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## STAFF REVIEW AND COMPLETENESS MEMO

DATE: March 15, 2023

TO: 868 302, LLC  
FROM: Steve Puleo, Town Planner  
Cc: Windham Planning Board  
Craig Sweet, P.E., Terradyn consultants, LLC

RE: #24-01 – Mult-tenant Building Conversion – 868 Roosevelt Trail – Sketch Plan Review – 868 302, LLC

**Scheduled for Planning Board meeting: March 25, 2024**

Thank you for submitting your application on March 4, 2024. Unfortunately, we regret to inform you that your application is currently incomplete. After conducting a thorough review, our team has identified several outstanding items that need to be addressed before the Planning Board can conduct the final review.

Your application was scheduled for review at the Planning Board meeting on March 25, 2024. However, due to its incomplete status, we will have to recommend postponing the final review until it is complete. We want to inform you that a site walk has been scheduled for your proposal on March 23rd at 10:30 AM.

Please note that all Planning Board meetings are held in person at the Town Council Chambers in the Town Hall, located at 8 School Street. The meeting will commence at 6:30 p.m., and your attendance is mandatory. We appreciate your cooperation and look forward to receiving your completed application.s for a public hearing have been sent, therefore, at the Planning Board meeting your review will be postponed. All Planning Board meetings are "in-person meeting" at the Town Council Chambers in the Town Hall located at 8 School Street. The meeting begins at 6:30 p.m., and your attendance is required.

### Proposal:

The application is to convert the remainder of the existing retail building into a multi-tenant structure by adding a bakery to the existing 59-seat premium restaurant. The remaining space in the structure is intended for marijuana manufacturing and private warehousing for the property owner. The applicant proposes keeping nine parking spaces in front of the current structure, adding eleven new parking spaces behind the building, and has an agreement with the next-door property owner to use ten parking spaces, for a total of 30 parking spaces.

Tax Map: 71; Lot: 50E: Zone: Commercial I District (C-1) and the Stream Protection District (SP) in the Sebago Lake watershed.

### Planning Department:

- The Board cannot amend Article 4, zoning district standards. The parking spaces located in front of the building and the 100' Stream Protection Shoreland Zoning District are existing legal non-conformities.
- Missing applicant agent authorization form.
- The major site plan application is incomplete; we need applicant information.

- Missing parking count for private warehouse use by 868, 302, LLC, the applicant and owner of the property.
- Please obtain the Fire Chief's comment regarding the changes to the site to ensure life safety standards are being met. Confirm with the Fire Chief that a fire suppression system and the gated access to the site.
- Missing financial and technical capacity information for the applicant, 868, 302, LLC, and consultants.
- Missing the HHE-200 permit is a completeness requirement. Staff does not obtain this information from other departments or agencies.
- Missing please site lighting plan.
- The Planning Board cannot provide waivers to C-1 District Standards in [§120-410F](#).
- Please clarify: the parking analysis states that Waxwing Bakery does not provide a lunch menu, but the executive summary states they do provide lunch. If that is true, how does it affect parking demand and traffic generation?
- Please have Waxwing Bakery explain how often and at what times the wholesale bakery makes deliveries.
- Please show the distribution of traffic generated by bakery use at Route 302's Whites Bridge and Anglers Road intersections. This is for the North Windham Route 302 traffic impact fee; see 120-1200 for more details.
- The Planning Board signature block is missing, as are the approval conditions and approved waivers.
- Staff were unable to obtain third-party traffic engineer, fire department, and town attorney reviews. As soon as they become available, the staff will give them to the applicant.

#### CONDITIONS OF APPROVAL (Required)

1. Approval is dependent upon and limited to the proposals and plans contained in the application dated December 18, 2024 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 or [§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.

#### **Town Engineer:**

##### Stormwater/Drainage

- The proposed project is a redevelopment of an existing developed property with a substantial amount of existing impervious area. Overall the proposed design increases the impervious area by about 1400 SF based on information provided in the Stormwater Management Report. A bioretention cell is proposed adjacent to the parking area between the building and Route 302 to treat stormwater in this area. The proposed parking area at the rear of the property replaces a

current gravel-surfaced area with a paved surface. All the drainage from the front entrance and along the steep access drive on the side of the building flows to the rear parking area, which is within 30-ft of the wetlands that border Outlet Brook. Within ½-mile, Outlet Brook flows into the Sebago Lake Basin. No stormwater treatment is proposed for this area that is in very close proximity to a protected resource. I believe that some type of treatment should be provided to treat runoff from this area.

- Please provide a plan or mark up of an existing plan to clarify what is assumed to be existing and proposed impervious surface. The Watershed Plan should also indicate drainage flow direction.
- The proposed bioretention cell does not appear to have any provisions for overflow during a heavy rainfall event that exceeds the capacity required for water quality treatment. This needs to be added or else overflow may result in damage to the cell and surrounding area.
- At the end of the front parking area between Rte. 302 and the building, the grade slopes steeply down to Outlet Brook. The plan should include provide details on stabilization of this slope to prevent erosion during and after construction.

#### Traffic/Parking

- The two parallel parking spaces at the rear of the building block a walkway, which I believe is intended as an emergency exist, and a garage. These parking spaces appear to qualify as legitimate spaces with respect to access and safety and should probably be removed or relocated.
- The vehicle turnaround shown in the rear parking area appears to be blocked by the parking spaces proposed in that area and therefore will not be effective at times cars are parked there.
- The report says that there is an unpaved back entrance to the property on the south side that connects to Trails End Road, which connects into Route 302 via a stopped controlled intersection. Clarify what is meant by “a stopped controlled intersection”. There doesn’t appear to be any controls on that entrance onto Rte. 302.

#### Water

- It appears that the proposed site development has not yet received an “Ability to Serve” response/confirmation from the Portland Water District to indicate that the existing water supply to the site is sufficient to serve the proposed uses. This will be needed before approval of the application.

#### Fire Chief:

- We need a minimum of 16-ft wide fire lane next to the building, please show access and provide Fire Lane signage and pavement markings.
- Please provide the slope of the one-way fire lane next to the building.

Thank you for your attention to these matters. Provide one copy of your response to staff comments with all revised application materials and one (1) plan sets with the required construction details. 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. We will need your response by April 1, 2024. Please feel free to call me with any questions or concerns at (207) 777-1927 or email me at <mailto:sjpuleo@windhammaine.us>.