



Town of Windham
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STAFF REVIEW AND COMMENT MEMO

DATE: May 5, 2023

TO: Scott Smith, 322 Roosevelt Trail, LLC
FROM: Steve Puleo, Town Planner
Cc: Amanda Lessard, Planning Director
Natalie Burns, Town Attorney
Windham Planning Board
Shawn Frank, Sebago Technics

RE: #22-17: 322 Roosevelt Trail – Contract Zone Request – 322 Roosevelt Trail, LLC
Scheduled for Planning Board: May 22, 2023

Thank you for submitting the revisions to your proposed contract zone agreement with the Town of Windham dated February 2, 2023. The staff met with the Town Attorney on February 14, 2023, to discuss the revised proposed contract zone agreement language and sent the following review comments for you to address (see below). You must provide a response by May 16th to maintain your schedule public land use recommendation hearing with the Planning Board the night of May 22nd.

Description of the proposal:

The application is for a proposed contract zone for the property located at 322 Roosevelt Trail to permit the existing 23 dwelling units in the building as a conforming multifamily use. The overall unit count will not expand from the existing 23 units (nine efficiency units, one owner unit with two bedrooms, and thirteen one-bedroom units). The proposed contract zone will allow permit uses for multifamily dwellings, accessory uses, and accessory buildings. The existing motel will be operated as a long-term rental apartment building with an office and associated maintenance facilities.

Tax Map: 12; Lot: 58; Zone: Farm District (F).

Planning Department and Attorney' comments:

- Please double check the document for minor errors and typos:
 - For example, comprehensive is misspelled.
- ~~Please expand on how the proposed contract zone is consistent with the Town's comprehensive plan.~~
- Add "Applicability" and "Classification" sections to the performance standards requiring a Planning Board site plan and subdivision application authorization found in [Article 8](#) and [9](#) of the Land Use Ordinance.
- Do not use the underlying zoning in the new zoning provisions by removing the "minimum" from frontage and using the existing frontage of the parcel.
- Consider a performance standard to allow parking for "Home occupations."
- Remove Motel for the "Permitted Use" section.
- Please explain what you mean in the "Permitted Uses" section the term "Accessory Buildings *to any other Permitted Use*" and "Accessory Use *to any other Permitted Use*."
- In the dimensional standards section:
 - (5)(a) Minimum lot size should be the actual lot size of the parcel.
- In the District Performance Standard Section

- (6)(a) Buffer strip landscape: please remove the reference to the exhibits, fix the “ase” typo, reference [Section 120-511](#), and add “The final screening and buffer plan shall be determined by the Planning Board per the site plan and subdivision review.”
- (b) Please reference [Section 120-522](#) Curb Cut and driveway openings. State the curb cut shall not exceed 40-feet in width.
- (c) Parking and loading should also reference [Section 120-542](#) and should specifically state “parking stall shall be 9’ by 18’ in size.
- (d) Reference [Section 120-554](#).
- Add a section (f) to allow for three overhead utility connections.
- Remove “Motel” and “Apartment” labels for the plans.
- Please provide an existing conditions plan without showing the proposed structure expansion.
- ~~Please provide a stamped certified survey of the entire parcel.~~

Thank you for your attention to these matters. Provide one copy of your response to staff comments with all revised application materials and one plan sets. Please email an electronic copy of your response letter, supporting documentation, and plan set. If I receive more comments, I will send them to you ASAP. Feel free to call me with any questions or concerns at (207) 777-1927 or email me at sjpuleo@windhammaine.us.