

JOHN M. RIORDAN, P.E.
Consulting Engineer

January 12, 2017

Zoning Board of Appeals
Town Offices
8 School Road
Windham, Maine 04062

RE: Lake Regions Eagles – Conditional Use

Dear Board Members:

This application has been prepared on behalf of the Lake Regions Eagles and is submitted to the Windham Zoning Board of Appeals for its consideration and approval of an amendment to the existing Conditional Use permit. The Lake Regions Eagles received a Conditional Use permit three years ago on December 12, 2013 which allow it to relocate its club to the property at 456 Roosevelt Trail. The tenant of the building at that time was Dance Masters. Dance Masters was vacating the premises and the Lake Regions Eagles was buying the building for the Club's activities. Since that time the Club has only used the lower floor for its activities. The leadership of the Club has changed and there is interest now in expanding the active space used by the Lake Regions Eagles to include the second floor of the structure at 456 Roosevelt Trail for the Club's administrative needs.

In support of this application, please find the attached documents:

1. A letter from the Lake Regions Eagles authorizing me to represent the Club.
2. Three plans including:
 - a. A scaled site plan prepared by Wayne Wood & Co., dated January 2017, that shows the building on the subject property and buildings on the adjacent lots and associated access and parking.
 - b. A scaled plan of the first floor of the building presently used by the Club for all of its functions and activities. This shows the bar layout, pool tables, accessory tables and chairs and restrooms.

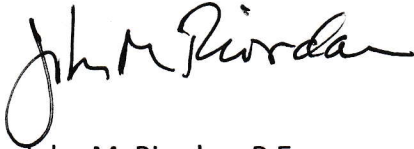
65 Fox Hill Lane
Saco, Maine 04072

PHONE 207-671-7601
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- c. A scaled plan of the second floor of the building that had been used as an exercise and dance classroom. This level is to be used for meetings of the Club's trustees and members.
3. The completed Application to the Zoning Board of Appeals.
4. Responses to the Conditional Use questions.
5. Eight copies of all the documents have been provided as requested.
6. An application fee of \$400 is enclosed.

We look forward to meeting with the Zoning Board of Appeals at the earliest available date and will address any questions or comments you may have.

Sincerely,

A handwritten signature in black ink, appearing to read "John M. Riordan". The signature is fluid and cursive, with a large initial "J" and "R".

John M. Riordan, P.E.
Consulting Engineer

CC: Rick Jones, Lake Regions Eagles

Encl.

ZBA APPLICATION CHECKLIST

Revised 06/11/2013

The following requirements are to be included with each Board of Appeals applications:

1. A cover letter explaining why the Board of Appeals is needed and any other information that might be necessary.
2. A permission letter from the owner, giving you the right to go to the Board of Appeals.
3. A scaled site plan must show the following locations:
 - All buildings
 - Parking spaces
 - Septic Systems
 - All existing and proposed setbacks
4. If the property is being used for more than one use, you need to show the following:
 - The different uses
 - Parking locations for all uses
 - The Town of Windham's Land Use Ordinance is met.
 - If necessary, restaurants must show seating plans to scale.
 - Daycare use must show floor plan and percentage of structure being used.
5. Questions that are attached to application need to be answered with a brief explanation and attached back to application.
6. The Code Enforcement Office will need 8 copies of application, site plans and any other attachments, made into packet form. (The plans must be folded when submitted).
7. All submissions must be 21 days prior to the next scheduled meeting. The ZBA Boards meets the first Thursday of every month unless there is a holiday.
8. Application fee is \$400.00, check made out to the Town of Windham.

PLEASE INFORM US OF ANY SPECIAL REQUIREMENTS YOU MAY HAVE DUE TO A DISABILITY

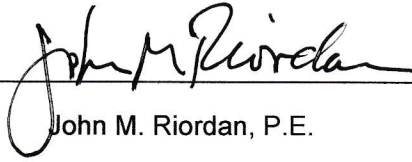
Statement to Town of Windham Board of Appeals

I acknowledge submitting my application to the Board of Appeals and signing this statement that I the undersigned:

State the proposed plan is to scale and reflects the true representation of the proposal requested.

I further understand that if the Board finds that it does not, then the Board has the right to table my application until I have met the requirements.

*Applicants
Signature*


John M. Riordan, P.E.

Date

1/12/2017

A location map and a scaled site plan must accompany this application. The site plan must show dimensions of the property, location of all buildings, yards, parking spaces and septic systems, and all existing and proposed setbacks.

An application fee of \$400.00 for residential appeals as well as for non-residential or multi-family is required upon application submission. ***If the Code Enforcement Office determines that ordinary and customary expenses associated with review of the development are higher than the \$400.00 fee, then the applicant shall be billed and shall pay to the Town prior to the final approval said expenses, including, but not limited to cost associated with notification of abutters, advertising of public meetings, and all the time dedicated to review of the development.***

NOTE: Applicant or his/her representatives must attend board meetings. If a request is needed to be tabled, the applicant or his/her representative must attend meeting to ask to be tabled. (11/21/91).

The right of any variance from the terms of this chapter granted by the Board of Appeals shall expire if the work or change permitted under the variance is not begun within six (6) months or substantially completed within one (1) year of the date of the vote by the Board.

I CERTIFY THAT THE INFORMATION CONTAINED IN THIS APPLICATION AND IN ITS SUPPLEMENTS IS TRUE AND CORRECT.

Applicant's Signature John M. Riordan Date 1/12/2017
John M. Riordan, P.E.

Conditional Use Questions

H. Review Criteria. The Reviewing Authority shall have the power and duty to approve, approve with conditions, or deny conditional use applications based on the following standards:

1. Property Value. The proposed use will not depreciate the economic value of surrounding properties.
 2. Wildlife Habitat. The proposed use will not damage significant wildlife habitat or spawning grounds identified by the Maine Department of Inland Fisheries and Wildlife or by the Town of Windham's Comprehensive Plan.
 3. Botanical Species. The proposed use will not damage rare or endangered botanical species as identified by the Maine Department of Conservation or by the Town of Windham's Comprehensive Plan.
 4. Potable Water
 - (a) The proposed use has access to potable water,
 - (b) The proposed use will not burden either a groundwater aquifer or public water system.
 5. Sewage Disposal. The proposed use has adequate capacity to dispose of sewage waste. A change from one use to another use must show that either:
 - (a) The existing sewage system has adequate capacity for the proposed use, or
 - (b) The existing system will be improved, or a new system will be installed to provide adequate waste disposal capacity.
 6. Traffic. The proposed use has adequate sight distance as established by current Maine DOT Highway Entrance and Driveway Rules.
- Sec. 500 Performance Standards Land Use Ordinance Town of Windham
5 - 10
7. Public Safety. The proposed use will not overburden police, fire and rescue services, as determined by response time, accessibility to the site of the proposed use, and numbers and types of emergency personnel and equipment presently serving the community.
 8. Vibration. The proposed use will not produce inherently and recurrently generated vibrations that exceed a peak particle velocity greater than 2.0 at the closest "protected structure," as defined by the Maine Department of Environmental Protection.
 9. Noise. The proposed use shall meet the noise standards in Section 812.S. of the Site Plan Review Ordinance.
 10. Off-Street Parking and Loading. The proposed use meets the parking and loading standards of Section 812.C. Site Plan Review.
 11. Odors. The proposed use will not emit noxious or odorous matter in such quantities as to be offensive at the lot boundaries.
 12. Air Pollution. No emission of dust or other form of air pollution is permitted which can cause any damage to health, to animals or vegetation, or other forms of property, or which can cause any excessive soiling at any point, and in no event any emission, from any activity permitted composed of any solid or liquid particles in concentration exceeding three-tenths (0.3) grain per cubic foot of the conveying gas or air at any point.
 13. Water Pollution. No discharge at any point into any private sewage disposal system or stream or into the ground of any materials in such nature or temperature as to contaminate any water supply or otherwise cause the emission of dangerous or objectionable elements is permitted.

14. Erosion and Sediment Control. The proposed use will not cause water pollution, sedimentation, erosion, nor contaminate any water supply, nor reduce the capacity of the land to hold water, so that a dangerous or unhealthy condition may result.

15. Hazardous Material. No use shall for any period of time discharge across the boundaries of the lot wherein it is located toxic and noxious matter in concentrations so that a dangerous or unhealthy condition may result.

16. Zoning District and Performance Standards. The proposed use meets the applicable zoning district standards in Section 400 and the applicable performance standards of Section 500. Town of Windham Land Use Ordinance Sec. 500 Performance Standards 5 - 11

17. Solid Waste Management. The proposed use shall provide for adequate disposal of solid wastes. All solid waste must be disposed of at a licensed disposal facility having adequate capacity to accept the project's wastes.

Responses to Conditional Use Questions

1. Property Value: The approved use of the second floor will not depreciate the economic value of the surrounding property.
2. Wildlife Habitat: The approved use of the second floor will not damage wildlife habitat.
3. Botanical Species: The approved use of the second floor will not damage any botanical species.
4. Potable Water:
 - a. The Lake Regions Eagles Club is served by public water.
 - b. The approved use will not change the Club's demand for water.
5. Sewage Disposal:
 - a. The Lake Regions Eagles Club is properly equipped with restrooms and is served with an on-lot subsurface wastewater disposal system.
 - b. The approved use of the second floor will not require any alteration to the existing facilities.
6. Traffic: The approved use of the second floor will not require any alteration of the existing connection to Roosevelt Trail.
7. Public Safety: The approved use of the second floor will not alter the demand for local fire and rescue services since this is part of an existing structure that has been used in the past.
8. Vibration: The approved use of the second floor will not generate nuisance vibrations.
9. Noise: The approved use of the second floor will not generate nuisance noise.
10. Off-Street Parking and Loading: The Lake Regions Eagles Club is served with 42 approved parking spaces as required by Section 812.C. Site Plan Review and based on Conditional Use and Occupancy Permit issued in December 2013. The use of the premises will remain the same.
11. Odors: The proposed use of the second floor will not generate offensive odors.
12. Air Pollution: The proposed use of the second floor will not generate any emissions affecting the environment.

13. Water Pollution: The proposed use of the second floor will not generate any discharge that affects ground or surface waters.
14. Erosion and Sediment Control: The proposed use of the second floor will not generate any emissions affecting the environment.
15. Hazardous Material: The proposed use of the second floor will not generate any hazardous material.
16. Zoning District and Performance Standards: The proposed use of the second floor meets all applicable zoning district standards.
17. Solid Waste: The proposed use of the second floor will not generate any change in the handling of solid waste.