



December 6, 2018

Amanda Lessard, Town Planner  
Town of Windham  
8 School Road  
Windham, ME 04062

**Re: Basin Road Subdivision – Minor 4-lot subdivision  
Colin Swan - Applicant**

Dear Amanda:

We offer the following explanation regarding how the above referenced project meets satisfactory compliance with the Performance Standard listed in the Town of Windham Subdivision Ordinance section 911.M.2.C, which reads as follows:

*Existing and proposed streets and intersections that can be expected to carry traffic generated by the subdivision shall have the capacity or be suitably improved to accommodate that traffic and avoid unreasonable congestion. For the purposes of this section, suitably improved shall mean that all of the the existing and proposed private roads in the road network back to the closest public street shall meet the applicable Private Road Standard.*

The portion of Basin Road that provides frontage and access to the proposed subdivision lots is a private road owned by Manchester Properties, Inc. The road is paved and the Town of Windham provides winter maintenance on the roadway in accordance with its adopted policies to provide maintenance on those roadways that meet acceptable minimum standards as determined by the Windham Public Works Department. We met with the Fire Chief and walked the property previously, and it was their opinion that the roadway was adequate to provide emergency vehicle service to the lots within the proposed development, as indicated in an email from Chief Brent Libby.

The subdivision ordinance states that the existing street shall have the capacity to serve the project, or the street must be suitably improved to meet the applicable Private Road Standard. It has been clearly demonstrated, through the Town's willingness to provide winter maintenance and trash collection and through the on-site inspection conducted by the Fire Chief, that the existing street has the capacity to serve the project. The ordinance only requires improvements in the case that the existing roadway does not have capacity to serve the project.

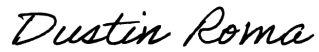
The new lot owners for the proposed project will contribute to future ongoing maintenance needs as they arise in cooperation with the other road associations and lot owners who benefit from the use of Basin Road.

We believe that the project meets ordinance standard 911.M.2.C, however we have included a waiver request with this letter in the event that the Town determines that a waiver is required during their review. If the Planning Board determines the project meets the ordinance standard without the need for a waiver, the waiver request will be withdrawn.

We look forward to meeting with the Planning Board on December 10<sup>th</sup> to discuss final approval of this project. Upon your review of this information, please let us know if you have any questions or require any additional information.

Sincerely,

DM ROMA CONSULTING ENGINEERS

A handwritten signature in black ink that reads "Dustin Roma". The script is cursive and fluid.

Dustin M. Roma, P.E.  
President

**TOWN OF WINDHAM  
SUBDIVISION & SITE PLAN APPLICATION**

**Performance and Design Standards Waiver Request Form**

(Section 808 – Site Plan Review, Waivers)  
(Section 908 – Subdivision Review, Waivers)

For each waiver request from the Performance and Design Standards detailed in Section 811 or Section 911 of the Town of Windham Land Use Ordinance, as applicable, please submit a separate completed copy of this waiver request form.

**Subdivision or Project Name:** BASIN ROAD SUBDIVISION

**Tax Map:**      **Lot:**  
                    18-A      48-4

**Waivers are requested from the following Performance and Design Standards  
(add rows as necessary):**

Ordinance Section	Standard	Mark which waiver this form is for
911.M.2.C	Private Road Standards	X

- a. Describe how a waiver from the standard indicated above will improve the ability of the project to take the property's pre-development natural features into consideration. Natural features include, but are not limited to, topography, location of water bodies, location of unique or valuable natural resources, relation to abutting properties or land uses. Attach a separate sheet if necessary.

SEE ATTACHED LETTER

(continued next page)

Ordinance Section: 911.M.2.C

b. Will the waiver have an impact on any of the following criteria?

	Yes	No
Water or air pollution		X
Light pollution or glare		X
Water supply		X
Soil erosion		X
Traffic congestion or safety		X
Pedestrian safety or access		X
Supply of parking		X
Sewage disposal capacity		X
Solid waste disposal capacity		X
Scenic or natural beauty, aesthetics, historic sites, or rare or irreplaceable natural areas		X
Flooding or drainage issues on abutting properties		X
The Town's ability to provide the subdivision with public safety services (if subdivision)		X

If granting the waiver will result in an impact on any of the criteria above, please provide more detail below.