

# Town of Windham

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## MEMO

DATE: September 7, 2016

TO: Windham Planning Board  
FROM: Amanda Lessard, Planner *AL*  
Cc: Michael Tadema-Wielandt, P.E., Terradyn Consultants LLC  
RE: 16-30 Landing Real Estate: Minor Site Plan  
Planning Board Meeting: September 12, 2016

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### Overview –

This application is for a new two-story 1,290 square foot footprint real estate office (2,100 gross floor area) located at 79 Tandberg Trail in North Windham. The site is currently undeveloped.



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



Google Street Views looking east on Tandberg Trail

This application has been classified as a minor development as the total gross non-residential floor area is less than 5,000 square feet. The project was originally scheduled to be reviewed by the Staff Review Committee; however, during the peer review process the applicant submitted a waiver request from a performance standard. In accordance with Section 808, only the Planning Board may waive the requirements of Section 812.

Tax Map: 67, Lot: 8 Zone: Commercial 1 (C-1).

### SITE PLAN REVIEW

#### Staff Comments:

##### 1. Waivers Requested:

- a) §812.E.1.a.1– Insignificant Peak Flow Rates from a Project Site. Performance Standard. The stormwater management report, revised 8-30-16 indicates insignificant increases in the peak flow rates at study points SP1 and SP2.

*Staff opinion is that the stormwater waiver request is reasonable. Gorrill-Palmer reviewed the request and commented that the peak 25 year flow increase to SP 1 is a bit higher than we like to see, but given that it is flowing through a vegetated buffer and the well-drained native soils, it is unlikely that those flow increases will be fully realized. It will be important that the vegetated buffer remain intact, which is why we requested the pins to be set, similar to requirements for a stormwater quality buffer.*

##### 2. Complete Application:

**MOTION:** The application for project 16-30 Landing Real Estate is found complete in regard to the submission requirements based on the application checklist, but the Planning Board retains the right to request more information where review criteria are not fully addressed.

3. Public Hearing: The Planning Board should make a determination on if a public hearing is necessary for this project. A public hearing is not required by ordinance for Minor Site Plans, but the Planning Board has the authority to hold a public hearing, depending on the scope and location of the project.
4. Site Walk: A site walk has not been scheduled for this project.

Findings of Fact and conclusions for the

**Windham Planning Board,**

The Final Plan application for 16-30 Landing Real Estate on Tax Map: 67, Lot: 8, is to be **(approved with conditions/denied)** with the following findings of fact and conclusions.

**FINDINGS OF FACT**

**Utilization of the Site**

- The property is approximately 0.35 acres and is undeveloped.

**Vehicular and Pedestrian Traffic**

- The subject parcel has approximately 77 feet of frontage on Tandberg Trail. The existing curb cut is proposed to be relocated. A catch basin in Tandberg Trail will be relocated to accommodate the new entrance location.
- The plan set dated August 10, 2016, shows a single 20-foot wide entrance on Tandberg Trail.
- The plan shows eleven (11) parking spaces. The minimum parking spaces required by the ordinance is 8 parking spaces (3.35 spaces per k.s.f). 30% of these spaces must measure 10'x20'.
- Development in the C-1 zoning district is subject to the Sidewalk Impact Fee (Section 1201).
- An estimate of the traffic generation is included as Attachment I of the August 12, 2016 bound submission. The use will generate 5 trips in the AM and PM peak hour.

**Sewage Disposal and Groundwater Impacts**

- The development will be served by a new private subsurface wastewater disposal (septic) system.
- Test pit results prepared by James Mancini, dated March 22, 2016, have been submitted as Attachment G of the bound submission dated August 12, 2016, and shows that the property has adequate soils to support a private septic system. The test pit location is shown on the plan under the paved area behind the proposed building.

### **Stormwater Management**

- A Stormwater Management Report has been submitted dated August 2016.
- Stormwater will be managed with an infiltration basin proposed in the landscaped area at the front of the site and a forested buffer at the rear of the site.
- In an email dated August 24, 2016, Will Haskell, P.E., of Gorrill-Palmer Consulting Engineers, stated that the private drainage from a private drainage system cannot be connected to the public drainage system. He also noted that the stormwater report indicated that there will be insignificant increase in peak flows at study points SP1 and SP2. He also recommended that CB2 be located outside of the right-of-way and that the forested buffer be permanently marked as recommended by MDEP.
- A response to these comments was received from Michael Tadema-Wielandt, P.E., Terradyn Consultants LLC, dated August 30, 2016, along with an updated plan set of the same date. CB2 was eliminated and the infiltration basin revised to keep ponding water completely on the project site. The revised stormwater report also requests a waiver from the insignificant increases in peak flows.
- Mr. Haskell provided a follow-up email dated August 31, 2016, and questioned the modeling of SP2 and the pond grading extending within the right-of-way.
- Mr. Tadema-Wielandt responded to comments on August 31, 2016 and submitted revised calculations and revised plan sheets C4.0 and C5.1.
- This development is within the urbanized area. The proposed development will not result in an acre or more of disturbed area, relative to the applicability of Chapter 144 – Post-Construction Stormwater Ordinance.

### **Erosion Control**

- A soil erosion and sediment control plan has been submitted on Sheet C5.0 of the plan set dated August 10, 2016.

### **Utilities**

- All new utilities run to the building are shown to be underground.
- Gordon Johnson at the Portland Water District supplied an “Ability to Serve” letter dated March 25, 2016. There is an existing 1” copper service installed to the site in 2003 that should provide adequate flow and pressure for the proposed use. A 12-inch main is located on the north side of Tandberg Trail.
- The closest fire hydrant is located 335 feet from the site.

### **Financial Capacity**

- An estimated cost of development with itemized costs for major expenses has not been included in the submission materials.

- Evidence of financial capacity has been provided in the form of a letter dated August 4, 2016, from Dana Myles, Vice President at Norway Savings Bank, stating that they have committed to loan the applicant the funds to complete the project.

### **Landscape Plan**

- Landscaping is shown on Sheet C30 Site Layout Plan in the plan set dated August 10, 2016.

### **Conformity with Local Plans and Ordinances**

#### **1. Land Use**

- This project meets the setback requirements of the C-1 zoning district.
- This lot is a non-conforming lot of record as it does not meet the minimum lot size and minimum lot frontage requirements (minimum 100 feet) of the C-1 zoning district.

#### **2. Comprehensive Plan**

- This project meets the goals and objectives of the 2003 Comprehensive Plan.

#### **3. Others:**

- Design Standards, Section 813. The project must meet the design standards of the C-1 zoning district, along with a minimum of 8 of the elective Design Standards.
  - The applicant has supplied a narrative in the August 30 submission addressing the Standards in Section 813.A.

### **Impacts to Adjacent/Neighboring Properties**

- Details of lighting fixtures have been submitted in Attachment H of the bound submission dated August 12, 2016. Exterior lighting locations are shown on Sheet C3.0 in the plan set dated August 10, 2016.

### **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 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 ordinance.
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 ground water.
11. The proposed site plan **will** provide for adequate storm water 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.

#### CONDITIONS OF APPROVAL

1. Approval is dependant upon, and limited to, the proposals and plans contained in the application dated August 10, 2016, as amended August 31, 2016, and supporting documents and oral representations submitted and affirmed by the applicant, and conditions, if any, imposed by the Planning Board, and any variation from such plans, proposals and supporting documents and representations are subject to review and approval by the Planning Board or the Town Planner in accordance with Section 814.G. of the Land Use Ordinance.