

Town of Windham

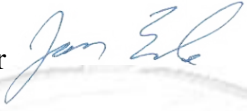
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MEMO

DATE: March 23, 2017

TO: Planning Board
FROM: Jon Earle, P.E., Town Engineer 
Cc: Ben Smith, Planning Director
Development Review Team
Whites Bridge Owners Association
Dustin Roma, P.E., DM Roma Consulting Engineers
RE: 17-06 – Whites Bridge Road Condominium Major Subdivision Amendment
March 27, 2017 Planning Board Meeting

Overview –

Whites Bridge Road Condominium subdivision is located on Whites Bridge Road and was originally approved by the Planning Board on December 7, 1981. The 1st amendment was approved by the Board on October 22, 1984 and a 2nd amendment was approved on September 23, 1985.

The applicant is currently proposing to create a single family residential lot to be divided from the 13 acre condominium parcel. The new lot will be approximately 40,000 square feet and utilize the existing Woldbrook Drive for road frontage.

Tax Map: 74A, Lot: 48, Zone: Farm (RL) Light Density Residential District.

SUBDIVISION REVIEW

Staff Comments:

1. Waivers: None requested
2. Complete Application: N/A with Amended Subdivision Plan. *An amended subdivision application shall include enough supporting information to allow the Board to make a determination that the proposed revisions meet the standards of Section 900 and the criteria of the State statute.*

3. Public Hearing: No public hearing has been scheduled for this project. A public hearing should be scheduled for this project.
3. 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 amendment for 17-06 Whites Bridge Road Condominium on Tax Map: 74A, Lot: 48 is to be (approved with conditions/denied) with the following findings of fact and conclusions:~~

FINDINGS OF FACT

A. POLLUTION

- No portion of this subdivision is within the mapped 100 year floodplain.
- This subdivision is not located over a significant sand and gravel aquifer.
- The new residential lot will not result in undue air or water pollution.

B. WATER

- The newly created lot will be served by public water.

C. SOIL EROSION & SEDIMENT CONTROL/STORMWATER

- A surface drainage plan must be submitted as part of the Preliminary Plan.
- A soil erosion and sediment control plan must be submitted as part of the Preliminary Plan.
- This project will require approval from the Maine Department of Environmental Protection (DEP) as a modification to a Site Location of Development permit. The modification to the permit must be granted prior to approval by the Board.

D. TRAFFIC

- The newly created lot will have frontage on Woldbrook Drive, which is a private road.
- The creation of the additional lot will not have an impact to traffic.

E. SEWERAGE

- The newly created lot will be served by private subsurface wastewater disposal (septic systems).

- Soil test pit analysis has been included with the submission indicating two passing test pits on the site. Test pit locations have been shown on the Preliminary Plan.

F. SOLID WASTE

- Lot owners will participate in the Town of Windham's pay per bag solid waste disposal program, and should not cause an undue burden on the Town.

G. AESTHETICS

- No rare botanical features or significant wildlife habitat have been documented on the site.

H. CONFORMITY WITH LOCAL PLANS AND ORDINANCES

- Comprehensive Plan:
 - The project meets the goals of the 2003 Comprehensive Plan.
- Land Use Ordinances:
 - The subdivision meets net residential, minimum lot size, and street frontage requirements of the Light Density Residential Zoning District.
- Subdivision Ordinance
 - Subdivision plan data compatible with the Town GIS must be submitted as part of the Final Plan submission.

I. FINANCIAL AND TECHNICAL CAPACITY

- Evidence of financial capacity must be provided as part of the Preliminary Plan submission.
- Evidence of technical capacity must be provided as part of the Preliminary 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 dependent upon, and limited to, the proposals and plans contained in the application dated March 6, 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 Subdivision Ordinance.