

TOWN OF WINDHAM

Office of Community Development
Code Enforcement and Planning
8 School Road
Windham, Maine 04062

207-892-1901 or 207-892-1902

Windham Planning Board Findings of Fact and Conclusion of Law

Project Name: 06-10 North Windham Veterinary Hospital

Applicant: Dr. Jeffrey Carr

Date of Final Approval: August 14, 2006

Pursuant to the provisions of the Windham Land Use Ordinance, the Windham Planning Board has considered the application of Dr. Jeffrey Carr and finds the following:

Finding of Facts:

1. Dr. Jeffrey Carr is seeking approval for a veterinary hospital.
2. The property under consideration is addressed as 82 Tandberg Trail, is identified on tax map 67, lot 80 and is located in a Commercial I (C-1) District.
3. The applicant has submitted sufficient evidence to demonstrate right, title or interest.
4. The proposed veterinary hospital is considered a permitted use in the Commercial I (C-1) District.
5. An application was submitted to the Windham Community Development Office on June 14, 2006. Upon review of the application, the Windham Planning Board determined the application to be complete.
6. The application was considered by the Windham Planning Board against the applicable criteria outlined in the Land Use Ordinance.
7. A public hearing was held on August 14, 2006 after proper legal notice was given to all direct abutters of the property under consideration, posted within the Town Hall, and advertised in a newspaper of general circulation within the Town of Windham.

8. The proposed development will be served by municipal water.
9. The proposed development will be served by underground utility lines.
10. The proposed development will be served by an on-site subsurface wastewater disposal system.
11. Vehicular access to the proposed development will be from Tandberg Trail.
12. Stormwater drainage will be infiltrated into existing soils on site.
13. The applicant has demonstrated that the property under consideration is not located within a Flood Hazard Area.
14. The applicant has demonstrated that the proposed development will be built on soils that are appropriate for both the required foundations and septic system.
15. The applicant has demonstrated that the proposed development will not have an adverse impact on both the quantity and quality of groundwater in the area.
16. The applicant has demonstrated that the proposed development will not have an undue impact on historic sites, natural areas, visual quality, or wildlife and/or fisheries habitat.

Conclusion:

The Windham Planning Board reviewed the complete application for the project under consideration and found that all of the applicable standards, set forth by Chapter 140 Windham Land Use Ordinance, have been met. The Planning Board granted final approval of the application on August 14, 2006.

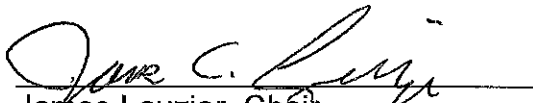
Approval was granted with the following conditions:

1. A keybox will be installed on the building, as requested by the Fire Department Memo, dated July 10, 2006.
2. The building will be NFPA 101, 2003 Edition compliant, as requested by the Fire Department Memo, dated July 10, 2006.
3. The building will have an NFPA 72 approved addressable fire alarm system, as requested by the Fire Department Memo, dated July 10, 2006. The system will be operational before an Occupancy Permit will be issued. The Fire Department will be notified and present when testing is being conducted
4. The building will be constructed in accordance with the artist's rendition and response, dated July 5, 2006, in conformance with the Windham Design Guidelines. Minor

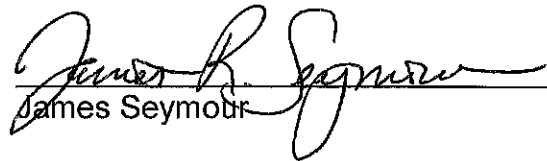
changes can be approved through Code Enforcement with concurrence with Planning Board Chair.

5. A letter from Gorrill -Palmer Consulting Engineers, regarding third party review of stormwater must be submitted before August 28, 2006. Any differences in opinion between Pinkham & Greer and Gorrill-Palmer will be arbitrated by the Community Development Director.
6. Lot number two, as depicted on the approved plan, is required to have Planning Board review and approval of stormwater before any development may occur on it.


Date:

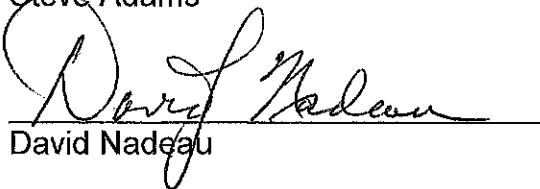

James Lauzier, Chair


Keith Williams, Vice-Chair


James Seymour

John Henry


Steve Adams


David Nadeau