

Town of Windham

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MEMO

DATE: March 7, 2017

TO: Planning Board
FROM: Amanda Lessard, Planner *AL*
Cc: Ben Smith, Planning Director
David Moore

RE: 17-03 – Craig Road Subdivision - Minor Subdivision, Sketch Plan
Planning Board Meeting: March 13, 2017

Overview –

The applicant is proposing to divide a 42.75 acre property located at 15 Craig Road into three (3) lots. Access to the proposed lots will be provided on Craig Road.

Tax Map: 4; Lot 31. Zoning District: Farm (F)

SUBDIVISION REVIEW

Staff Comments:

1. Waivers: None
2. Complete Application: *N/A with Sketch Plan.*

MOTION: ~~The application for project 17-03 – Craig Road Subdivision 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: No public hearing has been scheduled for this project. The Planning Board must determine whether to hold a public hearing on the application.
4. Site Walk: A site walk has not been scheduled for this project.

Findings of Fact and conclusions for the

Windham Planning Board,

MOTION: ~~The Subdivision application for 17-03 – Craig Road Subdivision on Tax Map: 4, Lot: 31 is to be (approved with conditions/denied) with the following findings of fact and conclusions:~~

FINDINGS OF FACT

A. POLLUTION

- A portion of this subdivision is within the mapped 100 year floodplain.
- Any development within a special flood hazard area must obtain a Flood Hazard Development Permit.
- The new residential lots will not result in undue air or water pollution.

B. WATER

- All lots will be served by individual private wells.
- The closest fire hydrant is located in Westbrook at the corner of Hardy Road and Small Hardy Road, approximately 1,100 feet from the Craig Road intersection.
- Fire Chief Brent Libby is comfortable utilizing the existing hydrant as the water supply for fire protection for this proposed subdivision. If additional lots are proposed in the future on Craig Road this determination will need to be revisited.

C. SOIL EROSION

- A surface drainage plan must be submitted as part of the Final Plan.
- Town Engineer Jon Earle provided comment on February 15, 2017 that a waiver of stormwater quantity analysis would seem appropriate given the amount of disturbance and lack of road construction and noted that a plan with topography will be needed to review treatment BMPs along with an overlay of hydrologic soils groups and culvert types. He also noted that there is an existing culvert north of Lot 2 (probably discharges across the corner of Lot 3 onto Lot 2 and the existing wetland).
- A soil erosion and sediment control plan must be submitted as part of the Final Plan. Staff recommends an erosion and sediment control plan for the individual lot development. Construction entrances should also be shown to prevent tracking or sediment onto public roads (Craig and Anderson).

D. TRAFFIC

- All lots have frontage on Craig Road, a gravel surface public dead-end road. Lot 1 also has frontage on Anderson Road. Access to all lots will be provided on Craig Road.

- Driveway locations and site distances should be shown on the final plan.
- Based on the distance to uses that would generate pedestrian trips, sidewalks are not required.

E. SEWERAGE

- The proposed lots will be served private septic systems.
- Soil test pit analysis must be included with the Final Plan submission. All lots must have at least one passing test pit.
- The test pit locations are shown on the sketch plan. The test pit location for Lot 2 is shown in the side setback. The applicant should clarify if a septic system in this location will require an easement on Lot 3.

F. SOLID WASTE

- Private residences in this subdivision will participate in the Town trash bag program.
- Development of these lots should not produce an undue burden on the Town's ability to collect and dispose of solid waste

G. AESTHETICS

- There is currently a single family residence on the site. The remainder of the site is an open maintained field with wooded vegetated buffers along a stream that bisects the property and also at the rear of the lot.
- A Portland Pipeline Easement and a Portland Natural Gas Easement bisects the lot.
- There are no documented rare botanical features for significant wildlife habitat documented on the site.
- Street trees are required at least every fifty (50) feet.
- Limits of tree clearing should be shown on the plan. A note should be added to the plan stating that clearing of trees is not allowed in areas where tree cover is depicted on the plan for a period of at least five (5) years from the date of Planning Board approval.

H. CONFORMITY WITH LOCAL PLANS AND ORDINANCES

- Comprehensive Plan:
 - The plan does meet the goals of the 2003 Comprehensive Plan.
- Land Use Ordinances:
 - All lots exceed the minimum lot size (80,000 sf) and minimum frontage (200 feet) requirements for standard lots in the F zone.
 - The net residential density should be shown on the plan.
- Subdivision Ordinance
 - Standard notes and the standard condition of approval must be shown on the final plan.

- The Tax Map and Lot numbers provided by the Tax Assessor must be shown on the Final Plan.
- Digital transfer of the subdivision plan data must be submitted with the Final Plan submission for inclusion with the Town's GIS.

- Others:
 - None

I. FINANCIAL AND TECHNICAL CAPACITY

- Evidence of financial capacity must be provided as part of the Final Plan submission.
- Evidence of technical capacity must be provided as part of the Final Plan submission.

J. RIVER, STREAM OR BROOK IMPACTS

- This project will not adversely impact any river, stream, or brook.

CONCLUSIONS (N/A)

1. ~~The proposed subdivision **will/will not** result in undue water or air pollution.~~
2. ~~The proposed subdivision **has/does not have** sufficient water available for the reasonably foreseeable needs of the site plan.~~
3. ~~The proposed subdivision **will/will not** cause an unreasonable burden on an existing water supply.~~
4. ~~The proposed subdivision **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.~~
5. ~~The proposed subdivision **will/will not** cause unreasonable highway or public road congestion or unsafe conditions with respect to the use of the highways or public roads existing or proposed.~~
6. ~~The proposed subdivision **will/will not** provide for adequate sewage waste disposal.~~
7. ~~The proposed subdivision **will/will not** cause an unreasonable burden on the municipality's ability to dispose of solid waste.~~
8. ~~The proposed subdivision **will/will not** have an undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites, significant wildlife habitat identified by the Department of Inland Fisheries and Wildlife or the municipality, or rare and irreplaceable natural areas or any public rights for physical or visual access to the shoreline.~~
9. ~~The proposed subdivision **conforms/does not conform** with a duly adopted site plan regulation or ordinance, comprehensive plan, development plan, or land use plan.~~
10. ~~The developer **has/does not have** adequate financial and technical capacity to meet the standards of this section.~~
11. ~~The proposed subdivision **is/is not** situated entirely or partially within the watershed of any pond or lake or within 250 feet of any wetland, great pond or river as defined in Title 38, Chapter 3, subchapter I, article 2 B M.R.S.A.~~

12. ~~The proposed subdivision **will/will not** alone or in conjunction with existing activities, adversely affect the quality or quantity of ground water.~~
13. ~~The proposed subdivision **is/is not** situated entirely or partially within a floodplain.~~
14. ~~All freshwater wetlands within the proposed subdivision **have/have not** been identified on the plan.~~
15. ~~Any river, stream, or brook within or abutting the subdivision **has/has not** been identified on any maps submitted as part of the application.~~
16. ~~The proposed subdivision **will/will not** provide for adequate storm water management.~~
17. ~~If any lots in the proposed subdivision have shore frontage on a river, stream, brook, or great pond as these features are defined in Title 38, section 480 B, none of the lots created within the subdivision **have/do not have** a lot depth to shore frontage ratio greater than 5 to 1.~~
18. ~~The long term cumulative effects of the proposed subdivision **will/will not** unreasonably increase a great pond's phosphorus concentration during the construction phase and life of the proposed subdivision.~~
19. ~~For any proposed subdivision that crosses municipal boundaries, the proposed subdivision **will/will not** cause unreasonable traffic congestion or unsafe conditions with respect to the use of existing public ways in an adjoining municipality in which part of the subdivision is located.~~
20. ~~Timber on the parcel being subdivided **has/has not** been harvested in violation of rules adopted pursuant to Title 12, section 8869, subsection 14.~~

CONDITIONS OF APPROVAL

1. Approval is dependant upon, and limited to, the proposals and plans contained in the application dated February 8, 2017, as amended _____, 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 913 of the Land Use Ordinance.