

Town of Windham

Planning Department
8 School Road
Windham, ME 04062

voice 207.894.5960

fax 207.892.1916

MEMO

DATE: November 8, 2018

TO: Planning Board
FROM: Amanda Lessard, Planner *ALL*
Cc: Dustin Roma, P.E., DM Roma Consulting Engineers
Development Review Team

RE: 18-36 Basin Road Minor Subdivision - Sketch Plan
Planning Board meeting – November 14, 2018

Overview –

The applicant is proposing a four (4) lot subdivision on 5.67 acres on property with frontage on Basin Road. One lot is an existing single family home occupied by the applicant. The sketch plan shows a traditional subdivision layout with lots to be accessed by the existing road.



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

This is a portion of the same property that the Planning Board considered a six (6) lot subdivision at meetings in September and October 2018. That application has been withdrawn.

Tax Map: 18A; Lot: 48 and Map: 72: Lots: 48-4 and 48-1 (portion). Zoning District: Farm Residential (FR).

SUBDIVISION REVIEW

Staff Comments:

1. Waivers: None

- a) §910.B.1.c.5 – Hydrogeologic Assessment, Submission requirement.
A hydrogeologic assessment must be submitted when the subdivision is served by subsurface wastewater disposal systems.

2. Complete Application: N/A with Sketch Plan.

~~**MOTION:** The application for project 18-36 Basin 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. A public hearing should be scheduled for this project.
- 4. Site Walk: A site walk has not been scheduled for this project. The Planning Board conducted a site walk for Project 18-25 Sebago Basin Subdivision on Saturday October 20, 2018 at 7:30am.

Findings of Fact and conclusions for the

Windham Planning Board,

~~**MOTION:** The Subdivision application for 18-36 Basin Road Subdivision on Tax Map: 18A; Lots: 48-4 and 48-1 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 located over a significant sand and gravel aquifer.
- The new residential lots will not result in undue air or water pollution.

B. WATER

- The existing single family home is served by a private well. The subdivision is proposed to be served by private wells.
- The ordinance requires that the subdivision must be served by public water if the closest water main is within a distance equal to 100 feet multiplied by the number of lots in the subdivision. There is an existing seasonal water main in Basin Road that is located approximately 628 feet from the nearest point of the development parcel.
- The closest fire hydrant is located on Basin Road approximately 350 feet from Tandberg Trail, over 1,000 feet from the proposed development.
- The Fire Department recommends that new residential homes be equipped with sprinkler systems when located more than 1,000 from a PWD hydrant.

C. SOIL EROSION

- A surface drainage plan or stormwater management plan must be submitted as part of the Final Plan.
- A soil erosion and sediment control plan must be submitted as part of the Final Plan.

D. TRAFFIC

- The subdivision lots will have frontage on Basin Road.
- The public section of Basin Road from Tandberg Trail is a paved width of 20 feet that ends approximately 628 feet before the subject parcel. The private portion of Basin Road then narrows to a paved width of 12 feet as it passes through the subdivision.
- The Board should make a determination if the existing private roads are adequate in terms of traffic, capacity, pedestrian safety and actual construction to serve as an appropriate access road to the subdivision.
- Sidewalks on the new subdivision streets are not required, as the subdivision is more than 1,000 feet from neighborhood businesses, schools, community facilities, or other pedestrian traffic generators.
- The existing driveway for an existing dwelling on the remainder of Lot 48-1 is shown in an access easement across Lot 4.

E. SEWERAGE

- Lots will be served by private subsurface wastewater disposal (septic) systems.
- Soil test pit analysis prepared by Alexander Finamore LSE of Mainely Soils, LLC dated October 25, 2018 show that each lot has adequate soils to support a private septic system. Test pit locations are shown on the plan.

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

- A single family home is located on the property and is shown on proposed Lot 1. The remainder of the site is lightly wooded and undeveloped.
- Sappi maintains a gated access road through the property to the Eel Weir Dam. The applicant proposes relocating the S.D. Warran's access easement as part of this project to a new 30 foot area on proposed Lot 3 at the boundary with proposed Lot 2.
- There are no documented rare botanical features or significant wildlife habitat documented on the site.
- A landscaping plan must be submitted with the Final Plan. 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 2017 Comprehensive Plan.
- Land Use Ordinances:
 - All lots exceed the minimum lot size of 50,000 square feet for standard lots in the FR zoning district. The zoning district boundary is shown on the plan.
 - Lots meet the lot frontage requirement of 150 feet for the FR Zone.
 - Net residential density calculations are shown on the plan.
- Subdivision Ordinance
 - The Tax Map and Lot numbers provided by the Tax Assessor must be shown on the Final Plan.
 - Subdivision plan data compatible with the Town GIS must be submitted as part of the Final Plan submission.
 - Homeowner association documents should be provided with the Final Plan submission and must specify the rights and responsibilities of each lot owner with respect to the maintenance, repair, and plowing of the subdivision streets, open space and stormwater infrastructure.
 - The subdivision plan must show the entire parcel including all contiguous land in common ownership within the last five years, as required by 30-A MRS Section 4401.
- Others:

I. FINANCIAL AND TECHNICAL CAPACITY

- A letter dated October 26, 2018 from Kimberly Donnelly, Senior Vice President at Gorham Savings Bank was submitted as evidence of financial capacity.
- Evidence of technical capacity must be provided as part of the Final Plan submission.

J. RIVER, STREAM OR BROOK IMPACTS

- This project is located within the Presumpscot River watershed.
- The applicant should demonstrate that the 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 October 30, 2018, 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.