

PLANNING BOARD MEMO • MAJOR SUBDIVISION • FOLLOW-UP SKETCH PLAN REVIEW

DATE: July 22, 2026

TO: Windham Planning Board
FROM: Natalie Thomsen, Town Planner
Cc: Steve Puleo, Planning Director
Dustin M. Roma, P.E. DM ROMA
Garrett McDonnell, Highland Cliff Estates, LLC.

RE: #26-10 - Major Subdivision Follow-Up Sketch Plan Review - Highland Cliff Estates
Subdivision - 180 Highland Cliff Road -- Highland Cliff Estates, LLC.

Planning Board Meeting: July 27, 2026

Overview –

This application seeks approval for a 27-lot residential conservation subdivision located in the Farm (F) Zoning District on Tax Map 3, Lot 49-A, within the Colley Wright Brook watershed. The project involves separating the existing farmhouse and barn onto a 4-acre parcel, with the remaining approximately 46 acres proposed for development. The subdivision will include 27 single-family house lots and approximately 23.96 acres of designated open space. Development is proposed in two phases: Phase I will create 12 lots, and Phase II will include the remaining 15 lots. Construction will occur in two corresponding sequences, with Sequence 1 establishing the initial 12 lots and roadway infrastructure, followed by Sequence 2 completing the remaining 15 lots.

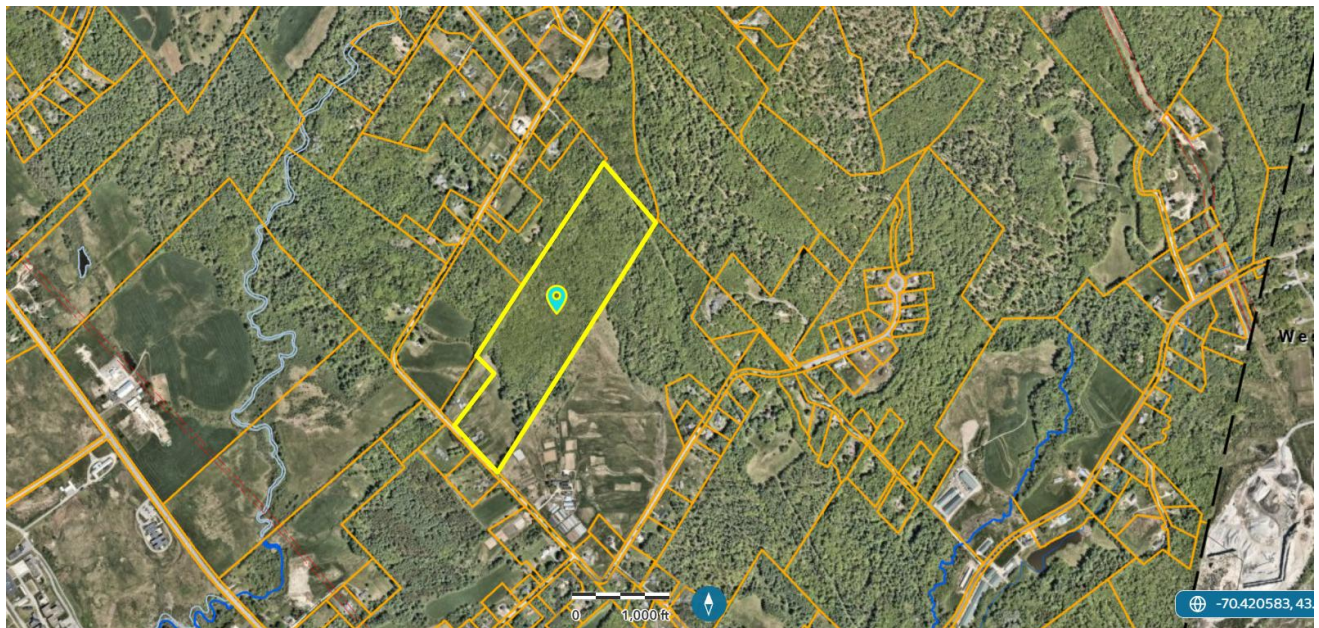


Figure 1: Aerial View of the subject parcel relative to surrounding properties and street network.

REVIEW HISTORY

A Development Review Team meeting was held on May 21, 2026. This memo reflects comments provided at the meeting from staff to the applicants. At the Development Review Team meeting, the applicant discussed a phasing of development vs. two construction sequences which serve different functions in the review process.

The Planning Board conducted the initial Sketch Plan review of the proposed 27-lot conservation subdivision at its June 8, 2026 meeting. At that meeting, the Board provided feedback on the proposed lot layout in the open field area along Highland Cliff Road, the roadway terminus design, the requested open space waiver, and the proposed approach to phasing. At its July 13, 2026 meeting, the Board voted to conduct a site walk of the property.

In response to the Board's feedback, the applicant submitted revised Phase 1 and Overall plans dated July 7, 2026, and requested the opportunity to return to the Planning Board for a follow-up Sketch Plan review of the revised design. On July 21, 2026, the applicant submitted a written narrative describing the revisions and the justification for the request, together with revised plans dated July 21, 2026. This follow-up review is at the applicant's request; it is not a new Sketch Plan review required by staff due to a substantial change under [§120-907B\(4\)\(b\)](#).

The applicant's July 21, 2026 narrative describes the following revisions:

- Lots 1 and 2, previously proposed in the field area, have been relocated so that no new lots are located between Highland Cliff Road and the existing tree line. The homes on these lots will be set back approximately 1,000 feet from Highland Cliff Road to maintain rural character and provide buffering along the existing roadway.
- The roadway terminus for the overall 27-lot layout has been revised to a cul-de-sac in place of the previously proposed hammerhead. The Phase 1 plans retain a hammerhead terminus so the Phase 2 roadway extension can be integrated into the road design.
- A 50-foot wide open space area is reserved off the southeast side of the cul-de-sac, connecting to a 50-foot wide perimeter buffer area extending north. The narrative notes this area could potentially serve future roadway connectivity, provided suitable replacement open space is provided to the satisfaction of the Planning Board.

The narrative also clarifies the intended approval structure: the applicant intends to submit the entire 27-lot subdivision for Preliminary Plan approval and, once obtained, to submit the Phase 1 plan for Final Plan approval, including the MDEP Stormwater Permit through the Town's delegated review authority. The area reserved for Phase 2 will remain part of Lot 12 until Phase 2 is approved by the Town, consistent with the reserved-development-rights approach under [§120-911K\(4\)\(d\)](#).

Sketch Plan review under §120-907A(3) is informational. The Board may discuss the revised layout and share its reactions to the open space request; however, it cannot take formal action at sketch on a waiver of the [§120-911K\(6\)\(b\)](#) performance standard. That decision would come with the Preliminary Plan, supported by written responses to each of the criteria in [§120-908C\(2\)](#). Any feedback provided at the July 27, 2026 meeting should be understood as advisory rather than an indication of how the Board will ultimately vote.

The Board shall consider phasing development under [§120-914A\(6\)](#) as formal approval tool that divides the project into distinct stages, with each phase subject to separate final approval and completion requirements before the next phase proceeds. In contrast, construction sequencing refers to the order and timing of construction activities within an approved phase and is primarily a project management approach to control site work and minimize impacts. **For this review, the distinction is important because the applicant's proposed "construction sequences" do not replace or modify the ordinance requirements for phasing, and the Board must ensure that any phased development complies with §120-914A(6), while sequencing remains an implementation detail within those approved phases.**

The Board's review will focus on whether the submission provides a clear understanding of the site and identifies the key opportunities and constraints that will guide its development. The ordinance requires the applicant to follow the design process outlined in [§120-911K\(3\)\(a\)](#), which includes the following elements:

- Subdivision plans must delineate open space areas, including all primary conservation areas and, where appropriate, secondary conservation areas with significant resource value.
- Open space design must account for required setbacks, high-value natural resources, adjoining properties, connectivity, overall size, and clearly defined boundaries.
- Proposed building sites must be tentatively located in compliance with required setbacks, including 100 feet from primary conservation areas, 50 feet from secondary conservation areas, 100 feet from existing streets, and 50 feet from external property boundaries.
- To enhance connectivity between open space areas and building sites, the street layout should be coordinated with a planned trail system. **In accordance with [120-911K\(3\)\(d\)](#), a trail system is required at the Preliminary Plan review.**
- Lot lines shall be established only after building envelopes, open space areas, and circulation systems have been designed, and shall reflect the approved site layout.

SUBDIVISION REVIEW:

PLEASE NOTE: This staff memo is a guidance document for Board review. Suggested topics for discussion are identified as follows:

- ~~Strikethrough text~~ indicates items carried forward for final review.
- **Bold italic underlined text** indicates unaddressed existing and/or new staff comments.
- Plain underlined text indicates items addressed by the applicant.
- *Italic text* indicates information that is for reference or has been previously reviewed and/or approved.

Staff Comments:

1. Complete Application: *N/A with Sketch Plan*

MOTION: ~~I move the Major Subdivision application for project #26-10 Highland Cliff Estates Subdivision project 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:

Limitation of Waivers. The granting of a submission requirement waiver or site waiver may not conflict with, nor negate, any State Statutory requirements for the subdivision of land.

SUBMISSION REQUIREMENTS

The Planning Director, or designee, may waive any of the submission requirements of [§120-910](#) based upon a written request by the applicant that includes the reasons for which a waiver is sought. 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 or that the information relates to a standard that is not applicable to the application. Per [§120-908B\(1\)](#) the Planning Director is not required to use any criteria in used in determination on the granting of a waiver of the submission requirements.

No waiver requested

PERFORMANCE STANDARDS

Waiver of the Site Plan Performance Standards. The Planning Board may waive the requirements of [§120-911](#) if it finds that extraordinary and unnecessary hardships, 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 applicants, but rather shall be granted at the discretion of the Planning Board. The applicants shall submit a list of the requested waiver(s) in writing. For each waiver requested, the applicants shall submit with the Preliminary Plan submittal answers to each criterion in [§120-908C \(2\)](#).

Performance Standard Waivers Requests: ONE

a) [§120-911K\(6\)\(b\)\[1\]&\[2\]](#): Minimum open space required

This is a request to waive the Land Use Ordinance (LUO) requirement for open space calculation. Under the LUO, required open space is calculated as the net residential area plus 50% of the remaining land not deducted from that area. The applicant asserts that strict application of this standard would reduce the achievable lot yield based on the net residential density calculation (27 lots). The proposed subdivision design minimizes impacts by avoiding nearly all on-site wetlands.

Based on the ordinance formula, the required open space is 26.78 acres. The applicant proposes 23.96 acres, resulting in a deficiency of 2.82 acres. If the waiver is granted, open space would comprise approximately 52.1% of the gross land area, compared to the required 58.2%. **The applicant's July 21, 2026 narrative references 23.93 acres provided (52.0%) and 26.80 acres required (58.3%); these figures shall be reconciled for Preliminary Plan review.** Approximately 3.3 acres of the site are allocated to road rights-of-way.

MOTION: ~~I move to approve the waiver requests pursuant to [§120-911K\(6\)\(b\)\[1\]](#) and [\[2\]](#), waiving the minimum open space requirement and allowing a 10.5% reduction from the required open space standard.~~

3. Public Hearing: The Planning Board shall determine whether to hold a public hearing on the preliminary plan.
4. Site Walk: At its July 13, 2026 meeting, the Planning Board voted to conduct a site walk of the property. Staff will coordinate scheduling of the site walk with the applicant.

Findings of Fact, Conclusions, and Conditions of Approval for the Windham Planning Board:

MOTION: ~~[I move] the Final Major Subdivision application for the #26-10 Highland Cliff Estates Subdivision development identified on Tax Map: 3; Lot: 49-A; Zone: F zoning district and located in the Colley Wright Brook watershed is to be (approved with conditions/denied) with the following Findings of Fact, Conclusions, and Conditions of Approval.~~

FINDINGS OF FACT

Jurisdiction: The Highland Cliffs Estates Subdivision project is classified as a Major 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 submitted a copy of a Deed of Sale recorded on January 29, 2026, at the Cumberland County Registry of Deeds in Book 42022 and Page 130.

ARTICLE 3 DEFINITIONS

[Dwelling, Single-Family Detached](#): “freestanding building containing one dwelling unit.”

[Subdivision](#): A division of a tract or parcel of land as defined in 30-A M.R.S.A. § 4401, as amended from time to time; provided, however, that the Town of Windham does hereby elect to count lots of 40 or more acres as lots for purposes of subdivision review.

[Conservation Subdivision](#): A form of development that permits a reduction in lot area and bulk requirements, and the remaining land area is devoted to open space, active recreation, preservation of environmentally sensitive areas, or agriculture. (See Article [4](#), Zoning Districts, and Article [9](#), Subdivision Review.)

ARTICLE 4 ZONING DISTRICTS

As shown on the Town of Windham [Land Use Map](#) approved by the Town Council, date February 18, 2026, Tax Map: 3, Lot: 49-A; Zone The property is located in Farm (F) zoning district.

ARTICLE 5 PERFORMANCE STANDARDS

§120-511 – Buffer yards

[B\(1\)\(a\)](#) At perimeter property lines of conservation and country subdivisions a 50 foot naturally vegetated setback is required .

[B\(4\)\(f\)\[1\]](#) Trails can be created within the buffer yards provided the required effect of the buffer yard is not compromised

C(3)(f)[1][b] Private way or private road frontage: use Buffer Yard D, E, or F.

§120-541B – Net residential area of acreage

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). The eight (8) deductions shall be subtracted from the gross acreage of the lot.

§120-911 - SUBDIVISION PERFORMANCE STANDARDS

§120-911A – Basic Subdivision layout

- (1) The subject parcel is approximately 45.98 acres (2,003,092 SF) in the Farm (F) District, exceeding the minimum lot size in that zone, per [§120-406E\(1\)](#).

 - (a) The applicant has provided a net residential area calculation by deducting road right-of-way (143,559 SF), wetlands (169,436 SF), and steep slopes over 25% (17,372 SF) from the total parcel area, yielding a net residential area of 1,672,715 SF . At the required 60,000 SF per dwelling unit (Farm District), this net area supports 27 dwelling units . The proposal includes 27 single-family residential lots, which conforms to the net density standard.
 - (b) The subdivision is designed as a conservation subdivision with reduced individual lot sizes (~30,000 SF) and a total of 23.96 acres of open space to be preserved (52.1% of the parcel). A private roadway of approximately 2,700 feet in length (built in two phases) will provide access from Highland Cliff Road to all lots.
- (2) **For Preliminary Plan review**, the applicant shall show the proposed locations of all new utilities, which are required to be installed underground per [§120-911A\(2\)](#).
- (3) The Sketch Plan indicates proposed monumentation locations; final monumentation shall meet the standards of [§120-911A\(3\)](#) at the time of plan recording.

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

- (3) **For the Preliminary Plan review**, The subdivision will be served by individual private wells and on-site subsurface wastewater disposal systems for each lot, consistent with [§120-911B](#) and State law

 - (a) **For Preliminary Plan review**, per [§120-911B\(3\)\(a\)\[3\]](#), “Wells shall not be constructed within 100 feet of the traveled way of any street if located downhill from the street, or within 50 feet of the traveled way of any street if located uphill of the street. This restriction shall be included as a deed restriction to the affected lots.”
 - **For Preliminary Plan review, the applicant shall delineate the locations of private wells and septic system disposal fields on each lot, in compliance with Maine Subsurface Wastewater Disposal Rules.**
 - (b) **For Preliminary Plan review**, the residential subdivision shall provide adequate water storage facilities either in the form of residential sprinkler systems or a cistern per size and location of cistern.

§120-911C - Erosion Control and sedimentation control

- (1) **For Preliminary Plan review**, the applicant shall submit an erosion and sedimentation control plan consistent with Maine DEP Chapter 500 standards (Appendix A, B & C), illustrating erosion control measures during construction.
- (2) For the **Preliminary Plan review**, the applicant shall provide a written erosion control certification by a Maine-licensed Professional Engineer, addressing measures to prevent sedimentation of waterbodies, wetlands, and adjacent properties.
- (3) For the **Preliminary Plan review**, the applicant shall confirm that topsoil will not be removed from the site and will be retained or restored on each lot.
- (4) Except for normal thinning and landscaping, existing vegetation shall be retained to the maximum extent possible to prevent undue soil erosion. The Planning Board may require additional measures to address or prevent erosion in the proposed subdivision as design progresses.

§120-911D – Sewage disposal

- (2) The applicant proposes individual subsurface wastewater disposal systems (septic systems) for each lot, to be installed in compliance with State of Maine Subsurface Wastewater Disposal Rules.
 - **For Preliminary Plan review, the applicant shall provide test pit logs and system base design information for each lot, demonstrating site suitability for subsurface wastewater disposal.**
 - **For Preliminary Plan review, the applicant shall submit a hydrogeologic assessment of nitrate-nitrogen concentrations to verify septic systems will meet Maine Drinking Water standards at property lines.**

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

- (1) The proposed development layout clusters new house lots and roadways on the most suitable portions of the site, preserving significant open space areas and avoiding impacts to primary environmental resources (wetlands and steep slopes). No direct wetland filling is proposed, and no significant vernal pools are present on the property.
 - (a) **For Preliminary Plan review**, the applicant shall add a note to the plan prohibiting removal of vegetation within identified tree save areas and where tree cover is depicted on the plan for at least five years, except for normal maintenance. Mandatory buffers 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) **For Preliminary Plan review**, the applicant shall submit a landscaping plan identifying proposed street trees (species and planting size) and any new buffer plantings, including the street tree plantings no more than 50 feet apart.
- (2) **For Final Plan review**, the applicant shall provide reservation or dedication and maintenance of open space, common land, facilities such as the stormwater management system, among others, and service in the form of homeowner's association documentation, under **§120-911N**.

§120-911F – Conformance with Land Use Ordinances

Comprehensive Plan:

- The proposed subdivision, with approval of the requested waiver and resolution of the conditions noted herein, will be in conformance with the standards of Chapter 120 (Land Use Ordinance) and is generally consistent with the 2017 Comprehensive Plan..

Land Use Ordinance Chapter 120:

- The net residential density in the Farm zoning district is 60,000 SF.

Subdivision Ordinance, Chapter 120 Article 9:

- **For Preliminary Plan review,** the applicant shall incorporate all standard notes, any waiver approvals, and any conditions of approval as notes on the plan, as required.
- **For Final Plan review,** the applicant shall submit a digital copy of the approved plan in a format acceptable to the Town for inclusion in the Town's Geographic Information System (GIS), in accordance [§120-912F](#).

Growth Management, [Chapter 101](#):

- Growth permits are required for the creation of each new single-family dwelling. Growth permits for dwelling units to be located in a proposed subdivision, may be applied for after the project receives preliminary plan approval from the Planning Board pursuant to Article 9 of Chapter 120, Land Use.

§120-911G – Financial and Technical Capacity

- (1) **For Preliminary Plan review,** the applicant shall submit documentation of financial capacity, including an itemized cost estimate and evidence of funding (e.g., bank statements, financing commitments, or other proof).
- (2) **For Preliminary Plan review,** the applicant shall submit documentation of technical capacity, including the qualifications and relevant experience of the project consultants and any construction contractors who will build and inspect required subdivision improvements.

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

The applicant will perform a hydrogeologic evaluation, per [§120-910C\(3\)\(c\)\[3\]](#), to assess nitrate impacts from septic systems on groundwater quality (as noted in the Sketch Plan application).

- (1) **For Preliminary Plan review,** the applicant shall provide the results of the groundwater impact (nitrate) analysis to demonstrate the subdivision will not increase contaminant concentrations in groundwater above applicable standards.
- (2) **For Preliminary Plan review,** the applicant shall demonstrate that the subdivision will not cause undue groundwater level drop beyond the property boundaries.

§120-911I – Floodplain Management

The parcel is not located within a 100-year FEMA floodplain, and no flood hazards are anticipated from this subdivision development.

§120-911J – Stormwater

- (1) **For Preliminary Plan review**, the applicant shall submit a stormwater management plan (in accordance with Maine DEP Chapter 500) for both construction and post-construction phases of development. This plan shall include stormwater runoff calculations and demonstrate appropriate stormwater quality treatment and quantity control measures for new impervious areas. The plan shall also propose maximum impervious area and developed area limits for each lot in compliance with Chapter 500, per the Town's Delegated Review Authority (DRA) to issue a Stormwater permit.
- **For Final Plan review**, the applicant shall provide a final DRA Stormwater permit and draft Homeowners' Association (HOA) documents assigning long-term responsibility for operation and maintenance of the stormwater management system (see [§120-911N](#)).

§120-911K – Conservation Subdivision

- (1) The applicant proposes a Conservation Subdivision in accordance with § 120-911K, reducing individual lot sizes to approximately 30,000 SF and preserving roughly 23.96 acres as open space (52.1% of the parcel). The applicant is proposing a waiver request [§120-911K\(6\)\(b\)\[1\]&\[2\]](#): Minimum open space required, (see page 4 for details).
- Per [§120-911K\(3\)\(a\)\[2\]](#), The subdivision plan identifies primary conservation areas on the site (including wetlands and areas of >25% slope) and preserves them within the designated open space. Secondary conservation areas (e.g. wooded buffers) are also incorporated to maintain rural character.
 - The plan does not currently demonstrate compliance with the required 100-foot setbacks from primary conservation areas (and 50-foot from secondary areas) per [§120-911K\(3\)\(c\)](#). **For Preliminary Plan review**, the plan shall clearly show building envelopes or other notations to ensure these setback areas are protected during single-family house construction.
 - **For Preliminary Plan review**, the applicant shall include a pedestrian trail system plan within the open space, per [§120-911K\(3\)\(d\)&\(e\)](#).
 - The applicant's open space area (23.96 acres) is 2.82 acres less than required by [§120-911K\(6\)\(b\)](#) (see Waiver request, above)
 - **For Final Plan review**, the applicant shall add a condition of approval requiring that required open space buffers (e.g. the 50' external perimeter buffer) be permanently marked in the field prior to construction and protected via deed restriction.
 - The use of the open space shall not be for commercial or private clubs, but to be used by the homeowner's association.

§120-911L – Compliance with Timber Harvesting Rules

- **For Preliminary Plan review**, the applicant shall describe measures taken to ensure the subdivision complies with State timber harvesting standards, given that minor timber harvesting was conducted on the site in 2025.

§120-911M – Traffic Conditions and Street

- (1) Traffic generation: At full buildout (27 homes), the subdivision is projected to generate approximately 255 vehicle trips per day, including about 25 peak-hour trips . The project will be built in two phases (12 lots in Phase 1; 15 lots in Phase 2)

- (2) A street opening permit from the Windham Public Works Department will be required for the new road entrance on Highland Cliff Road.
- (3) The applicant proposes to construct a 2,700 ± foot road built to the Minor Local Street standard, within a 50' right-of-way, ending in a hammerhead turnaround (with additional turnaround areas in each phase). The road is intended to remain private unless accepted by the Town Council as a public street in the future.
- **For Preliminary Plan review**, the applicant shall demonstrate that the proposed road design complies with the Town's Appendix B – Street Design and Construction Standards, including provision of a 20' paved travel way with 2' shoulders (or 3' if no sidewalk), per [§120-911M\(5\)\(b\)\[6\]\[b\]\[iii\]](#).
 - A streetlight at the intersection of the subdivision street may be required by the Planning Board per [§120-911M\(3\)\(d\)](#).
 - The subdivision road will remain private unless accepted by the Windham Town Council as a public road. *If the applicant intends the road to be public, planning staff will initiate the process with Public Works and the Town Council. The process for Town acceptance of streets can be found at [§ 120-911M\(6\)](#).*
 - At the **Development Review Team meeting**, Fire/Rescue staff indicated that the hammerhead turning geometry must accommodate emergency vehicles. **The School Department will use the road only if school buses can turn without requiring backing maneuvers.** **For Preliminary Plan review**, the applicant shall include turning templates or other evidence that the turnaround design meets this requirement.
- (4) The subdivision's access shall meet the requirements of [Appendix B](#).

§120-911N – Maintenance of common elements.

- **For Final Plan review**, the applicant shall submit draft Homeowners' Association (HOA) covenants and bylaws (or similar legal documents) for the Town's legal review, assigning maintenance responsibility for all common elements, including private roads, open space areas, and the stormwater management system.

CONCLUSIONS (Final Plan Review)

1. ~~The development plan reflects/does not reflect the natural capacities of the site to support a residential subdivision.~~
2. ~~Buildings, lots, and infrastructure will/will not be clustered in the most suitable areas of the site.~~
3. ~~Environmentally sensitive areas, including wetlands, steep slopes, floodplains, significant wildlife habitat, fisheries, scenic areas, habitat for rare and endangered plant and animal species, unique natural communities, natural areas, and sand and gravel aquifers, will/will not be maintained and protected to the maximum extent practicable.~~
4. ~~Sufficient water is/is not available to serve the reasonably foreseeable needs of the proposed subdivision.~~
5. ~~The proposed subdivision will/will not cause unreasonable soil erosion or reduce the land's capacity to retain water in a manner that creates a dangerous or unhealthy condition.~~
6. ~~The proposed use and layout will/will not create vehicular or pedestrian traffic hazards beyond those normally associated with the area.~~

7. ~~The proposed subdivision will/will not provide for adequate sewage waste disposal.~~
8. ~~The proposed subdivision conforms/does not conform to applicable subdivision regulations, ordinances, the comprehensive plan, and any other duly adopted development or land use plan.~~
9. ~~The developer has/does not have adequate financial capacity to meet the standards of this section.~~
10. ~~The proposed subdivision will/will not, alone or in conjunction with existing activities, adversely affect the quality or quantity of groundwater.~~
11. ~~The proposed subdivision will/will not provide for adequate stormwater management.~~
12. ~~The proposed location and height of buildings, structure walls and fences, parking, loading, and landscaping will/will not interfere with or discourage the appropriate development and use of adjacent land, or unreasonably affect its value.~~
13. ~~On site landscaping does/does not provide adequate protection to neighboring properties from adverse features of the development that could otherwise be mitigated through 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 the maps submitted as part of the application.~~
16. ~~The proposed subdivision will/will not provide for adequate stormwater management.~~
17. ~~If any lots in the proposed subdivision have shore frontage on a river, stream, brook, or great pond as defined in [Title 38, §480-B](#), none of the lots created within the subdivision has/does not have a lot depth to shore frontage ratio greater than 5 to 1.~~
18. ~~The long term cumulative effects of the proposed subdivision will/will not unreasonably increase a great pond's phosphorus concentration during construction or over the life of the subdivision.~~
19. ~~For any proposed subdivision that crosses municipal boundaries, the proposed subdivision will/will not cause unreasonable traffic congestion or unsafe conditions on existing public ways in the adjoining municipality where part of the subdivision is located.~~
20. ~~The timber on the parcel being subdivided has/has not been harvested in violation of rules adopted pursuant to [Title 12, §8869, Sub §14](#).~~

DRAFT CONDITIONS OF APPROVAL (For Final Plan review)

1. Approval is limited to the plans, materials, and representations submitted with the application dated May 18, 2026, as amended through [***the date of final plan approval***], together with any conditions imposed by the Planning Board. Any change to those plans, materials, representations, or conditions shall be 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 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 after the subdivision plan is recorded. Evidence of recording shall be provided to the Planning Department. No lots may be sold

prior to recording of the homeowners' association documents, and all deeds shall reference the recorded declaration establishing the homeowners' association.

3. The development is subject to the following [Article 12 Impact Fees](#), which shall be paid at the time building permits are issued: [Recreation Impact Fee](#), [Open Space Impact Fee](#), [Public Safety Impact Fee](#), and [Municipal Office Impact Fee](#). All fees shall be determined and collected for any building permit or other permit necessary for the development, in accordance with [§120-1201C](#).
4. In accordance with [§120-914B\(5\)](#) of the Land Use Ordinance, all improvements covered by the subdivision approval shall be completed within two years after the performance guarantee is accepted by the Town Manager. The developer may request a one-year extension before that deadline expires, provided the request is submitted in writing to the Planner. When considering an extension, the Town Manager may require an updated schedule of values and a revised performance guarantee amount. If construction is not completed within the required period, the Town may, at the Town Manager's discretion, use the performance guarantee to reclaim and stabilize the site or to complete the improvements shown on the approved plan.
5. Before any building permit is issued, the applicant or builder shall have the Town Engineer verify that the 50-foot exterior boundary buffer required for the conservation subdivision has been pinned, staked, or fenced in the field.