to recording and all deeds shall reference the declaration establishing the condominium association.
  3. 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](#).
  4. In accordance with [§120-914B\(5\)](#) of the Land Use Ordinance, the Construction of improvements covered by any subdivision plan approval shall be completed within two years of the date upon which the performance guarantee is accepted by the Town Manager. The developer may request a one-year extension of the construction completion deadline prior to the expiration of the period. Such request shall be in writing and shall be made to the Planner. The Town Manager may require an update to the schedule of values and the amount of the guarantee when accepting an extension of the construction period. If construction has not been completed within the specified period, the Town shall, at the Town Manager's discretion, use the performance guarantee to either reclaim and stabilize or to complete the improvements as shown on the approved plan.

5. 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.

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 to “**Staff Review Comments**” by August 6, 2025 or earlier to be included in the Planning Board August 11<sup>th</sup> 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 at (207) 207-894-5900 x 6121 or email me at [allessard@windhammaine.us](mailto:allessard@windhammaine.us).