



Town of Windham

Town Offices
8 School Road
Windham, Maine

Meeting Minutes - Draft

Planning Board

Monday, July 14, 2025

6:00 PM

Council Chambers

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: Evert Krikken, Rick Yost, Kathleen Brown and Patrick Roberts.

Planning Director Steve Puleo, and Senior Planner Amanda Lessard, were also present.

3. [PB 25-032](#) Approval of Minutes - The meeting of June 9, 2025

Attachments: [Minutes 6-9-2025 - draft.pdf](#)

Evert Krikken made a motion to approve the minutes from June 9, 2025.

Seconded by Kathleen Brown.

Vote: Four in favor. No one opposed. Evert Krikken abstained.

Public Hearings & Continuing Business

4. [PB 25-033](#) 25-13 Franklin Drive Multifamily & Solar Development - Major Subdivision & Site Plan - Preliminary Plan Review - Franklin Drive - New Gen Estates, LLC
- The application is for 306 apartments in two buildings on a 7.88 acre property and a 425kW large-scale ground-mounted solar energy system comprised of 640 modules on a 23.94 acre property to power the residential development. This project also includes associated parking areas, internal vehicular drive aisles, and the construction of a public access trail to the adjacent Donnabeth Lippman Park. The development will be served by public water and sewer. The subject property is identified as Tax Map: 18; Lots: 26-2-A02 and 26-2-A03; Zone: Commercial 1 (C-1) in the Chaffin Pond/Little Sebago Lake watershed.

Attachments: [25-13 FranklinMultifamilySolar MJR SUB SP PRLM PB MEMO 0 71025.pdf](#)
[25-13 MEMO AC&SC MJR SUB-SP PRLM FranklinMultifamilySolar 070225.pdf](#)
[25-13 MJR SUB SP PLANS FranklinSolarParcel 2025-06-23.pdf](#)
[25-13 MJR SUB SP PRLM APPL FranklinMultifamilySolar 2025-06-23.pdf](#)
[25-13 MJR SUB SP PRLM PLANS FranklinMulti-FamilyParcel 2025-06-23.pdf](#)
[25-13 MJR SUB SP SW Report FranklinMultifamilySolar 2025-06-23.pdf](#)
[2025-04-01 Franklin Drive TMP Sections 1-6.pdf](#)
[FRANKLIN DRIVE FIRST AMENDED SUBDIVISION PLAN.pdf](#)
[25-13 PUBLIC COMMENTS Carter 071425.pdf](#)

Rob McSorley, from Sebago Technics, was present representing the application. They proposed:

- *Two buildings with a total of 306 units of multi-family housing, and a large solar array to provide power to the development*
- *418 parking spaces*
- *A waiver request for lighting spillover into the roadway and Home Depot site.*
- *Providing four dumpsters and twice a week solid-waste collection*
- *There were several pending items:*
 - o *Stormwater review*
 - o *The Whites Bridge Road Intersection Impact Fee*
 - o *Location of the original easement to Donnabeth Lippman Park*
 - o *Submission for the second phase of the Traffic Movement Permit*
 - o *Additional DEP permitting*

Amanda Lessard explained:

- *Staff comments were minor and could be addressed at final review.*
- *Staff would support the waiver request for lighting spill-over.*
- *There was no requirement to screen residential development from commercial development.*

Evert Krikken made a motion that the preliminary subdivision application for project #25-13 Franklin Drive Multifamily & Solar Development was found complete in regard to the submission requirements based on the application checklist, but the Planning Board retained the right to request more information where review criteria were not fully addressed.

Seconded by Kathleen Brown.

Vote: All in favor.

Public Comment

There was no public comment, public comment was closed.

Board Comment

- *A more complete narrative was requested regarding lighting overflow.*
- *There should be some screening from the back of Home Depot?*
- *Was the trail to the park accessible to everyone from all the units?*

- *There was no family environment for residents/no communal gathering place.*
- *Discussion regarding what constituted open space; how it was intended to be used; and how it could be obtained.*

Mr. McSorley indicated:

- *There was gathering space on site with bench walls and fire pits; access to a park; and an anticipated community area.*
- *They could plant more screening to Home Depot.*
- *A sidewalk could be built along the right side pavement access for connection to the other building.*
- *They could create a trail and maintained field with picnic tables in the flat area where they currently proposed an underdrain soil filter.*

Evert Krikken made a motion that the Major Site Plan & Subdivision Preliminary Plan application for the #25-13 Franklin Drive Multifamily & Solar Development identified on Map: 18; Lot: 26-2-A02 and 26-2-A03; Zone: Commercial 1 (C-1) zoning district and located in the Chaffin Pond/Little Sebago Lake watershed was to be approved with conditions with the following Findings of Fact, Conclusions, and Conditions of Approval.

FINDINGS OF FACT

Jurisdiction: The Franklin Drive Multifamily & Solar Development is classified as a Major Site Plan & Subdivision, which the Planning Board is authorized to review and act on by §120-903 and by §120-803A(1) 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 JLB WINDHAM LLC and NEW GEN ESTATES, LLC dated January 2, 2024, and recorded on at the Cumberland County Registry of Deeds in Book 40556, Page 273. The Franklin Drive Subdivision was approved by the Planning Board on January 13, 2025 and the plan recorded on May 23, 2025 at the Cumberland County Registry of Deeds in Plan Book 225, Page 170.

ARTICLE 3 DEFINITIONS

Dwelling, Multifamily: "A building containing three or more dwelling units. A multifamily dwelling may be attached to a nonresidential use."

Solar Energy System: "A solar energy system, consisting of solar panels combined with other associated components such as mounting racks, transformers, inverters and/or batteries, whose primary purpose is to harvest energy by transforming solar energy into another form of energy or transferring heat from a collector to another medium using mechanical, electrical, or chemical means. It may be roof-mounted or ground-mounted, and may be of any size as follows:

C. Large-scale solar energy system is one whose physical size based on total area projected over a roof or the ground is equal to or greater than 43,560 square feet."

ARTICLE 4 ZONING DISTRICTS

- *As shown on the Town of Windham Land Use Map approved by the Town Council, date April 9, 2024, Map: 18; Lot: 26-2-A02 and 26-2-A03, the properties are located in the Commercial District I (C-1) (§120-410).*
- *The proposed uses, "Dwelling, Multifamily" and Solar Energy System – ground, mounted, large scale" are permitted in the C-1 District §120-410B.*

- Per §120-410F(3), one of buildings is oriented to the front lot line.
- Per §120-410F(4), at least one primary entrance must be located on the buildings' front façade for pedestrian access. Primary entrances must provide ingress and egress to Franklin Drive and be operable at all times the building is occupied.
- Per §120-410F(5), a zoning district boundary buffer shall be shown along the boundary of Lot 26-2-A03 (solar development) and the abutting Farm (F) districts.
- Per §120-410F(16), Solar energy system – ground-mounted, large scale shall only be allowed when co-located with parking lots or to supply the electrical or thermal power to reduce the on-site consumption of utility power or fuels by a principal commercial or residential use on the same parcel or abutting land. See §120-556, Solar energy systems, in Article 5 Performance Standards, for additional requirements. When not co-located with a parking lot, a solar energy system shall not be designed to generate more than 125% of the power needs of the principal uses on the same parcel or abutting land. Any excess power resulting from on-site or abutting land usage that is less than the designed capacity may be sold into the grid.

ARTICLE 5 PERFORMANCE STANDARDS

§120-511 – Buffer yards

C(2)(b)[1] All nonresidential uses permitted in the commercial zoning districts and proposed to abut a Residential Zoning District (F, FR, RL, RM, VR or any residential district in an adjacent municipality) line shall use Buffer Yard I along the boundary abutting the Residential Zoning District line.

C(3)(b) Buffers along streets. Commercial Districts (C-1, C-2, C-3, C-4, VC and WC Districts): use Buffer Yard G, see exhibit below.

§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).

§120-556 – SOLAR ENERGY SYSTEMS PERFORMANCE STANDARDS

As the application is for Preliminary Subdivision Review, the submission has not been fully reviewed for final site plan approval of the solar development.

§120-556C. Dimensional Standards

- The applicant is proposing to set back over 120 feet from the property boundary line. The height of the solar array shall not exceed 22 feet for the system. For final plan review, the applicant shall specify the height of the solar array.
- The applicant is proposing the setback for all property boundary lines to meet the requirements of §120-556C(2) of at least 30 feet in which a perimeter fence will define the interior location of the solar arrays.

§120-556D. Standards for roof-mounted and ground-mounted solar energy systems.

- The applicant will work with the Code Enforcement Officer, with input from the Town Engineer and the Fire Chief, to meet all safety standards for developing a solar energy system.
- The solar energy system and wiring shall meet National Fire Prevention Association (NFPA 1) and National Electrical Code (NFPA 70).

§120-556E. Additional standards for medium- and large-scale ground-mounted solar energy systems.

- *The solar energy systems will be served by underground utilities.*
- *Reasonable efforts, as determined by the Planning Board, shall be made to minimize undue visual impacts. Fencing the buffer details shall be provided for final plan review. Buffer Yard B shall be located outside fence lines along any fence line visible from a public or private way or adjacent to an existing residential dwelling. Preservation of native vegetation is encouraged.*
- *The site is currently undeveloped and is primarily forest and forested wetland. A significant vernal pool is located on Lot 26-2-A03. The development of the subdivision lots 1, 2, and propose 101,920 SF of vernal pool terrestrial habitat setback area (23%). The proposed project shall limit the amount of land clearance necessary for the construction, operation, and maintenance of the solar energy system. All disturbed areas shall be seeded with a native pollinator friendly mix.*
- *The applicant has provided decommissioning plan with an estimated total decommissioning cost.*

§120-556E. Additional standards for large-scale ground-mounted solar energy systems.

- *The applicant shall submit a plan for the operation and maintenance of the of the large-scale ground-mounted solar energy system, which shall include measures for maintaining safe access to the installation as well as other general procedures for operational maintenance of the installation, including but not limited to fence, vegetation, and buffer maintenance, and proper panel and electrical equipment function.*
- *A sign shall be placed on the large-scale solar energy system to identify the owner and provide a twenty-four-hour emergency contact phone number.*

§120-911 – SUBDIVISION PERFORMANCE STANDARDS

§120-911A – Basic Subdivision layout

- (1) *The properties exceed the minimum lots size in the C-1 District.*
- (a) *The applicant has not provided a net residential density calculation as there is not net density requirement in the C-1 District.*
- (2) *The preliminary subdivision plan shows where proposed utilities will be located and shall be installed underground.*

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

- (3) *The preliminary plan shows water line and hydrant locations. An ability to serve letter from PWD approving the design of the water service is required for final plan review.*

§120-911C - Erosion Control and sedimentation control

- *A wetland delineation report showing the location of total amount wetland areas on the site*
- (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.*
 - o *The Town's consulting engineer commented that the project appears to meet the erosion and sediment control best management practices outlined in Appendix A and Appendix B of MaineDEP's Chapter 500. An Inspection, Maintenance, and Housekeeping Plan has been included in the projects Stormwater Report, which specifies erosion and sediment control BMPs during construction as well as post-construction.*

- (2) *The applicant has provided a statement for the Maine licensed professional civil engineer preventing soil erosion and sedimentation from entering water bodies, wetlands, and adjacent properties.*
- (3) *The topsoil is 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. The Board may require a developer to take measures to correct and prevent soil erosion in the proposed subdivision.*

§120-911D – Sewage disposal

- (1) *The applicant is proposing connecting to the public sewer system to serve the development. For the final plan review, the Portland Water District shall certify that providing service to the proposed subdivision is within the capacity of the system's existing collection and treatment system or improvements planned to be complete prior to the construction of the subdivision. The Portland Water District shall review and approve, in writing, the construction drawings for the public sewerage system. This includes, but is not limited to, the size and location of laterals, collectors, manholes, and pump stations.*

§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 Frankline.*
 - (a) *For final plan review, the applicant shall provide a note not allowing 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 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*
- (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.*

§120-911F – Conformance with Land Use Ordinances

Comprehensive Plan:

- *The plan does meet the goals of the 2024 Comprehensive Plan.*

Subdivision Ordinance, Chapter 120 Article 9:

- *Standard notes, the standard conditions of approval, and approved waiver must be shown on the plans.*
- *For the final plan review, a digital transfer of the subdivision plan data must be submitted for inclusion with the Town's GIS.*

Growth Management, Chapter 101:

- *Growth permits are required for the creation of each new multifamily dwelling structure. Growth permit applications are submitted with building permit applications. The Town Council has approved an allocation of growth permits from the reserve pool.*

§120-911G – Financial and Technical Capacity

- (1) *The Applicant has provided an estimated cost of the project and a letter from Maine Community showing sufficient financial resources to construct, operate, and maintain all aspects of the proposed development.*
- (2) *The applicant has hired Sebago Technics, Inc. for site planning, permitting, and engineering services for the conversion of the building and site.*

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

- *Fire and domestic water supply will be provided by an extension of the water main in Franklin Drive. Sewage disposal will be provided by gravity sewer also located in Franklin Drive. It appears the development will not adversely impact either the quality or quantity of groundwater at or around the site.*

§120-911I – Floodplain Management

- *The subject property is not within a mapped FEMA Floodplain boundary.*

§120-911J – Stormwater

- *The Stormwater Management Plan submitted indicates that the proposed development includes water quality treatment that complies with Maine DEP Ch. 500 Redevelopment Standard and the Town of Windham's Subdivision Ordinance through the construction of subsurface sand filters on Lot 2.*
 - o *The Town's consulting engineer commented:*
 - *As modeled in HydroCAD, the proposed stormwater BMPs on Lot 2 appear to detain, retain, or result in the infiltration of stormwater from the twenty-four-hour storms of the two-year, ten-year, and twenty-five-year frequencies such that the peak flows of stormwater from the project site do not exceed the peak flows of stormwater prior to undertaking the project.*
 - *The underdrained soil filter (UDSF 1) associated with Franklin Drive is included in the stormwater management model for the Lot 2 development. Design plans for UDSF 1 were not included in the Application, so we could not review the design for UDSF 1.*
 - *The post-treatment phosphorus export is greater than the project phosphorus budget. A MaineDEP compensation fee of \$47,343 is proposed to offset the increase in phosphorus export from the site.*
 - *It should be noted that the development located on Lot 1 of this subdivision, and its associated stormwater management facilities are included in the stormwater model for the multi-family development located on Lot 2. The design plans for the Lot 1 development were not included in this Application, so we could not review the design of the stormwater management infrastructure located within Lot 1.*
 - *We recommend adding a suggested maintenance item in the Inspection, Maintenance, and Housekeeping Plan to inspect the underdrain outlet orifice within the outlet control structures and remove sediment to prevent clogging.*
- *The development will require a Site Location of Development Act Permit Stormwater and a Maine Construction General Permit (MCGP) from Maine DEP. State permits must be provided for final plan review.*
- *The applicant will be the entity responsible for maintaining the stormwater management system as required in §120-911N.*

§120-911K – Conservation Subdivision

- (1) The applicant is not proposing a conservation subdivision, therefore this section is not applicable.*

§120-911L – Compliance with Timber Harvesting Rules

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

§120-911M – Traffic Conditions and Street

- *The Applicant provided the Town with a copy of the Maine DOT Traffic Movement Permit Application Section 1-6 that indicates that the 306 multifamily dwelling units will generate 123 trips in the PM peak hour and 1414 trips during a typical weekday.*
 - *For the final plan review, provide a Traffic Movement Permit from Maine DOT.*
 - *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.

§120-911N – Maintenance of common elements.

- *The developer or subdivider shall maintain control of the common property and be responsible for its maintenance, including snow plowing, until either of the following has occurred: The legislative body accepts said improvements; or the developer or subdivider has transferred responsibility for ongoing maintenance of the improvements to the homeowners' association.*

§120- 812 – MAJOR SITE PLAN PERFORMANCE STANDARDS

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

§120-812A – Utilization of the Site

- *The development is located on two lots in the Franklin Drive Subdivision approved by the Planning Board on January 13, 2025. The proposed multifamily development on Lot 26-2-A02 is 7.88 acres and the proposed solar development on Lot 26-2-A03 is 23.94 acres.*
- *The site is undeveloped, mostly forested and contains areas of wetlands.*
- *Each lot has frontage on the proposed extension of Franklin Drive.*

§120-812B – Vehicular Traffic

(1) The site is located on the north-easterly side of the extension of Franklin Drive. The applicant is proposing two driveway connection to Franklin Drive for the multifamily development. The solar facility will have a gated access driveway from the interior parking lot drive aisle of the multifamily development.

(a) The applicant should identify the impact on any road intersections within a half mile of the project.

(b) The applicant shall provided a traffic analysis that the existing streets and intersections can be expected to carry traffic generated by the development.

- *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, see Conditions of Approval. The impact fees are applied to the improvements of Anglers Road with White's Bridge Road, per §120-1204J(1) Roadway infrastructure improvements.*

(2) The access shall be designed to have minimum sight distance, according to MDOT and Appendix B Street Design and Construction Standards, to avoid hazardous conflicts with existing turning movements, to avoid traffic congestion, and to prevent queuing of vehicles entering and exiting the site. For the final plan review, provide a Traffic Movement Permit from Maine DOT.

(3) The proposed sites will be accessed from Franklin Drive.

(4) The site is designed to allow internal vehicular circulation in common with the other property owner 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 for 1 parking space per one bedroom dwelling units and 1.5 parking spaces per two bedroom units, totaling 390 space (including 12 accessible spaces).

§120-812D – Pedestrian Traffic

The site plan shall provide for a system of pedestrianways within the development

appropriate to the type and scale of development. This system shall connect the major building entrances/exits with parking areas and with existing sidewalks. Walkways are shown around the proposed buildings connecting to the sidewalk at Franklin Drive and the proposed trail to the adjacent Lippman Park, but there are not connections within the parking area.

§120-812E – Stormwater Management

(1) The applicants have provided 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 MDEP Chapter 500 Stormwater Management Law. The applicant states that the development will require a Site Location Permit from MaineDEP.

- The site is located in the Town's Urbanized Area and regulated by the MS4 (Municipal Separate Storm Sewer System). The applicant states that the site disturbance is anticipated to be more than an acre and will be subjected to the annual maintenance and inspection report to the Town required by the Post-Construction Stormwater Ordinance, Chapter 201 Article II, see Condition of Approval #3.*

- The site is located in the Sebago Lake watershed, a direct watershed of a lake most at risk from new development as designated in DEP Chapter 502, thus in accordance with §120-807F(6), Town's third-party consulting engineer firm will review the final plan to ensure compliance with performance standards contained in § 120-812E, F, H, J, and K. The review shall include attendance at any scheduled Planning Board site walk.*

- o The Town's consulting engineering commented:*

- The area to the northeast of Lot 2 which is intended to be developed with ground mounted solar panels is not included in the stormwater management analysis. This area shall be included in the stormwater analysis due to the change in land cover types.*

§120-812F – Erosion Control

(2) The applicant has provided an erosion and sedimentation control plan that meets 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 buildings are proposed to be served by public water for domestic and fire protection from a main installed in the extension of Franklin Drive.

- An ability to serve letter from Portland Water District (PWD) approving the design of the water service is required for final plan review.*

§120-812H – Sewage Disposal Provisions

- This proposed residential development will connect to proposed public sewer infrastructure in Franklin Drive.*

- An ability to serve letter from PWD approving the design of the water service is required for final plan review.*

§120-812I – Utilities

- The applicant all utility connections (electrical, telephone, and telecommunication services) will be subsurface.*

- A utility and grading plan was provided with the preliminary plan set.*

§120-812J – Groundwater Impacts

- The proposed development proposes to connect to the PWD public water system and the new North Windham sewer system so no groundwater impacts are anticipated on*

site.

§120-812K – Water Quality Protection

- *The applicant states development will help protect Windham's water quality by using a public water and sewer system and stormwater management system to provide treatment to runoff. The day-to-day operations do not require substances that are hazardous, such as fuels, industrial chemicals, waste, etc.*

§120-812L – Hazardous, Special and Radioactive Materials

- (1) No hazardous materials will be stored on site.*

§120-812M – Shoreland Relationship

- *The site is not in a shoreland zoning district.*

§120-812N – Technical and Financial Capacity

- *See Subdivision Review*

§120-812O – Solid Waste Management

- *To ensure proper disposal, solid waste will be held in a solid waste container in dumpster pad shown on the plan until it can be transported by licensed private waste hauler. Two dumpster pads are shown on the plan and enclosure details on Sheet D-504.*

§120-812P – Historical and Archaeological Resources

- *The applicant provided a letter from Maine Historic Preservation Commission (MHPC), dated December 31, 2024, stating that no historic properties will be affected by the proposed undertaking, as defined by Section 106 of the National Historic Preservation Act.*

§120-812Q – Floodplain Management

- *The site is not located in the mapped FEMA 100-year floodplain hazard.*

§120-812R – Exterior Lighting

- (1) The applicant provided lighting plan with hooded or shielded fixtures, cut sheets, and locations as part of the preliminary plan submission. Photometric Plan exceeds 0.5 footcandles at the front and side property lines required by §120-812R(1)(b). Revise lighting plan or submit the waiver request form*
- (2) The applicant shall connect all light poles and other exterior light fixtures underground.*

§120-812S – Noise

- (1) The proposed multifamily development shall not exceed 55 dB between 7:00 AM to 10:00 PM and 45 dB between 10:01 PM to 6:59 AM.*
- (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 provided a landscaping plan and planting schedule with the preliminary plan submission.*

§120-814 Multifamily development standards.

A. Building Architecture. The applicant provided building elevations for review.

- (1) Architectural variety (a) The building has a variety of techniques to visually break up the façade, a varied roof lines, and some variation in window sizes.*
- (2) Facade.*

- (a) The building horizontal articulations are provided throughout the building, and rooflines incorporate varying heights and ridgelines.
- (d) Provide the calculation of the area of fenestration of the street facing façade.
- (3) Orientation.
 - (a) The building entrances is on oriented to face the street.
 - (b) Buildings may be oriented to open space areas, provided that street frontages are developed consistent with above.
- B. Site design.
 - (1) Parking.
 - (b) Provisions are made for snow storage in the design of all parking areas. The areas used for snow does not conflict with proposed landscaping. The areas shall be sited to avoid problems with visibility, traffic circulation, drainage, or icing during winter months.
 - (2) Screening.
 - (a) Utilities. Service areas, loading docks, delivery areas, trash receptacles, and mechanical equipment will be screened to minimize visibility from sensitive view-points such as public and private roadways, main entrances, residences outside the development, public open spaces, and pathways. Service areas shall be screened with architectural elements such as walls or fences. Screening may be further enhanced with evergreen trees, shrubs, and earth berms. Gates on utility enclosures shall be designed to prevent sagging.
 - (b) Existing residential abutters. When new residential development is adjacent to an existing residential use, landscaping, including large evergreen trees, and/or garden features (e.g., trellis or supplementary fencing), will provide a buffer or screening between properties and obscure direct sightlines into private yard areas or windows on adjacent properties.
 - (3) Bicycle/pedestrian.
 - (a) Internal traffic flow internal walkways.
 - (c) Bicycle parking/racks.
 - [1] The development will provide facilities for the parking of bicycles at a ratio of 0.5 bicycle parking space per dwelling unit.
 - (4) Recreation and open space.
 - (a) For the final plan review, the applicant must designate and permanently reserve a minimum of 15% of the total lot area as usable common open space. Show 51,520 SF (15% of Lot 2) of open space on the plan. As a common scheme of development, this area could be reserved on Lot 3. Two outdoor seating areas for tenant use are shown on the plan. The applicant proposes to construct a 6-foot wide trail to the adjacent Donnabeth Lippman Park in lieu of providing the required land area with constructed amenities. A kiosk will be installed at the trail head at Franklin Drive. A public access trail easement will be provided from Franklin Drive. Note proposed trail easement on Lot 3.
 - (5) Landscape/lighting.
 - A plan for site lighting and landscaping must be provided for final plan review.
 - (a) Landscaping. Parking areas with greater than 40 parking stalls shall landscape a minimum of 15% of the total area. Planting islands shall be a minimum of nine inches in width. All parking lot landscaping shall be able to tolerate parking lot growing conditions. Show calculation of parking lot landscaping.
 - (c) Lighting. Light fixtures used in driveways and parking lots shall be in scale with buildings on site. Maximum pole height along driveways shall not exceed 25 feet.
 - (6) Access drive standards.
 - (b) Other districts.
 - [1] Design standards. Access drives shall be designed to conform to the standards for "major private roads" in these regulations, including the standards contained in Table 3, Table 4, and the applicable cross sections in Appendix B Street Standards.
 - [2] Rights-of-way. The minimum right-of-way width for a "major private road" in Table 3 of

Appendix B is not applicable to an access drive.

[3] Setbacks. There shall be no minimum setback required between an access drive and a structure.

(c) Curb cuts on the access drive must be separated by a minimum of 75 feet where possible and aligned with curb cuts on the opposite side of the access drive to the greatest extent possible.

(d) Access drives shall remain private and shall not be maintained or repaired by the Town. A note shall appear on the site plan: All internal access roads and driveways shall remain private and shall be maintained by the developer, lot owners, homeowners/condominium association, or road association and shall not be offered for acceptance, or maintained, by the Town of Windham unless they meet all municipal street design and construction standards at the time of offering.

(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 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 subdivision will provide adequate sewage waste disposal.*
- 8. The proposed subdivision conforms/does not conform 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. The proposed subdivision will 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 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. Not Applicable*
- 18. The long-term cumulative effects of the proposed subdivision will not unreasonably increase a great pond's phosphorus concentration during the construction phase and life of the proposed subdivision.*

19. For any proposed subdivision that crosses municipal boundaries, the proposed subdivision 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. Not Applicable

20. The timber on the parcel being subdivided has not been harvested in violation of rules adopted pursuant to Title 12, §8869, sub§14.

(SITE PLAN) CONCLUSIONS (final plan review)

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.

CONDITIONS OF APPROVAL (MAJOR SUBDIVISION)

1. Approval is dependent upon and limited to the proposals and plans contained in the application dated May 19, 2025 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 §120-914B(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.

3. The development is subject to the following Article 12 Impact Fees, to be paid with the issuance of new building permits for the proposed uses: North Route 302 Road Improvements Impact Fee of TBD (TBD per peak hour trip through Route 302/Anglers Rd/Whites Bridge Rd intersection); Recreation Impact Fee, Open Space Impact Fee, 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. 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.

CONDITIONS OF APPROVAL (MAJOR SITE PLAN)

1. Approval is dependent upon and limited to the proposals and plans contained in the application dated May 19, 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 §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. Abandonment or Decommissioning

a) Removal Requirements: At such time that the ground-mounted solar energy system described in this approval has reached the end of its useful life or has been abandoned consistent with the Abandonment description within this condition of approval, it shall be removed. The owner or operator shall physically remove the installation no more than 150 days after the date of discontinued operations. The owner or operator shall notify the Planning Board by certified mail of the proposed date of discontinued operations and plans for removal. Decommissioning shall consist of:

i. Physical removal of all solar energy systems, structures, equipment, security barriers and transmission lines from the site.

ii. Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations.

iii. Stabilization or re-vegetation of the site as necessary to minimize erosion. The Site Plan Review Authority may allow the owner or operator to leave landscaping or designated below-grade foundations in order to minimize erosion and disruption to vegetation.

b) Abandonment: Absent notice of a proposed date of decommissioning or written notice of extenuating circumstances, the large-scale ground-mounted solar energy system shall be considered abandoned when it fails to operate for more than one year without the written consent of the Site Plan Review Authority. If the owner or operator of the solar energy system fails to remove the installation in accordance with the requirements of this section within 150 days of abandonment or the proposed date of decommissioning, the town retains the right, after the receipt of an appropriate court order, to enter and remove an abandoned, hazardous, or decommissioned large-scale ground-mounted solar energy system. As a condition of Site Plan approval, the applicant and landowner shall agree to allow entry to remove an abandoned or decommissioned

installation.

4. *Surety: The applicant will provide financial assurance for the decommissioning costs in the form of a performance bond, surety bond, 'evergreen' letter of credit, or other means acceptable to the Town, for the total cost of decommissioning. The applicant will have the financial assurance mechanism in place prior to construction and will re-evaluate the decommissioning cost and financial assurance at the end of years, five, ten, and fifteen. Every five years after the start of construction, updated proof of acceptable financial assurance must be submitted to the Town for review.*

Seconded by Rick Yost.

Vote: All in favor.

Continuing Business

5. [PB 25-034](#) #25-06 Shepherd Lane Subdivision - Major Subdivision & Site Plan - Preliminary & Final Plan Review - 421 Falmouth Road - Robie Holdings, LLC
- The application is for a 13-unit single-family residential condominium development of a 22.75 acre property. The development will have a 480 foot access driveway and be served by public water, shared private wastewater disposal systems, and underground utilities. Subject property is identified as Tax Map: 19; Lots: 104 & 90G; Zone: Village Residential (VR) and Farm (F) in the Pleasant River watershed.

Attachments: [25-06 ShepherdLnSub_PB_MEMO_MJR_SUB_SP_PRLM_FP_07112_5.pdf](#)
[25-06_MJR_SUB_SP_PRLM_FP_PLANS_REV_ShepherdLn_2025_7_11.pdf](#)
[25-06_MJR_SUB_SP_PRLM_FP_RESP_ShepherdLn_2025_7_10.pdf](#)
[25-06_MEMO_AC&SR_MJR_SUB-SP_PRLM_FP_ShepherdLnSub_070825.pdf](#)
[25-06_MJR_SUB_SP_PRLM_FP_APPL_ShepherdLn_2025_6_23.pdf](#)
[25-06_MJR_SUB_SP_PRLM_FP_PLANS_ShepherdLn_2025_6_23.pdf](#)

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

- *They had addressed outstanding items from the previous meeting.*
- *DEP permits were accepted.*
- *They had obtained the MDOT driveway entrance permit, with a condition for vegetation clearing.*
- *Building unit styles had been updated and modification had been made for unit one.*
- *The rear undeveloped acreage had been designated as permanent open space.*
- *The existing trail through the property would continue to be maintained as active open space. Another trail would be constructed off the end of the paved roadway.*
- *Condo documents, including stormwater maintenance, had been submitted.*
- *They would continue to review the subdivision plat with staff.*
- *A table was included on the plan which provided extra impervious area for each unit.*

Amanda Lessard explained:

- *Previous staff questions had been answered.*
- *Outside agency approvals had been confirmed.*

Consensus of the Board was to allow additional public comment.

There was no public comment. Public comment was closed.

Evert Krikken made a motion that the Major Subdivision & Site Plan final plan for project #25-06 Shepherd Lane Subdivision was found complete in regard to the submission requirements based on the application checklist, but the Planning Board retained the right to request more information where review criteria were not fully addressed.

Seconded by Kathleen Brown.

Vote: All in favor.

Board Comment

- *Was the 18 acre common land recorded as a deed restriction?*
- *How would the trail be maintained?*
- *What were the details of individual unit appearance, color and wood finishes.*

Evert Krikken made a motion that the Major Site Plan & Subdivision preliminary and final application for the #25-06 Shepherd Lane Subdivision development identified on Tax Map: 19: Lots: 104 & 90G in Village Residential (VR) and Farm (F) is to be approved with conditions with the following Findings of Fact, Conclusions, and Conditions of Approval.

FINDINGS OF FACT

Jurisdiction: The Shepherd Lane Subdivision project is classified as a Major Site Plan & Subdivision, which Planning Board is authorized to review and act on by §120-903 and by §120-803A(1) of the Town of Windham Land Use Ordinance.

Title, Right, or Interest: The applicant has submitted a copy of a Short Form Deed between Elizabeht T. High and Robie Holdings, LLC dated October 30, 2024, and recorded on October 31, 2024 at the Cumberland County Registry of Deeds in Book 41093 and Page 243 and a Warranty Deed between Philip R. Webster and Lisa M. Webster and Jarod Robie dated December 18, 2024, and recorded on December 19, 2024 at the Cumberland County Registry of Deeds in Book 41195 and Page 333.

ARTICLE 3 DEFINITIONS

Dwelling, Single-family Detached: "A freestanding building containing one dwelling unit."

ARTICLE 4 ZONING DISTRICTS

- *As shown on the Town of Windham Land Use Map approved by the Town Council, date April 9, 2024, Map: 19: Lots: 104 & 90G.*
- *The property is located in in Village Residential (VR) and Farm (F) zoning districts.*
- *Street trees shall be planted along the street frontage of Falmouth Road, at least one tree every 50 feet, per §120-415.2F(1)(g).*

ARTICLE 5 PERFORMANCE STANDARDS

§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- 812 – MAJOR SITE PLAN PERFORMANCE STANDARDS**§120-814A Multifamily Development Standards.*

- 1. At least two different building designs shall be provided as required by §120-814A(1).*
- 2. Buildings adjacent to Falmouth Road shall have entrances oriented to face the existing street as required by §120-814A(3)(a). The elevation for Unit 1 has a stairway*
- 3. Does the existing vegetation within the proposed treeline provide a sufficient buffer or screening to the existing residential abutter at 413 Falmouth Road required by §120-814B(2)(b)?*
- 4. The site plan shall designate, within the common open space, the required amount of contiguous area (400 square feet for 13 units) and the proposed constructed amenities for passive use or active areas required by §120-814B(4)(c).*
 - a. The stormwater management report notes that the applicant is not proposing any modification to the land in the Farm Zone portion of the lot and that the existing snowmobile trails are intended to be used as walking trails for the condominium association to access the backland. The plan does not appear to provide a trail or means to access the backland. The applicant should show how pedestrian access to the undeveloped portion will occur. Additional developed area on the backland may also be required to comply with the multifamily recreation and open space requirements*
- 5. Curb cuts on access drives must be separated by a minimum of 75 feet where possible per §120-814B(6)(c). For final plan review, the applicant should show on the site plan the distances between driveways and provide an explanation where and why it is not possible to separate curb cuts by a minimum of 75 feet.*

*§120-911 - SUBDIVISION PERFORMANCE STANDARDS**§120-911A – Basic Subdivision layout*

- (1) The property has 22.75 acres exceeding the minimum lot size in the VR and F zoning districts. 4.87-acres in located in the VR district and 17.93 acres in the F district.*
 - (a) The applicant provided a net residential density calculation by separately calculating the net residential density for each zoning district. In the VR district, the applicant deducted 48,446 SF of poorly drained soils, for the net area of 161,531 SF. The net residential density for VR is 30,000 SF, equaling 5 dwelling units. In the F district, the applicant deducted 12,002 SF of steep slopes, and 1,046 SF of 100-year flood plain, and 190,799 SF of poorly drained soils, for the net area of 577,473 SF. The net residential density for F is 60,000 SF, equaling 9 dwelling units. The total allowed dwelling unit for the parcel is 14.*
 - (e) The E-911 Addressing Officer has assigned the street name Shepherd Lane.*
- (2) Underground utilities are shown on the provided subdivision plan.*
- (3) The location of the proposed subdivision monuments on shown on the subdivision plan.*

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

- (3) The applicants have shown connection with the public water system on the provided subdivision plan, from the end of the water main in Falmouth Road. A new fire hydrant is proposed to be installed at the end of the main, which is less than 1,000 feet from the last home in the subdivision. The applicant provided an "Ability to Serve" letter from the*

Portland Water District dated July 7, 2025.

§120-911C - Erosion Control and sedimentation control

- (1) The applicants have 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.*
- (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. The Board may require a developer to take measures to correct and prevent soil erosion in the proposed subdivision.*

§120-911D – Sewage disposal

- (2) The applicant is proposing three (3) private on-site subsurface disposal systems for the 13-unit condominium development. The applicant proposes to install advanced treatment units for all of disposal fields. The HHE-200s prepared by site evaluator Norman Harris of Harris Septic Solutions were included in the preliminary plan submission.*
 - o If the wastewater disposal field located under Shepherd Lane needed to be replaced, a temporary gravel driveway over the front yards of Units 1, 2 and 3 would need to be built to provide access to the development while the system was excavated and repaired or replaced. There are no septic tanks, transformer pads or other utility conflicts located within the area where the temporary access drive would be located because all of those utilities are located either on the other side of the road or on the rear side of the dwelling units.*

§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 Falmouth Road to serve the development. All of the back land in the Farm (F) district is proposed to remain intact, preserving the natural beauty and aesthetics.*
 - o The final subdivision plan Note 11 identified that the development impacts 2,702 square feet of forested wetlands.*
 - o The project proposes development within the 75' stream setback. The applicant filed for a Natural Resource Protection Act Permit By Rule from Maine DEP on June 6, 2025, which is approved 14 days after the submission.*
 - (a) The applicant provided a note 12 on the final plan not allowing 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 has included a landscape plan with the application. Two trees are shown along Falmouth Road and street trees are shown on the internal subdivision street every 50 feet.*
- (2) The applicant provided draft condominium documents that specifies the reservation or dedication and maintenance of open space, common land, facilities such as the stormwater management system, among others, and the required membership in the association. The common land is shown on the final plan with appropriate notations on the plan to indicate it shall not be used for future building lots.*

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

- *The plan does meet the goals of the 2024 Comprehensive Plan. The property is in the Residential Growth Area.*

Subdivision Ordinance:

- *Standard notes, the standard conditions of approval, and approved waiver must be shown on the plans.*
- *A digital transfer of the subdivision plan data was submitted with the final application for inclusion with the Town's GIS.*

Growth Management, Chapter 101:

- *Growth permits are required for the creation of each new single-family dwelling. Growth permit applications are submitted with building permit applications.*

§120-911G – Financial and Technical Capacity

(1) The Applicant has provided an estimated cost of the project and a letter from Maine Community showing sufficient financial resources to construct, operate, and maintain all aspect of the proposed development.

(1) The applicant has provided evidence of technical capacity, identifying the past experience of the principals and the professional engineers, surveyors and soil scientists hired to manage the permitting and design of the development.

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

(1) The applicant proposes the installation of Advanced Treatment Septic Tanks that will reduce the nitrate concentration to 10 mg/l before the wastewater enters the disposal field, and has requested a waiver from the requirement to submit a hydrogeologic assessment.

(2) The proposed development will connect to available water supply provided by the Portland Water District (PWD) with a connection to the existing main in Falmouth Road. The scale of this development is not anticipated to adversely impact the overall quality or quantity of available water supply.

§120-911I – Floodplain Management

- *The subject property is within a mapped FEMA Floodplain boundary. The mapped floodplain is located at the rear of the parcel in proximity to mapped wetlands. No development in proposed within the floodplain.*

§120-911J – Stormwater

- *The subdivision will result in 36,958 SF of impervious area and 112,733 SF of developed area. The project includes an additional 14,457 square feet of disturbance that will be allowed to revert to natural meadow.*
- *The final plan includes a table of impervious area allowed for each unit.*
- *The applicant filed for a Stormwater Permit By Rule from Maine DEP on June 6, 2025, which is approved 14 days after the submission.*
- *The responsibility of maintaining the stormwater management system will be assigned to the future Condominium Association, as per §120-911N.*
- *The applicant provided condominium documents with covenants and restrictions, by-laws, and stormwater maintenance and inspection plan, among other requirements.*
- *The Stormwater Management Plan submitted indicates that the proposed development includes water quality treatment that complies with Maine DEP Ch. 500 Redevelopment Standard and the Town of Windham's Subdivision Ordinance through the construction of two (2) underdrained filter basins and roofline drip edges around each of the buildings.*
- *The Town Engineer comments dated May 28, 2025:*
 - o *In their Stormwater Report they say that they need to meet a 90% number for treating*

water quality for impervious area, but the requirement in the DEP Ch. 500 General Standards, which apply to this development, is 95%. If the applicant can treat only 90%, then they need to base their design on a Ch. 500 4C(2)(a)(ii) as described.

- o Where the disturbed area drains directly to wetlands, the plans should show a double row of perimeter erosion control.
- o If the existing contours are derived from LIDAR, field survey of stormwater filter basin areas should be completed in order to determine actual ground conditions at these areas.
- The applicant responded to the comments on June 23, 2025. On July 8, 2025 the Town Engineer stated he was satisfied with the response.

§120-911K – Conservation Subdivision

(1) The development is in the VR district and therefore is not required to meet the conservation subdivision standards.

§120-911L – Compliance with Timber Harvesting Rules

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

§120-911M – Traffic Conditions and Street

- The Applicant submitted a traffic assessment that indicates that the subdivision will generate 13 trips in the PM peak hour and 123 trips during a typical weekday. Since the expected traffic does not exceed 140 trips per day, a traffic impact analysis per § 120-910C(3)(e) is not required.
- The applicant has shall provide an estimate of 12 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. See Condition of Approval.
- The applicant is proposing a new street connection on Falmouth Road. The entrance is proposed to be a Condominium driveway meeting the Town's "Major Private Road" standard for design and construction found in Appendix B.
 - o The condominium association will maintain the R/W road once the subdivision is completed.
 - o The private road note of §120-911M(5)(a)[5][e] is shown on the plan.
 - o A road plan and profile for Shepherd Lane was included on Sheet PP-1 of the final plan set.
 - o Site distances at the proposed entrance of Shepherd Lane at Falmouth Road that comply with Table 1 in Appendix B must be shown on the plan. Site distances in each direction exceed 600 feet.
- This portion of Falmouth Road is a state road outside of the urban compact. A Driveway/Entrance Permit Maine DOT dated June 25, 2025 was included with the final plan submission.

§120-911N – Maintenance of common elements.

- The applicant provided draft condominium association documents.
- 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.

§120- 812 – MAJOR SITE PLAN PERFORMANCE STANDARDS

§120-812A – Utilization of the Site

- The subject parcel is approximately 22.75 acres in size.
- There is an existing single-family dwelling on the site that is proposed to be demolished.
- The site fronts along Falmouth Road and has 350 feet of road frontage.

§120-812B – Vehicular Traffic

(1) The site is located on the northly side of Falmouth Road. The applicant is proposing a new road connection to Falmouth Road. The entrance is proposed to be a Condominium access driveway meeting the Town's "Major Private Road" standard for design and construction. A right-of-way is not required for an access driveway in the Multi-family performance standards, found in §120-814B(6)(b)[2].

(a) The applicant does not expect to impact any road intersections within a half mile of the project.

(b) The applicant provided a traffic analysis that the existing streets and intersections can be expected to carry traffic generated by the development. See Subdivision Review.

(2) The access is designed to have minimum sight distance, according to MDOT and Appendix B Street Design and Construction Standards, to avoid hazardous conflicts with existing turning movements, to avoid traffic congestion, and to prevent queuing of vehicles entering and exiting the site.

(3) The proposal site will be accessed driveway from Falmouth Road.

(4) The site is designed to allow internal vehicular circulation in common with the other property owner 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 for two (2) parking spaces for each of the 13 single family dwelling units.

§120-812D – Pedestrian Traffic

There are no existing sidewalks on Falmouth Road. Sidewalks are not required for the access drive. The applicant is proposing to provide walking trails on the existing snowmobile trails for the condominium association to access the back land.

§120-812E – Stormwater Management

(1) The applicants shall provide for 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 MDEP Chapter 500 Stormwater Management Law. The applicant states that the development in proximity to an unnamed stream will require a NRPA PBR from MaineDEP. See Subdivision Review.

§120-812F – Erosion Control

(2) The applicant shall have provide an erosion and sedimentation control plan that will meet the Basic Standards per Section 4(A) of the MeDEP Chapter 500 Stormwater Rule. See Subdivision Review.

§120-812G – Water Supply Provisions

(1) The existing building is served by a Portland Water District water main that terminates at the frontage of the subject parcel. See Subdivision Review.

- At the Development Review Team meeting, the Fire Chief commented that the existing hydrant was north of Carpenters Way and requested a new hydrant is installed at the end of the main on Falmouth Road to serve all the homes in the development.

§120-812H – Sewage Disposal Provisions

- See Subdivision Review.

§120-812I – Utilities

- The applicant all utility connections (electrical, telephone, and telecommunication services) will be subsurface. See Subdivision Review.

§120-812J – Groundwater Impacts

- The buildings are proposed to be connected to the PWD public water system, and the wastewater disposal system is not anticipating a disposal system with a capacity of 2,000 gallons per day (GPD).

§120-812K – Water Quality Protection

- The applicant states development will help protect Windham's water quality by using a public water system, a state-approved wastewater disposal system that shall comply with the State's drinking water standards, and stormwater management system to provide treatment to runoff. The day-to-day operations do not require substances that are hazardous, such as fuels, industrial chemicals, waste, etc.

§120-812L – Hazardous, Special and Radioactive Materials

- (1) No hazardous materials will be stored on site.

§120-812M – Shoreland Relationship

- The site is not in a shoreland zoning district.

§120-812N – Technical and Financial Capacity

- See Subdivision Review.

§120-812O – Solid Waste Management

- The applicant proposes that the single-family dwellings with participate in the Town's curbside collection program.

§120-812P – Historical and Archaeological Resources

- There are no historic or archaeological resources onsite.

§120-812Q – Floodplain Management

- See Subdivision Review.

§120-812R – Exterior Lighting

- (1) Shielded fixtures are proposed for each porch. Cobra head lighting will be installed on the light pole at the project entrance.
- (2) The applicant shall connect all light poles and other exterior light fixtures underground.

§120-812S – Noise

- (1) The proposed condominium shall not exceed 55 dB between 7:00 AM to 10:00 PM and 45 dB between 10:01 PM to 6:59 AM.
- (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)

- A landscaping plan is shown on Sheet S-1.

§120-814 Multifamily development standards.

A. Building Architecture. The applicant provided building elevations for as part of the final plan application.

(1) Architectural variety

- (a) The building has a variety of techniques to visually break up the façade, a varied roof lines, and some variation in window sizes.

(2) *Facade.*

(a) *The building horizontal articulations are provided throughout the building, and rooflines incorporate varying heights and ridgelines.*

(3) *Orientation.*

(a) *The building entrance for Unit 1, adjacent to Falmouth Road, has stairs oriented to face the street.*

(b) *Buildings may be oriented to open space areas, provided that street frontages are developed consistent with above.*

B. Site design.

(1) *Parking.*

(b) *Provisions are made for snow storage in the design of all parking areas. The areas used for snow does not conflict with proposed landscaping. The areas shall be sited to avoid problems with visibility, traffic circulation, drainage, or icing during winter months.*

(2) *Screening.*

(a) *Utilities. There are no service areas, loading docks, delivery areas, trash receptacles, and mechanical equipment associated with this development.*

(b) *Existing residential abutters. Approximately 60 feet of existing vegetation will be maintained between the development and the residential abutter to the south.*

(3) *Bicycle/pedestrian.*

(a) *Internal traffic flow internal walkways. There are no existing sidewalks on Falmouth Road. The paved and gravel shoulder on Shepherd Lane will be suitable for residents of the development*

(c) *Bicycle parking/racks.*

[1] *The development will provide facilities for the parking of bicycles at a ratio of 0.5 bicycle parking space per dwelling unit.*

(4) *Recreation and open space.*

(a) *The applicant must designate and permanently reserve a minimum of 15% of the total lot area as usable common open space. Within the common open space, a minimum of 2,650 square feet (250 square feet/each of the first 10 units, plus 50 square feet/unit above 10 units) of contiguous area with constructed amenities for passive use (e.g. outdoor courtyards, seating areas, or family picnic area with amenities such as landscaping, lighting, weather protection and other features that encourage use year-round) or active areas (e.g., children's play areas, play fields, and community gardens). 18 acres of undeveloped woodland is reserved as open space. The applicant proposes to construct 1,325 square feet of trail to connect to an existing trail that will be maintained at a surface area of over 8,000 square feet.*

(5) *Landscape/lighting.*

A plan for site lighting and landscaping must be provided for final plan review.

(a) *Landscaping. Street trees are proposed along Falmouth Road and Shepherd Lane. Condo owners will be responsible for additional landscaping around the perimeter of their unit.*

(c) *Lighting. No pole-mounted lighting within the development is proposed. On building lighting is proposed. A streetlight will be installed at the access driveway entrance at Falmouth Road.*

(6) *Access drive standards.*

(b)[1] *Access drives shall be designed to conform to the standards for "major private roads" in these regulations, including the standards contained in Table 3, Table 4, and the applicable cross sections in Appendix B Street Standards.*

(c) *Curb cuts on the access drive must be separated by a minimum of 75 feet where possible. Driveway for the 13 single family dwellings are separated to the extent possible in order to reduce the road length to allow all the land area in the farm zone to remain undeveloped.*

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 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 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, none of the lots created within the subdivision has/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 not been harvested in violation of rules adopted pursuant to Title 12, §8869, sub§14.*

SITE PLAN CONCLUSIONS

1. *The plan for development 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 site plan has sufficient water available for the reasonably foreseeable needs of the site plan.

5. The proposed site plan 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 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 provide for adequate sewage waste disposal.

8. The proposed site plan conforms to a duly adopted site plan regulation or ordinance, comprehensive plan, development plan, or land use plan.

9. The developer has adequate financial capacity to meet the standards of this section.

10. The proposed site plan will not alone or in conjunction with existing activities, adversely affect the quality or quantity of groundwater.

11. The proposed site plan 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 with or discourage the appropriate development in the use of land adjacent to the proposed site or unreasonable affect its value.

CONDITIONS OF APPROVAL

1. Approval is dependent upon and limited to the proposals and plans contained in the application dated February 17, 2024 as amended July 14, 2025 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 or §120-815 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. The condominium declaration and condominium plat shall be submitted to the Planning Department for review prior to recording.

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 \$463.80; Recreation Impact Fee, Open Space Impact Fee, 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) and §120-815C(1)(b) 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.

Seconded by Kathleen Brown.

Vote: All in favor.

New Business

6. [PB 25-035](#) #25-16 - Meredith Woods Subdivision - Major Subdivision - Sketch Plan Review - Meredith Drive -Meredith Way, LLC
- The application is to develop a 5-lot conservation subdivision with a paved minor private road 810 feet in length. Lots will range in size from 30,047 SF to 32,227 SF, with the remaining 16.86 acres as open space. Lots will be served by private subsurface wastewater disposal systems, public water and underground utilities. Subject property is identified as Tax Map: 6; Lot: 38-E02; Zone: Farm (F) and Stream Protection (SP) in the Black Brook watershed.

Attachments: [25-16 MeredithWoods_PB_MEMO_MJR_SUB_SKP_070925.pdf](#)
[25-16 MJR SUB SKP APPL MeredithWoodsSub 6.25.25.pdf](#)

Steve Roberge with SGR Engineering was present representing the application. He detailed the project.

- *The land in question was one 23 acre lot out of the Lampron Subdivision, located at the end of Meredith Drive.*
- *The subdivision lots would be accessed by an 800 foot long road, ending in a cul-de-sac.*
- *On-site conservation areas were a stream flood plain; steep slopes; and wetlands.*
- *Net residential density allowed 12.9 lots.*
- *The plan complied with required access to an abutting property.*
- *Houses would be sprinkled with public water and have septic systems.*
- *Improvements to Barnes Road should be discussed.*
- *Stormwater would be captured and conveyed to catch basins and a detention pond.*
- *Utilities were underground.*
- *There were two open space conservation areas.*

Amanda Lessard:

- *There were questions regarding how recent the wetland delineation was?*
- *Buffer distances from the street and edge of the property had been met.*
- *Setbacks were met from conservation areas.*
- *State permitting was required.*
- *There were waiver requests from the requirement for a high intensity soil survey.*
- *A hydrogeological analysis wasn't required because the density was so low.*
- *There was a question regarding whether the developer should contribute to maintenance of Barnes Road, based on the impact of potential construction.*
- *There was no requirement to sprinkle the houses if they were on public water with a hydrant.*

Board Comment

- *What was the contribution amount for the applicant to repair Barnes Road?*
- *Barnes Road had not yet been fixed from previous projects and requiring it would penalize someone who wanted to do a project ten years later.*
- *What was the impact to Barnes Road of construction vehicles?*
- *If the road had been fixed, what would the developer be required to do now? They shouldn't be required to contribute.*

- *At what point would connection to an existing public street be required?*
- *Where were hydrants located?*

7. [PB 25-036](#)

#25-17 209-211 Tandberg Trail Multifamily - Major Subdivision & Site Plan - Sketch Plan Review - 209 & 211 Tandberg Trail - Moon Apartments, LLC
The application is for the development of 10 apartments by the conversion of an existing mixed-use building that has 2 existing dwellings and a former daycare at 211 Tandberg Trail to add 2 apartments to create a 4-unit building; and constructing a new 8-unit multifamily building. An existing 2 unit building at 209 Tandberg Trail will remain in place. Subject property is identified on Tax Map: 19C; Lots: 50-C and 50-D; Zone: Commercial IV (C-4) in the Pleasant River watershed.

Attachments: [25-17 209-211TandbergTrl PB MEMO MJR SUB SP SKP 071025.pdf](#)
[25-17 MJR SUB SP APPL 209-211Tandberg 063025.pdf](#)
[25-17 MJR SUB SP PLANS 209-211Tandberg 063025.pdf](#)

Eric Dube, from Trillium Engineering, was present with architect Joe Delaney, representing the application.

Mr. Dube explained:

- *There were currently three buildings existing on the site:*
 - o *A large building with what had been a daycare center on the first floor; two units on the second floor; and one unit in the basement.*
 - o *A house with one unit.*
 - o *A garage with one unit on the second floor.*
- *They proposed:*
 - o *To use the large existing building as a four-unit.*
 - o *To keep the house and garage as two units.*
 - o *To construct a new eight-unit building.*
 - ☐ *The existing large building, house, and garage would continue to use existing overhead utilities and septic.*
 - ☐ *The new eight-unit building would have new underground utilities and a new septic system.*
- *A new walkway would provide pedestrian connectivity.*

Mr. Delaney detailed the proposed eight-unit building:

- *There would be one ADA compliant unit on the first floor.*
- *They proposed vertical bays for the living rooms.*
- *The entrance would be covered.*
- *Mechanical equipment would be shielded behind the building.*
- *It would be fully sprinkled.*
- *They proposed screening of headlights from the parking area.*
- *Work would be phased. The new building was one phase. The second would be the large existing building. Then they would do the house and garage.*

Amanda Lessard explained:

- *The single existing unit in the basement of the large building was unapproved.*
- *The Planning Board had review responsibility for the new eight-unit building. The ordinance was not so clear on review of exterior alterations to the existing buildings.*
- *Waiver requests for setbacks to the parking lot and buildings had been submitted. Those were not things under Planning Board review.*

- A waiver request for the existing overhead utilities could be considered by the Planning Board.
- The Fire Department wanted access around three sides of building.

Board Comment

- The applicant should consider replacing the existing utilities during construction, so they were underground.
- More information was requested for the existing septic systems.
- Where would lighting be?
- A waiver would be required for more than one curb cut.
- Were the two lots to be combined?
- Did multi-family standards apply to the project?

8. [PB 25-037](#)

#25-18 250 Windham Center Road Condos - Major Subdivision & Site Plan - Sketch Plan Review - 250 Windham Center Road - Casco Bay Holdings, LLC

The application is for a 6-unit residential condominium development in 3 duplex buildings on a 3.26 acre property. The development will have a 400-foot private access driveway and be served by public water, private wastewater disposal systems, and underground utilities. Subject property is identified as Tax Map: 12; Lot: 52-A; Zone: Windam Center (WC) in the Black Brook watershed.

Attachments: [25-18 250WindhamCtrCondos PB MEMO MJR SUB SP SKP 071 025.pdf](#)
[25-18 MJR SUB SP APPL 250WindhamCtrCondos 2025 6 23.pdf](#)
[25-18 MJR SUB SP PLAN 250WindhamCtrCondos 2025 6 23.pdf](#)
[25-18 PUBLIC COMMENTS Connell 070525.pdf](#)
[25-18 PUBLIC COMMENTS MacVicar 071425.pdf](#)

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

- Three duplex buildings were proposed.
- The site abutted the Black Brook Preserve.
- A farmhouse was located on the property. It would be divided from the property of the proposed condo units.
- An existing barn would be demolished to provide room for the driveway to the condos.
- Site distance for the proposed access driveway would need improvement.
- They would access public water and install on-site septic.

Amanda Lessard explained:

- Public comment had been received regarding concerns of speed and pedestrian safety on the road.
- There was local school and library use in area. Construction of a component of a sidewalk would be beneficial. There was no requirement for a sidewalk along the access driveway.
- A waiver from the requirement of a high intensity soil survey had been approved.

Board Discussion

- A raised sidewalk there would be beneficial. What component of that could be required for the project?
- Where would amenity space be?

- *Public comment had requested installation of speed control devices. That was not a thing the Planning Board could require.*
- *The proposed access driveway entrance was in a bad location.*
- *Were there any required setbacks to the Blackbrook Preserve?*
- *Would the condos be visible from Windham Center Road?*
- *Would the existing farmhouse be a single family structure?*
- *What were the landscaping requirements?*
- *Where was the closest hydrant?*

9. [PB 25-038](#)

#25-14 Land Use Ordinance Amendments to Article 9 Subdivision Review
- Occupancy of Dwellings

The Town is proposing an amendment to Chapter 120, Land Use Ordinance (LUO), Article 9 Subdivision §120-915C, to limit occupancy of dwellings accessed on streets designed with a paved surface until the street upon which the unit is accessed is completed at least with the base course of pavement and dwellings accessed on streets designed with a gravel surface until the street upon which the unit is accessed is completed at least with the base course of crushed aggregate.

Attachments: [25-14 PB MEMO LUO AMD Article 9 Subdivision Occupancy Dwelling 070825.pdf](#)
[25-14 REDLINE LUO AMD Article 9 Subdivision Multi-family OC 070225.pdf](#)

Planning Director, Steve Puleo, explained:

- *The amendment proposed occupancy based on how complete the road was, not what type of housing it was.*
- *Currently multi-family dwellings had to be accessed by a road that was finish paved from the building to a public road. That was a burden to development.*
- *Under the amendment:*
 - o *An 11-unit or more development would be served by a major private road and occupancy would be allowed at base pavement.*
 - o *A ten-unit or fewer development would be served by a minor private road and occupancy would be allowed at base aggregate.*

Other Business

10. Adjournment

Evert Krikken made a motion to adjourn.

Seconded by Kathleen Brown.

All in favor.