

# Town of Windham

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## MEMO

DATE: December 6, 2017

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

RE: 17-21 Plaza Project– Major Site Plan Amendment  
Planning Board Meeting: December 11, 2017

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### Overview –

This application from JAMAR, Inc. is for an amendment to an approved site plan which was approved in two Phases: Phase I of this project, a 4,800 square foot retail/office building was approved by the Staff Review Committee on November 29, 2016; Phase II of the project was for a 4,960 square foot daycare and revision to the alignment of the access road and parking area of Phase I and was approved by the Planning Board on May 31, 2017.

This amendment proposes changes to the Phase I approval's building architecture, curbing and sidewalks and landscaping. The amendment application was last before the Planning Board at the meeting on October 23, 2017. At that meeting the Board discussed several items identified in the memo where staff notes the proposed plans do not comply with the Design Standards of Section 813. Since the meeting the applicant has submitted a revised site plan and building elevations to address staff and Board comments.

This memo updates prior staff memos, the last of which was dated May 22, 2017. The italicized text is from the Phase I approval. Underlined text in the Findings of Fact below is for the amendment. New comments from the memo dated October 18, 2017 are both underlined and italicized.

Tax Map: 18; Lot 20. Zone: Commercial 1 (C-1).

### SITE PLAN REVIEW

#### Staff Comments:

1. Waivers:
  - a) None

2. Complete Application: *N/A with an amended site plan. However the Board may request additional information in order to determine that the project complies with the Land Use Ordinance standards.*

~~**MOTION:** The application for project 17-21 Plaza Project Amendment 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 Staff Review Committee did not hold a public hearing on the Phase I minor site plan. A public hearing was held at the May 8, 2017 Planning Board meeting.
4. Site Walk: A site walk has not been scheduled for this project.

Findings of Fact and conclusions for the

### **Windham Planning Board,**

The Site Plan application for 17-02 Plaza Project Amendment on Tax Map: 18, Lot: 20 is to be **(approved with conditions/denied)** with the following findings of fact and conclusions.

### FINDINGS OF FACT

#### **Utilization of the Site**

- The parcels (Lots 19A, 20 and 21) total 17.67 acres and include a 4,800 square foot hearing aid store with associate parking and a former garden center. Ten (10) acres are in a conservation easement to benefit the Town, adjacent to the Donnabeth Lippman Park site.
- Lot 20 is currently under construction: a 4,800 square foot retail/office building was approved by the Staff Review Committee on November 29, 2016 and a 4,960 square foot daycare was approved by the Planning Board on May 31, 2017.

#### **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.*

- *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.*
- *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 warmings 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.
- A traffic movement permit scoping meeting was held at Windham Town Hall on March 22<sup>nd</sup> for the project. Subsequent to the meeting, a permit was issued by Stephen Landry, P.E. State Traffic Engineer (Permit No. 01-00212-A-N).
- In reference to the email from Jon Earle, P.E., Town Engineer dated February 10<sup>th</sup>, the 13 parking spaces to be identified as shared are **not** identified on the plan.
- The applicant's traffic engineer needs to provide information regarding the number of additional vehicle trips to be generated by the development that pass through the North Route 302 Capital Improvement for the purpose of calculation of the impact fee.
- The October 2, 2017 amended plan revises the concrete sidewalk in front of the retail building and adds additional pavement on the south side of the building, increasing the depth of the parking stalls.

### **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.
- The disposal field footprint shown on Sheet S-1 varies with the footprint shown on Sheet GU-1. The footprint shown on S-1 is shown under the proposed access road to the development.
- An HHE 200 plan from Albert Frick Associates has been submitted that shows the existing tank serving the abutting Maine Real Estate building connecting to the new disposal field behind the Phase 1 building. The disposal field has been designed to accommodate flow from the 3 properties (Phase 1, Phase 2, and Maine Real Estate). The applicant has indicated they will work directly with the abutting landowner on the terms of relocating to the new septic field.
- An email from Rachel St. Pierre representing the Maine Real Estate office has been included with the meeting submission.
- The applicant has clarified the Town Engineer's comment regarding the discrepancy in the disposal field footprints on the two plan sheets.

### **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 acre 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 conforms 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 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.*
  - *The grading easement on Lot 21 is not shown on the final plan.*
  - *The Maine Department of Environmental Protection stormwater permit L27333AN was received on May 18, 2017.*
  - *The October 2, 2017 amended plan revises the concrete sidewalk in front of the building and has additional pavement on the south side of the building.*
  - *In an email dated October 11, 2017 Town Engineer Jon Earle, P.E., stated that revised site plan results in a small increase in impervious area. A revised stormwater plan should verify that the increase in runoff still meets the ordinance standards.*
  - *In the December 5, 2017 submission, the applicant details the increase in impervious area and finds that the existing filter basins can adequately handle in the additional flow without alteration.*

## **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.
- The applicant has confirmed that the Portland Water District's ability to serve the project is for both Phases 1 & 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.*
- Landscaping showing the locations of proposed street trees is shown on Sheet S-1 of the Phase 2 plan submission.
- The October 2, 2017 submission states that additional landscaping has been added to the plan. The applicant should clarify if the landscaping shown on the amended plan is the only landscaping proposed to be installed. There were many additional plant varieties and locations shown on the 2016 approved plan. Planting variety, planting suitability, and mass plantings were 3 of the optional design standards selected for the project's compliance with the Section 813. The plan should also show a number and location of shrubs to be located in the front buffer strip. Section 511 requires that 10 percent of the buffer strip area be covered with trees or shrubs.
- The amended site plan revised December 5, 2017 shows additional planting in the front buffer strip and raised planters in front of the building. Quantities of plants have been listed.

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

- 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).
- Comprehensive Plan
  - This project meets the goals and objectives of the 2017 Comprehensive Plan.
- Others:
  - Chapter 221 Street Naming and Addressing: The road name approved by the Assessing Department, Plaza Drive, is shown on the plan.
  - 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.
    - The applicant has supplied building elevations and a narrative in the October 2, 2017 submission addressing the provided changes to the building architecture.
      - There is not a scale shown on the elevation drawings. Section 813.A.4 allows for flat roofs provided that the design creates no horizontal line greater than 50 feet. Where parapets are used to break up a flat roofline, the height of the parapet shall be at least five percent of the total length of the wall. Following confirmation of drawing dimensions, this standard appears to be met for the front and side elevations, but not the rear elevation.
      - Mechanical and other equipment mounted on rooftops must be screened from public view. Where will mechanical equipment be placed on the building so that it is screened from view? The 2016 approved site plan indicated that the mechanical equipment would be screened by the parapet at the rear of the building.
      - During the site plan review of Phase I the Staff Review Committee commented that because the property had planned future development, the sides and rear of the building should have similar architectural features as the front. They had requested that the stone façade fully surround the building.
      - Section 813.A.5 requires that facades that face public streets shall have transparent openings a minimum of 40% of the horizontal length on the ground floor. Retail facades that are visible or potentially from adjacent properties shall be designed to match or complement the architectural treatment of the front façade. Blank or unadorned walls facing public roads or abutting properties are prohibited. The Staff Review Committee

- had considered that the side elevations were visible from Route 302 and the rear elevation faced an abutting property would be visible from a potential public street and should comply with this standard. Please confirm the percentage of transparent openings on the side elevations.
- A rear elevation drawing must be provided that complies with the building roofline and façade design standards
  - The bike rack should be shown on the amended plan as the removal of the pervious pavers on the north side of the building appears to have impacted its location.
- The applicant has submitted revised building elevations shown on Sheet A-1 dated December 5, 2017.
- A parapet has been added to the rear elevation to break up the flat roofline.
  - The mechanical equipment is visible in the East and West Elevations.
  - Pitched roof structures have been added over the front and rear doors.
  - False windows have been added to the side elevations to comply with the fenestration requirements.
  - A bike rack has been added to the east side of the building.

### **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 show 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.*
- *A 2<sup>nd</sup> revised photometric plan was submitted on May 3, 2017 indicating that a different fixture is being used. The illumination at the property line continues to exceed 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.*
- The October 2, 2017 amended plan removes the pole mounted light fixture from the south side of the retail building and replaced it with a wall-pack light.

## 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** 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** 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 plan.
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.

## CONDITIONS OF APPROVAL

1. Approval is dependant upon, and limited to, the proposals and plans contained in the application dated April 17, 2017, amended December 5, 2017 and supporting documents and oral representations submitted and affirmed by the applicant, and conditions, if any, imposed by the Staff Review Committee and 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.
2. Approval is subject to the requirements of the Post-Construction Stormwater Ordinance, Chapter 144. Any person owning, operating, leasing or having control over stormwater management facilities required by the post-construction stormwater management plan must

annually engage the services of a qualified third-party inspector who must certify compliance with the post-construction stormwater management plan on or by May 1st of each year.