

# Town of Windham

Planning Department  
8 School Road  
Windham, ME 04062

voice 207.894.5902

fax 207.892.1916

## MEMO

DATE: February 22, 2017

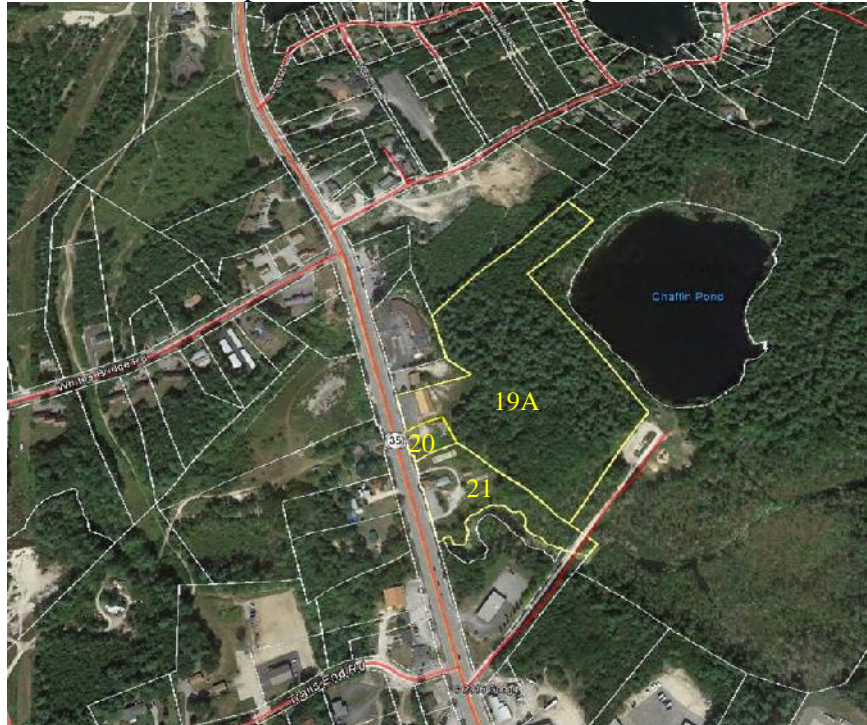
TO: Windham Planning Board  
FROM: Amanda Lessard, Planner *AL*  
Cc: Ben Smith, Planning Director  
Dustin Roma, PE, DM Roma Consulting Engineers

RE: 17-02 Plaza Project Phase II – Major Site Plan Review, Sketch Plan  
Planning Board Meeting: February 27, 2017

---

### Overview –

This application is for a new JAMAR, Inc to request review of a 4,960 square foot daycare and revision to a minor site plan at 881 - 885 Roosevelt Trail. Phase I of this project, 4,800 square foot retail/office building at 881 Roosevelt Trail (Lot 20), was approved by the Staff Review Committee on November 29, 2016. This project will combine Lots 19A and 20 to utilize the existing entrance to the Hearing Aid Center located at 885 Roosevelt Trail and revise the alignment of the access road and park area of the Phase I approval.



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



Google Street Views of proposed shared entrance, looking south on Roosevelt Trail

This memo updates prior staff memos, the last of which was dated November 23, 2016. Underlined text in the Findings of Fact below is for the revisions to Phase I and Phase II.

This application has been classified as a major development as the combination of Lot 19A and Lot 20 will result in a cumulative total gross non-residential floor area that is greater than 5,000 square feet.

Tax Map: 18; Lots 19A and 20. Zone: Commercial 1 (C-1).

### SITE PLAN REVIEW

#### Staff Comments:

1. Waivers:
  - a) None
2. Complete Application: *Not applicable at Sketch Plan review stage.*

**MOTION:** ~~The application for project 17-02 Plaza Project Phase II 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. A public hearing has not been scheduled for this project.
4. Site Walk: A site walk has not been scheduled for this project, but the Board should discuss whether a site walk will be required prior to the next submission.

Findings of Fact and conclusions for the

**Windham Planning Board,**

~~The Site Plan application for 17-02 Plaza Project Phase II on Tax Map: 18, Lots: 19A and 20 is to be (approved with conditions/denied) with the following findings of fact and conclusions:~~

FINDINGS OF FACT

**Utilization of the Site**

- The three parcels (Lot 20, 19A, and 21) total 17.67 acres and include a 4,800 square foot hearing aid store, and several other vacant buildings. Ten (10) acres are in a conservation easement to benefit the Town, adjacent to the Donnabeth Lippman Park site.
- Lot 20 is currently undeveloped. A 4,800 square foot retail/office building was approved by the Staff Review Committee on November 29, 2016.

**Vehicular and Pedestrian Traffic**

- The applicant proposes to close the existing southerly driveway on Lot 20 and share the existing entrance with Lot 19A.
- The site shows a total of 17 parking spaces. The minimum required by the ordinance for a retail use is 17 parking spaces (3.5 spaces per 1,000 s.f). 30% of these spaces must measure 10'x20'.
- In an email dated August 23, 2015, Will Haskell, P.E., of Gorrill-Palmer Consulting Engineers, stated that trip generation information should be provided and ADA parking should be provided.
- A traffic impact study is required if the project will generate fifty (50) or more trips during the a.m. or p.m. peak hour.
- A traffic analysis prepared by William C. Eaton, PE, of Eaton Traffic Engineering, dated September 19, 2016, has been submitted as Attachment G of the bound submission dated October 7, 2016. An office use will generate 53 weekday trips, with 7 vehicle trips during the AM and PM peak hours, while a retail use would generate 24 trips in the weekday PM peak hour and 29 trips for the Saturday peak hour.
- In an email dated October 19, 2016, Will Haskell, P.E., of Gorrill-Palmer Consulting Engineers, requested a detail for the gravel and pavement restoration of Route 302 related to the closure of the existing curb cut with new curb required. He also asked for clarification if the existing curb ramps and landing pads at the main entrance will be

reconstructed and that the Town's preference for detectable warnings be cast iron or composite plates set in concrete.

- A revised site, grading and utility plan (Sheet C-100), sections and details (Sheet C-301), and drainage details (C-302) was submitted on October 28, 2016.
- In an email dated November 1, 2016, Will Haskell, P.E., of Gorrill-Palmer Consulting Engineers, stated that the latest submission did not appear to acknowledge or address review comments.
- A response to peer review comments dated November 8, 2016 was submitted on November 10, 2016. A detail for the closure of the existing curb cut is shown. No changes to the existing curb ramps and landing pads are proposed. A cast iron detectable warning plate is shown. Proposed access easements are shown on Exhibit F prepared by Survey, Inc. dated November 9, 2016.
- Phase II of the project proposes a realignment to the Phase I access drive. The applicant should more clearly identify on the final site plan the areas of the Phase I that are proposed to be amended. This entrance will be shared by the existing hearing aid business, the Phase I retail building, and the Phase II daycare.
- The site shows a total of 32 parking spaces. The minimum required by the ordinance for a day care use is 45 parking spaces (3.5 spaces per 100 capacity + staff). 30% of these spaces must measure 10'x20'. The Site Plan Sheet S-1 dated February 6, 2017 notes shared parking to be utilized on premises with other buildings and potential future parking area over septic field if needed. The ordinance requires allows the Board to reduce the required number of parking spaces where the applicant can show, through a parking study performed by a Maine Licensed Professional Engineer, that the peak period parking demand of the uses is non-conflicting.
- In an email dated February 10, 2017 Town Engineer Jon Earle, P.E., requested that 13 shared parking spaces be identified on the plan.
- A traffic impact study prepared by William C. Eaton, PE, of Eaton Traffic Engineering, dated has been submitted as part of the bound submission dated February 6, 2017. The Phase I retail use plus the Phase II day care use will generate 106 PM peak hour trips.
- A Maine Department of Transportation Traffic Movement Permit is required for this project and must be submitted with the final plan.
- The Overall Site Plan on Sheet OAS-1 dated February 6, 2017 shows a future road and sidewalk continuing through Lot 21. This secondary access point is not considered in the traffic impact study.
- The project may be subject to the North Route 302 Road Improvements Impact Fee (Section 1204). A traffic analysis shall be conducted in order to determine the traffic impact and requisite impact fee total, as measured by additional vehicle trips to be generated by a development project that pass through the North Route 302 Capital Improvement District in the peak commuter hour.

### **Sewage Disposal and Groundwater Impacts**

- The development will be served by a private subsurface wastewater disposal (septic) system.

- Test pit results prepared by Albert Frick, dated September 30, 2016, have been submitted as Attachment E of the bound submission dated October 7, 2016, and shows that the property has adequate soils to support a private septic system. The proposed system will serve this proposed retail use, the existing Hearing Aid Center on Lot 19A, the existing real estate office on Lot 19B, and a future day care use on Lot 19A.
- The location for the disposal area is shown on the site plan behind the proposed building. This plan does not show the boundaries of Lot 20 so it cannot be determined if the field is located entirely on Lot 20 or partially on Lot 19A and would require easements.
- In an email dated October 19, 2016, Will Haskell, P.E., of Gorrill-Palmer Consulting Engineers, stated that the HHE 200 provides vague information on the inverts of the septic tank and outlet pipe and recommends the submission of additional information.
- A revised site, grading and utility plan (Sheet C-100) was submitted on October 28, 2016.
- In an email dated November 1, 2016, Will Haskell, P.E., of Gorrill-Palmer Consulting Engineers, stated that the latest submission did not appear to acknowledge or address review comments related to the septic tank inverts and outlet pipe.
- A response to peer review comments dated November 8, 2016 was submitted on November 10, 2016 and state that a pump station is not required. A revised site, grading and utility plan (Sheet C-100) now shows a boulder retaining wall at the rear of the proposed building. Proposed sewer and septic easements are shown on Exhibits C, D, and E prepared by Survey, Inc. dated November 9, 2016.
- In an email dated November 14, 2016, Will Haskell, P.E., of Gorrill-Palmer Consulting Engineers, stated that the retaining wall extends up to about 7 feet in height and notes that design plans and calculations shall be submitted for the boulder wall as part of the building permit process.
- In a response to comments dated November 15, 2016, submitted on November 16, 2016, James Manzer, P.E., PTOE, of Sevee & Maher Engineers, Inc, notes that the retaining wall is a standard design used by his firm and the details can be address as part of the building permit process.
- The Phase II day care will utilize the septic system that was approved as part of Phase I.

### **Stormwater Management**

- A stormwater management plan is not required for a Minor Site Plan.
- In an email dated September 21, 2016, Will Haskell, P.E., of Gorrill-Palmer Consulting Engineers, stated that stormwater quantity management shall be designed to maintain the peak flows from the 2, 10, and 25 year storm events at or below the pre-development levels. Also, consideration should be given to minor increase in the stormwater runoff to the existing culvert under Route 302 for Outlet Brook.
- A Stormwater Management Report has been submitted dated October 3, 2016 prepared by Sevee & Maher Engineers, Inc. The report considers the total 7.65 acres on Lots 20, 19A, and 21 under the control of the applicant.
- This project (Phase 1) will result in a net increase in impervious surface of 0.37 acres, increasing the percent of impervious surface from 11.4 percent to 16.2 percent of the total parcel area. Stormwater will be managed with an underdrain soil filter proposed in the

landscaped area at the front of the site along the parking lot adjacent to Route 302, and runoff will be directed to the wood areas at the rear of the lot.

- The extent project for Phase I results in just under 1 acres of land disturbance, therefore, a Maine DEP stormwater permit does not appear necessary at this time.
- In an email dated October 19, 2016, Will Haskell, P.E., of Gorrill-Palmer Consulting Engineers, stated that the Stormwater Plan generally conformws with the Town's Site Plan Ordinance Requirements relative to stormwater quantity. Minor site plans are not required to provide stormwater quality treatment. Mr. Haskell requested a specification be provided from the clay material for the underdrain soil filter detail, or an alternate material specified. Also, the grading should be revised to route drainage around the disposal field.
- A revised site, grading and utility plan (Sheet C-100) was submitted on October 28, 2016.
- In an email dated November 1, 2016, Will Haskell, P.E., of Gorrill-Palmer Consulting Engineers, stated that the latest submission did not appear to acknowledge or address review comments related to the underdrain soil filter liner.
- A response to peer review comments dated November 8, 2016 was submitted on November 10, 2016. A revised site, grading and utility plan (Sheet C-100) and drainage details (Sheet C-302) includes a note that there is no ledge in the detention pond area. Proposed grading and drainage easements are shown on Exhibits A and B prepared by Survey, Inc. dated November 9, 2016.
- In a response to comments dated November 15, 2016, submitted on November 16, 2016, James Manzer, P.E., PTOE, of Sevee & Maher Engineers, Inc, notes that the owner will have to complete a "Notice of Intent to Comply with Maine Construction General Permit" for Lot 19A.
- Per Section 812.E., a stormwater plan needs to be submitted that meets the standards DEP Chapter 500 Stormwater Management. A stormwater management report was submitted as of the sketch plan application dated February 6, 2017. The proposed development for Phase 1 and 2 will result in in a net increase of 46,935 square feet of impervious surface and an additional 81,505 square feet of additional developed area.
- This project requires a Maine Department of Environmental Protection (DEP) Chapter 500 Stormwater Permit. The permit must be submitted as part of the Final Plan.
- In an email dated February 10, 2017 Town Engineer Jon Earle, P.E , stated that the project exceeds the requirement for stormwater treatment by providing 2 underdrain soil filters and a roof drip edge.
- The grading and drainage easements on Lot 21 should be shown on the final plan.

## **Erosion Control**

- A soil erosion and sediment control plan has been submitted on Sheet C-300 of the plan set dated October 3, 2016.
- In an email dated October 19, 2016, Will Haskell, P.E., of Gorrill-Palmer Consulting Engineers, stated that the Erosion and Sedimentation Control Plan generally conforms to the Town's Site Plan Ordinance requirements.
- A soil erosion and sediment control plan has been submitted on Sheet D-100 of the plan set dated February 6, 2017.



- In an email dated February 10, 2017 Town Engineer Jon Earle, P.E., stated that provisions for temporary and permanent erosion and sediment control have been adequately provided.

## Utilities

- All new utilities run to the building are underground.
- There is an existing fire hydrant on Route 302 in front of the Hearing Aid Center property. The hydrant location is shown on the plan
- The applicant must secure a written statement from the Portland Water District stating that there is adequate water supply and pressure for this use.
- In an email dated October 19, 2016, Will Haskell, P.E., of Gorrill-Palmer Consulting Engineers, requested that the applicant obtain clarification from the District on whether the existing water services to the site need to be removed back to the water main in Route 302.
- A response to peer review comments dated November 8, 2016 was submitted on November 10, 2016. A revised site, grading and utility plan (Sheet C-100) now shows a boulder retaining wall at the rear of the proposed building. Proposed gas, water and electric easements are shown on Exhibits G, H, I, J, and K prepared by Survey, Inc. dated November 9, 2016.
- Gordon S. Johnson, P.E. at the Portland Water District supplied an “Ability to Serve” letter dated November 15, 2016. The existing 8-inch service to the site may be used. The existing 1-inch service to the site must be terminated.
- In an email dated November 14, 2016, Will Haskell, P.E., of Gorrill-Palmer Consulting Engineers, stated that related to the retaining wall, consideration should be given to the location of the termination of the 8” water service for extension to the future development.
- In a response to comments dated November 15, 2016, submitted on November 16, 2016, James Manzer, P.E., PTOE, of Sevee & Maher Engineers, Inc, stated that the proposed grade elevations over the proposed water line extension at the end of the driveway is about the same as the existing grade of the gravel over the existing waterline near the road. Any spots of concern can be remedied during construction with extruded polystyrene rigid foam insulation.
- In an email dated November 14, 2016, Will Haskell, P.E., of Gorrill-Palmer Consulting Engineers, responded that the concern for the location of the waterline for future development as it appears to dead end at the back of the retaining wall.
- Underground utilities are shown on the Grading & Utility Plan Sheet GU-1 dated February 6, 2017. A proposed hydrant is shown at the end of the access road.
- The Phase II sketch plan application dated February 6, 2017 includes a copy of the November 15, 2016 ability to serve letter from the Portland Water District.
- In an email dated February 10, 2017 Town Engineer Jon Earle, P.E., commented that it was unclear if the letter was confirming ability for full buildout of Phase 1 and 2.

## Financial Capacity

- Evidence of financial capacity has been provided in the form of a letter dated September 6, 2016, from Peter H. Godsoe, Vice President at Norway Savings Bank, stating that the applicant has sufficient capacity to complete this project.
- As part of the Phase 2 Final Plan submission, the applicant must show an estimate the total project costs, and submit evidence of financial capacity to complete the project as proposed.

### **Landscape Plan**

- Landscaping is shown on Sheet SP-2 in the plan set submitted October 7, 2016.
- In an email dated October 19, 2016, Will Haskell, P.E., of Gorrill-Palmer Consulting Engineers, required a detail for the gravel bed along the edge of the front parking areas as this area may be prone to erosion from sheet flow off the pavement area. Consideration should be given to stabilizing this edge with riprap or a turf reinforcement mat (TRM).
- A revised Landscaping Plan Sheet SP-2 was submitted on November 22, 2016. 12'x50' of pervious pavement is shown on the north side of the building next to the access driveway to allow for trash pick-up. The area of pervious pavement should also be shown on the site plan.
- A landscaping plan must be submitted as part of the Phase 2 final plan set.

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

1. Land Use
  - This project meets the setback requirements of the C-1 zoning district.
  - This project meets the minimum lot size requirements and minimum lot frontage requirements (minimum 100 feet) of the C-1 zoning district.
  - This project meets the landscaped buffer strip (20 feet along front property line) and curb cut requirements of the C-1 zoning district (one per lot).
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 eight (8) of the elective Design Standards.
    - The applicant has supplied a narrative in the October 27, 2016 submission addressing the Standards in Section 813.A.
    - Revised building elevations and landscaping plan (Sheet SP-2) were submitted on November 22, 2016. Parapets have been added to break up the roof line along the side and rear elevations and shield view of mechanical equipment, and additional detailing has been added to the building façade. Snow storage areas and a bike rack location/detail are shown on the landscaping plan.
    - Building elevations for the day care were submitted as part of the Phase 2 sketch plan submission on February 6, 2017.



- Chapter 221 Street Naming and Addressing: Following consultation with the Assessing Department, a proposed road name must be shown on the Final Plan.

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

- A 6'x20' shed addition for trash and utilities with a double wood door for trash is shown on the left building elevation. This addition is not shown on the site plan.
- In the November 22, 2016 submission the applicant has eliminated the shed addition and added a 12'x50' area of pervious pavement on the north side of the building next to the access driveway to allow for trash pick-up.
- Exterior lighting locations are shown on Sheet SP-3 in the plan set submitted October 7, 2016.
- In an email dated October 19, 2016, Will Haskell, P.E., of Gorrill-Palmer Consulting Engineers, requested a photometric plan because of concern that Fixture A will result in light spillage over the property line.
- A photometric plan dated October 31, 2016 was submitted. This plan does not show the boundaries of Lot 20, however it appears that the illumination at the Hearing Aid Center exceeds the maximum 0.5 footcandles allowed by Section 812.R.
- A revised photometric plan was submitted on November 22, 2016. The illumination at the southern property line with Lot 21 exceeds the maximum 0.5 footcandles allowed by Section 812.R.
- Proposed light poles are shown on the Grading & Utility Plan Sheet GU-1 dated February 6, 2017.

### **CONCLUSIONS**

1. ~~The plan for development **reflects/does not reflect** the natural capacities of the site to support development.~~
2. ~~Buildings, lots, and support facilities **will/will not** 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/will not** be maintained and protected to the maximum extent.~~
4. ~~The proposed site plan **has/does not have** sufficient water available for the reasonably foreseeable needs of the site plan.~~
5. ~~The proposed site plan **will/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/will not** be of such a nature that it will make vehicular or pedestrian traffic no more hazardous than is normal for the area involved.~~
7. ~~The proposed site plan **will/will not** provide for adequate sewage waste disposal.~~
8. ~~The proposed site plan **conforms/does not conform** to a duly adopted site plan regulation or ordinance, comprehensive plan, development plan, or land use plan.~~

9. ~~The developer **has/does not have** adequate financial capacity to meet the standards of this section.~~
10. ~~The proposed site plan **will/will not** alone or in conjunction with existing activities, adversely affect the quality or quantity of ground water.~~
11. ~~The proposed site plan **will/will not** 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/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/does not** provide adequate protection to neighboring properties from detrimental features of the development that could be avoided by adequate~~

#### CONDITIONS OF APPROVAL

1. Approval is dependant upon, and limited to, the proposals and plans contained in the application dated February 6, 2017, as amended\_\_\_\_, and supporting documents and oral representations submitted and affirmed by the applicant, and conditions, if any, imposed by the Staff Review Committee, 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.