



Town of Windham

Town Offices
8 School Road
Windham, Maine

Meeting Minutes - Draft

Planning Board

Monday, March 26, 2018

7:00 PM

Council Chambers

1 Call To Order

2 Roll Call and Declaration of Quorum

The meeting was called to order by Chair, David Douglass. Other members present were: Keith Elder, Nick Kalogerakis, and Griffin Bourassa.

Planner, Amanda Lessard, was also present.

3 [PB 18-022](#) Approval of Minutes: March 12, 2018

Attachments: [Minutes 3-12-18 - draft](#)

Keith Elder made a motion to accept the minutes of the March 12, 2018 meeting.

Seconded by Nick Kalogerakis.

Vote: All in favor.

New Business

- 4 [PB 18-023](#) 18-07 Abby Commons Amendment. Amendment to a major subdivision. Ralph Vance Land Development, Inc. to request an amendment to alter a building location on the approved plan. The subject property is located on Tarkill Way and Matinicus Way and identified on Tax Map: 18, Lot: 31C, Zone: Commercial 1 (C-1) and Retirement Community and Care Facility Overlay District (RCCFO).

Attachments: [18-07 Abby Commons Amendment 03-21-18](#)
[Abby Commons - Amended Subdivision Plan Set - 2018 3 5](#)
[Abby Commons Amendment Application 2018 3 5](#)

Dustin Roma, a civil engineer with DM Roma Consulting Engineers, was present representing the applicant.

- The project was approved in 2016. A building had been proposed without attached garages; no one wanted to buy the units without a garage.*
- They proposed to rotate the position of the building to accommodate the addition of garages.*
- The front of the building would be visible from Sandbar Road, headed toward the lake. The back would be visible going in the direction of Tandberg Trail*
- They would put trees in by the curve of the road to provide some screening.*

Griffin Bourassa made a motion that the application for 18-07 – Abby Commons Amended Subdivision and Site Plan on Tax Map: 18, Lot: 31C was to be approved with conditions 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 located over a significant sand and gravel aquifer. A hydrogeologic assessment must be submitted as part of the Preliminary Plan*

B. WATER

- *All dwelling units will be served by public water for domestic use.*
- *A fire hydrant located on the property within the Sandbar Road right of way is shown on the plan.*
- *A written statement dated May 27, 2015 from Rico Glissen Havu, E.I., at the Portland Water District indicates there is adequate water supply and pressure for the development.*
- *Written approval from the Portland Water District for the water main extension details must be obtained prior to the submission of a Final Plan application.*
- *An email dated August 31, 2016 from Gordon Johnson at the Portland Water District states that PWD has reviewed and approved the water service configuration presented in plans dated 4/22/16 by DM Roma Consulting Engineers.*

C. SOIL EROSION

- *An Erosion and Sedimentation Control Plan prepared by Milone & MacBroom, dated June 1, 2015, shown on Drawing D-1, Sheet 7 of 8, has been submitted as part of the preliminary plan submission.*
- *A DEP Stormwater permit is required for this project. The permit must be submitted as part of the Final Plan.*
- *At the Development Team meeting on January 26, 2015, Public Works Director Doug Fortier noted that this project is in the NPDES (National Pollutant Discharge Elimination System) area as designated by the Environmental Protection Agency for the Town of Windham. This may mean there are additional permitting requirements, and ongoing requirements for reporting of stormwater infrastructure maintenance if the area of development is greater than one (1) acre. See recommended Condition of Approval #2.*
- *A stormwater management plan, prepared by Milone & MacBroom has been submitted as part of the Preliminary Plan.*
- *Will Haskell P.E., of Gorrill-Palmer Consulting Engineers, has reviewed the stormwater plan on behalf of the Town. In an email dated June 9, 2015, Mr. Haskell had several comments related to test pits for the two stormwater infiltration basins and requested additional detail related to the topography/grading for infiltration basin 1 and erosion control BMPs.*
- *In response to Mr. Haskell's comments, the applicant submitted revised plans dated January 19, 2016 prepared by DM Roma Consulting Engineers.*
- *In an email dated January 29, 2016, Will Haskell P.E., of Gorrill-Palmer Consulting Engineers, stated that it appears that the stormwater plan has changed but new calculations were not provided. He also requested additional spot grades in critical locations for positive drainage.*
- *The applicant submitted revised subdivision plans and a stormwater management report on February 22, 2016.*
- *In an email dated March 1, 2016, Will Haskell P.E., of Gorrill-Palmer Consulting*

Engineers, noted that the Stormwater Management Report notes that the MaineDEP Flooding standard is not applicable, but the subdivision ordinance requires that the standard be met. It should not be an issue given that stormwater is being infiltrated. He also requested that a stormwater maintenance plan should be submitted.

- A stormwater inspection, maintenance, and housekeeping plan was included in the MaineDEP Stormwater Permit application dated February 18, 2016 prepared by DM Roma Consulting Engineers.
- Maine DEP Stormwater Permit #L-26961-NJ-A-N dated August 17, 2016 has been submitted as part of the Final Plan.
- In an email dated August 29, 2016, Will Haskell P.E., of Gorrill-Palmer Consulting Engineers, notes that the DEP permit requires that the applicant retain the Design Engineer to oversee the construction of the stormwater infiltration basins.
- A revised Grading Plan, prepared by DM Roma Consulting Engineers, dated March 5, 2018 was submitted as part of the amended subdivision application. The proposed revision does not increase the amount of impervious area on the property or alter any of the roadway grading or landscaping.

D. TRAFFIC

- The preliminary plan submission states that the project will produce 82 average daily vehicle trips. The projected peak hours are 7 AM and 8 PM. The January 19, 2016 submission estimates that 4-5 vehicles would travel to the Sandbar Road intersection with Tandberg Trail (Route 115) and 3-4 vehicles would travel down Abby Lane to the service plazas in North Windham.
- The traffic generated by the development of these 22 dwelling units will not create roadway congestion on Sandbar Road.
- Two 22 foot wide entrances are proposed to be constructed to the Minor Local Street standard.
- At the Development Team meeting on January 26, 2015, Deputy Fire Chief John Wescott stated that the roundabout and hammerheads proposed could accommodate emergency vehicles.
- The access drives for the development must meet the "Local Street" design and construction standards in Appendix B, per §912.M.5.a.6. (page 9-58).
- 33 parking spaces are required for a 22 unit retirement community development (1.5 spaces per 2 bedroom dwelling unit). 44 spaces are shown on the plan. 30% of these spaces must measure 10'x20'.
- Five (5) foot wide sidewalks are proposed along each new access drive and along Sandbar Road outside of the right of way.
- In an email dated June 9, 2015, Will Haskell P.E., of Gorrill-Palmer Consulting Engineers, requested that site distance be shown on the plan, the turnarounds and driveway widths be dimensioned, and the alignment of the entrance with the Abby Road/Sandbar Road intersection be evaluated.
- The applicant responded to peer review comments and submitted revised plans dated January 19, 2016. The revised plans note the site distances and show that the access road for Units 1-10 will be a loop road with two access points on Sandbar Road. The applicant also states that aligning the intersection of the Units 11-22 access road with Abby Road would be best practice; it is not achievable as there is not adequate space to do so without eliminating units.
- In an email dated January 29, 2016, Will Haskell P.E., of Gorrill-Palmer Consulting Engineers, requested stop signs be added to each access road intersection with Sandbar Road. He also requested detail for the repair of Sandbar Road where the proposed sewer force mains will cross.
- A response to peer review comments was submitted on February 22, 2016. In an email dated March 1, 2016, Will Haskell P.E., of Gorrill-Palmer Consulting Engineers,

stated that prior comments had been addressed.

- The final plan set submission dated August 22, 2016 shows a reconfiguration of Abby Road, to align it with intersection of the proposed Matinicus Way and Sandbar Road.*

E. SEWERAGE

- The development will be served by four private subsurface wastewater disposal (septic) systems.*
- Soil test pit analysis prepared by Paul W. Lawrence, SE, dated March 13, 2006 show that the property has adequate soils to support a private septic system. Test pit locations must be shown on the plan.*
- The January 19, 2016 submission revised the design of the septic system to utilize one shared engineer system. Two private pump stations will connect to the leach fields located on the portion of the lot across Sandbar Road. Details are show on the Utility Plan sheet UT-1.*
- In an email dated January 29, 2016, Will Haskell P.E., of Gorrill-Palmer Consulting Engineers, had numerous comments related to the proposed sewer system.*
- A response to peer review comments was submitted on February 22, 2016. In an email dated March 1, 2016, Will Haskell P.E., of Gorrill-Palmer Consulting Engineers, stated that prior comments had been addressed but noted that an interpretation from the Department of Health and Human Services regarding separation distance between subsurface disposal system and stormwater infiltration basins, and a copy of the application for the engineered onsite sewage disposal system & associated operation and maintenance information must be submitted with the final plan.*
- A letter dated July 8, 2016 from James Jacobsen of the Subsurface Wastewater Unit DHHS granted approval of the engineered subsurface wastewater disposal system on the HHE-200 Form dated 06-19-2016 prepared by Albert Frick, SE. and designed by DM Roma Consulting.*
- In an email dated August 29, 2016, Will Haskell P.E., of Gorrill-Palmer Consulting Engineers, notes that the DHS permit requires that the applicant retain the Design Engineer to oversee the construction of the engineered septic system.*

F. SOLID WASTE

- Residents of the buildings will participate in the Town's pay-per-bag garbage program. A concrete pad intended for trash pick-up located the end of each access drive is shown on the plan.*

G. AESTHETICS

- A Fairpoint Communications utility building is located on the site. The remainder of the lot is undeveloped and is generally level and cleared of vegetation.*
- There are no documented rare botanical features or significant wildlife habitat documented on the site.*

H. CONFORMITY WITH LOCAL PLANS AND ORDINANCES

- Comprehensive Plan:*
- The plan does meet the goals of the 2003 Comprehensive Plan.*
- Land Use Ordinance:*
- The proposal meets the net residential density requirements and the setback requirements of the RCCFO district.*

- *District Standards, Section 407.E. The project must meet the standards of the RCCFO zoning district.*
- *The amended site and subdivision plan dated March 5, 2018 changes the orientation of the Units 1 and 2 building to face Tarkill Way instead of Sandbar Road. Section 407.E.5.a.5 requires that buildings be designed so that they front on the existing road, or as an alternative, do not turn their backs to the road. The applicant has provided a photograph of the completed portion of the project to demonstrate that the back side of the buildings does not differ substantially from the other sides of the buildings.*
- *Subdivision Ordinance*
- *A landscaping plan has been submitted as part of the Preliminary Plan as Sheet LA-1, dated January 19, 2016.*
- *Standard notes and the standard condition of approval must be shown on the plans.*
- *Digital transfer of the subdivision plan data must be submitted with the Final Plan submission for inclusion with the Town's GIS.*
- *Others:*
- *Street Naming and Addressing: Approved road names for both access drives (Tarkill Way and Matinicus Way) are shown on the Final Plan.*

I. FINANCIAL AND TECHNICAL CAPACITY

- *An estimated cost of development is included in the Preliminary Plan submission.*
- *The Town accepted a performance bond on October 7, 2016 to cover 110% of the total construction costs of all the required improvements.*
- *The applicant has provided information on the licensed professionals working on this project as evidence of technical capacity.*

J. RIVER, STREAM OR BROOK IMPACTS

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

CONCLUSIONS

- 1. The proposed subdivision will not result in undue water or air pollution.*
- 2. The proposed subdivision has sufficient water available for the reasonably foreseeable needs of the site plan.*
- 3. The proposed subdivision will not cause an unreasonable burden on an existing water supply.*
- 4. The proposed subdivision 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 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 provide for adequate sewage waste disposal.*
- 7. The proposed subdivision will not cause an unreasonable burden on the municipality's ability to dispose of solid waste.*
- 8. The proposed subdivision 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 with a duly adopted site plan regulation or ordinance, comprehensive plan, development plan, or land use ordinance.*

10. *The developer has adequate financial and technical capacity to meet the standards of this section.*
11. *The proposed subdivision 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 not alone or in conjunction with existing activities, adversely affect the quality or quantity of ground water.*
13. *The proposed subdivision is not situated entirely or partially within a floodplain.*
14. *All freshwater wetlands within the proposed subdivision have been identified on the plan.*
15. *Any river, stream, or brook within or abutting the subdivision has been identified on any maps submitted as part of the application.*
16. *The proposed subdivision will 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. (N/A)*
18. *The long-term cumulative effects of the proposed subdivision 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. (N/A)*
20. *Timber on the parcel being subdivided 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 January 19, 2015, as amended March 5, 2018, 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.*
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.*

SITE PLAN REVIEW

FINDINGS OF FACT

Utilization of the Site

- *See Subdivision Review.*

Vehicular and Pedestrian Traffic

- *See Subdivision Review.*

Sewage Disposal and Groundwater Impacts

- See Subdivision Review.

Stormwater Management

- See Subdivision Review.

Erosion Control

- See Subdivision Review.

Utilities

- A Utility Plan, prepared by Milone & MacBroom, dated June 1, 2015, shown on Drawing UT-1, Sheet 5 of 8, has been submitted as part of the preliminary plan submission.
- A written statement dated May 27, 2015 from Rico Glissen Havu, E.I., at the Portland Water District indicates there is adequate water supply and pressure for the development.
- Department of Health and Human Services approval of the engineered onsite sewage disposal system must be submitted as part of the Final Plan submission.
- A letter dated July 8, 2016 from James Jacobsen of the Subsurface Wastewater Unit DHHS granted approval of the engineered subsurface wastewater disposal system on the HHE-200 Form dated 06-19-2016 prepared by Albert Frick, SE. and designed by DM Roma Consulting.
- Electrical, telephone, and cable service to the development shall be provided by underground service.
- A revised Utility Plan, prepared by DM Roma Consulting Engineers, dated March 5, 2018 was submitted as part of the amended subdivision application.

Financial Capacity

- See Subdivision Review.

Landscape Plan

- A landscaping plan has been submitted as part of the Preliminary Plan as Sheet LA-1, dated January 19, 2016.

*Conformity with Local Plans and Ordinances**1. Land Use*

- See Subdivision Review.

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.

Impacts to Adjacent/Neighboring Properties

- *No site lighting is proposed. There will be building-mounted lights as required by building code at each of the front, side and rear entry doors.*

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 not be of such a nature that it will make vehicular or pedestrian traffic 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 ordinance.*
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 that could be avoided by adequate landscaping.*

CONDITIONS OF APPROVAL

1. *Approval is dependent upon, and limited to, the proposals and plans contained in the application dated January 19, 2015 as amended March 5, 2018, 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 814.G. of the Land Use Ordinance.*

Seconded by Keith Elder.

Vote: All in favor.

5 [PB 18-024](#)

18-08 Copp Quarry. Major site plan sketch plan. Copp Equipment to request review of a 106 acre mineral extraction operation. The subject properties are located on Lakeside Drive and identified on Tax Map: 17 Lots: 13, 14, 14A, 15, 17, 18, 19, and 26, Zone: Farm (F).

Attachments: [18-08 Copp Quarry Sketch 03-21-18](#)
[Copp Sketch Plan Application 03-05-18](#)
[Copp Sketch Plans 03-05-18](#)
[CSG Organization Paperwork](#)
[CSG Properties LLC Quitclaim Deeds](#)
[Don Walker PB 18-024 Quarry Proposal 03-22-2018](#)

Patrick Coughlin, Director of Engineering for St. Germain Collins, was present representing the applicant with Chris Baldwin, the project engineer, and Randy Copp, the applicant.

- *The 106 acre site was located to the west of the lake, off of Lakeside Drive. 96 acres were proposed to be developed.*
- *There was overburden on site that would be used for gravel. Beneath that was ledge which would be crushed. The property was subject to various setbacks as required by the State, Town, DEP, and Army Corp of Engineers.*
- *The site would be completely internally drained. The approximately 6,000 square foot service road would drain via turn-offs into the wooded buffer.*

Amanda Lessard explained the Board should be concerned with:

- *State permits*
- *Hours of operation*
- *Storage of hazardous materials on site*
- *The reclamation plan*
- *The amount of traffic on Lakeside Drive*
- *Additional performance standards related to noise, vibration, blasting protocols and timing*
- *How the groundwater level would be evaluated and what monitoring would take place*
- *Waiver requests from the stormwater management submission requirement and from the stormwater performance standard*

The Board commented:

- *What would happen to the site when it was depleted?*
- *What was Lakeside Drive like? What would the project do to the road, and to people's quality of life who lived on that road?*
- *Show a diagram for the path of travel to the nearest arterial.*
- *Provide buffers.*
- *What was the life span of the quarry? How many phases would there be?*
- *The applicant should have at least one workshop for members of the public.*
- *Wetlands, major vegetation, and minor vegetation should be shown on the plan in color. All the homes on each lot should be shown on the plan.*
- *How many trips would there be every day? What kind of trucks?*
- *There were environmental concerns regarding hydrogeology and proximity to the lake.*
- *What about noise concerns and blasting regulations? What were the seismic effects of blasting on houses so it wouldn't cause damage?*
- *With up to 50 trucks an hour what would happen to the road? Who would repair it?*
- *There should be a sidewalk.*
- *What would the depth be?*
- *Lakeside Drive was a private road that got posted. Did the road need to be upgraded so it no longer got posted and they could operate year-round?*

Amanda Lessard explained:

- *They proposed excavation to stay five feet from the seasonal groundwater table so a hydrogeologic analysis wasn't required.*

- *It would be beneficial to provide some information regarding the impact of weighted dump trucks on the gravel road. What was the equivalent to passenger cars?*
- *Access to the site needed to be clarified from the boundary of the quarry parcel to across Lakeside Drive.*

Mr. Copp explained:

- *Lakeside Drive was located on their property from Goose Pond Road to where it divided at the end with the houses behind Forest Lake.*
- *Many years ago, an easement to access around the lake had been created for the Forest Lake Sands subdivision property owners. It didn't specify how wide the easement was.*
- *They proposed to improve Lakeside Drive with two, 12 foot wide travel ways, a four foot shoulder, and a ditch, from the paved road at Goose Pond to where their operation would start. They would improve drainage, and maintain the road to a certain degree.*
- *Trucks would not pass houses from the end of Goose Pond to the operation site; they proposed fewer than 50 trucks a day.*
- *There was no intention to make asphalt although they would like to be able to bring in and crush reclaim.*

Keith Elder made a motion to schedule a sitewalk.

Seconded by Nick Kalogerakis.

Vote: All in favor.

Keith Elder made a motion to accept public comment.

Seconded by Griffin Bourassa.

Vote: All in favor.

Public Comment:

Regan Thibodeau, Lakeside Drive (Via an interpreter) - Her house was 800 feet from the corner. She drank well water; she loved and depended on her well water. As a deaf person she needed a place with less traffic for her safety. She couldn't be in a place where there was a lot of traffic around, where there were a lot of street signs. She couldn't tell what was coming at her. She needed a place where she could go calmly and make sure she was safe.

She had two young children. Being 800 feet away, if there was blasting and something dangerous happened she would be unable to protect her children. How would she know what was going on in the quarry? People who could hear could leave. But if any explosions, any dangerous things were going on, she would have no way of knowing they needed to evacuate. She was far too close for this to happen. No one would come to her because she was so close. She was ground zero for dying first. She just wanted them to think about that.

Not only was everyone else able to hear, but between the traffic and any possible danger how could she have her kids practice their bicycling? How could she bicycle? She didn't have eyes in the back of her head. She wouldn't know when trucks were coming. She picked the area specifically as a deaf person for a safe place to live. Now it was becoming a danger zone. She hoped they would consider that, and consider her as a neighbor and as a person who was deaf.

Greg Schultz – He represented the Forest Lake Association. Their second phase watershed study, which the town helped administer and had helped fund, identified many issues on that side of the lake. What was the process to determine if there would be a public hearing? What was the process the Board used to determine the waiver of the stormwater management? Was there public input prior to that decision?

Amanda Lessard responded:

- They would have a public hearing when the final plan was submitted and had been determined to be complete.*
- There was a waiver request form with criteria. The Board needed to determine if that criteria would be met before they could waive a performance standard. Typically, the public hearing would happen before the Board would vote on those things.*

Emily Adams, Glendale Road – She was 725 feet away from the quarry. There was a bus stop on Lakeside Drive. Trucks would pass the bus stop, which had two buses every morning, at 6:15 for middle and high school and at 7:25 for elementary school. More than 60 kids used those buses every day. Most of the middle/high school kids walked up Lakeside Drive to the bus stop. There were no street lights, no sidewalks. It was a very dangerous situation to have 50 plus trucks driving on that road every day. The bus stop was at the top of a hill with no visibility, a complete blind spot. It was a dangerous bus stop now, it would be worse with 50 trucks.

Maria Morrow, Cyprus Drive – Her concern was the silica that would be coming from the big trucks with all the gravel and little kids walking up and down the road and breathing it in. There were quite a few kids and maybe up to 29 trucks per hour. The kids rode their bikes up and down the road all day. It would change the lifestyle of a lot of the kids.

Scott Campbell, Lakeside Drive – There were two early buses and two late afternoon buses. The biggest concern of the road upgrades was the quality of life for them and their kids. A lot of them had moved there for that reason. There was a brook that ran from the back side of the proposal through his property and emptied into the lake. He knew there was a 75 foot setback, but a lot could happen in 75 feet. Would it travel down?

Were there any types of noise boundaries? The first week of rock blast would they build a big wall so it got quieter for those impacted? There was a road association. They all paid dues. There would be legalities that had to be worked out regarding who did what involved in the road upkeep. Would the road association be on the hook for any expense going in? Where they were currently responsible they would want to know every detail.

Jennifer Culpovich, Lakeside Drive – Her kids walked on the road. Many kids used the bus stop. Please come out and see it. Maybe not on a Saturday but maybe during school time when people were coming and going, when the weather was nicer and they were riding their bikes up and down the road.

She thought some of it had already happened. They'd done a big clearing and already put in a road. She didn't know if they had approval for any of that and wondered what the process was. That was a concern. She thought she spoke for many of the people when she said they cared more about quality of life and nature around them, which was recently destroyed by all the trees being taken down. They cared about that more than the condition of the road. Their concern was safety, quality of life, water quality, air quality.

Mike Devold, Atlantic Drive – His main concern was water quality runoff. They already

had issues with the lake. There was uncontrolled growth in the area. Those roads were the number one problem. The town had road standards that had eliminated back lots. The proposal would create a back lot.

The applicant had said they could move the road whenever they wanted. So they could move it if they found an area where they could extract more. Would it be an issue if the road was moved? They should need a deed with a right-of-way that said where the road was as opposed to being vague. It was hard to maintain a road width when you couldn't trim trees because they might be on someone else's property. It was a commercial/industrial property so it should follow the commercial/industrial road standards. That way it would put in a standard that they could be held to. One dump truck load was equivalent to 24,066 passenger cars. One fully loaded ten wheeler was a huge traffic load. One dump truck was equivalent to a week of traffic. Roughly 100 houses back there. Make sure the road was built to a standard all the way to Goose Pond.

Kevin Clark, Association President for James Way, Bruschi Road, and Atlantic Drive— He wanted to point out that Windham had some of the top endangered lakes in Maine, Forest Lake being one. This would contradict the town trying to fix current issues and prevent future ones. Would the town do fact finding on watershed/water quality issues and the depth of groundwater or would it rely on information provided by a business that was being paid by the contractor to gather information?

It seemed they were trying to avoid the new rules regarding extensions of private roads, unless they were going to call a 300 foot, 24 foot wide access road a driveway. Falmouth would be footing the bill because Windham would be collecting the tax dollars but not having to pay anything. He was a Windham resident but hadn't been on Windham roads in a month and a half. You couldn't get to those areas from Windham; you had to go through Cumberland. He had spoken to Cumberland and Falmouth. They were unaware of what was happening. It was the people living on the roads who would be losing.

Michael Adams, Lakeside Drive – He was probably closer than anyone. He requested Planning Board notification to be mailed sooner. The information on the notice he had received referenced a website which didn't work. Did the Board take their comments into consideration? What was the time frame to break ground? The trees had already been cut down; the access road and gate were in. In the spring, with heavy rain and snow the water ran from a culvert into the lake. So there were other considerations. Their representative said they had waivers. What did that mean? What were they trying to waive? How would it affect property values? It was a consideration for quality of life.

Amanda Lessard responded:

- The Board could consider comments and concerns brought forward by the public that were about review criteria in the ordinance: public safety; traffic impacts; water quality. The applicant was required to address those in the submission.
- The Board had some flexibility in imposing conditions of approval that may limit hours of operation or require monitoring of traffic, groundwater levels, erosion. A lot of questions were about things that were not yet submitted.
- This was the sketch plan submission. According to the ordinance there would be a final plan submission. Those were the two submissions. The Board needed to review the application and determine that all the criteria were met. There may be several meetings the applicant needed to come to.
- A permit was also required from DEP. After submission to DEP there was a 45 day period. After that would be the soonest they could make a final submission.
- The town was required to send out notices seven days prior to the meeting. The

notices were sent out ten days prior. Sitewalks could be notified sooner. Notice for a meeting came down to finalizing the agenda which was sometime a moving target.

- Agendas were posted the Thursday before the meeting.
- Interested people could be put on a list for email notification.

Ann Sparling, James Way – She abutted lot 26. The idea of a quarry seemed insane to her. It was an ideally beautiful lake area with a connected community, the idea of blasting, not to mention water quality, quality of life, air quality... There was another stream about 20 feet beyond the gate that seemed to go into the lake. She had spoken with a friend who lived near a different quarry who said every time they blasted the house rattled, but it was all approved. So she didn't know how they could anticipate what it would do. It didn't take a lot of imagination to see what it would do to the whole area. She found it appalling that it would even be considered. There was blasting, there was dust, there was dirt. She thought the town should serve its citizens and consider quality of life and the taxes they paid to live where they did.

Ryan Blaquierre, Bruschi Road – He lived towards the top side of the quarry. He had asthma; his child was at risk for it. His biggest concern was dust. What particulate matter would there be? It was a crushing rock quarry. To him that meant a lot of dust and gravel dispersed into the air. Would it be going on during weekends? What times during the day? How long would it take to settle?

Property values were his second concern. If this went in he was tempted to get out and no longer be a citizen of Windham. He saw little return for his taxes, being on a private road. If his quality of life would take that much of a hit he'd be concerned with just getting out.

Keith Elder made a motion to schedule a public hearing.

Seconded by Nick Kalogerakis.

Vote: All in favor.

Mr. Coughlin said they would establish a meeting and notify interested people. They would try to pick a time and venue that was convenient for many. They had a lot of work to do to get the information together and out to the public.

Amanda Lessard explained work had happened prior to submission of the application. Now that it was submitted no more activity was permitted to continue.

Mr. Copp explained the work. They had obtained a permit to harvest wood. No town permit was needed. The Code Enforcement Officer had walked the site with DEP. The Forest Service had been on-site; forest rangers had walked the property.

Other Business

6 Adjournment

Keith Elder made a motion to adjourn.

Seconded by Nick Kalogerakis.

Vote: All in favor.

