### Acheron

### Engineering, Environmental & Geologic Consultants

www.AcheronEngineering.com

March 4, 2019

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

RE: Response to Comments Final Major Subdivision Application Durant Homestead, Residential Subdivision.

Dear, Amanda

The purpose of this submittal is to address Town of Windham's review comments regarding the Durant Homestead, Final Major Subdivision Application. Comments were provided in an email from Gorrill Palmer, dated February 14, 2019. Below you will find comments provided by the Windham in italic font followed by a response by Matt Hancock Properties LLC in regular font.

1. Final Subdivision Plan (no sheet #) — Open space areas should be labeled similar to the lot areas.

The Final Subdivision Plan, attached has bee revised to include labels for the open space areas that are similar to the lot labels.

2. Final Subdivision Plan (no sheet #) — As noted by Jon Earle in previous review, percentage of developable land in open space (Note 12) appears to be incorrect. The denominator does not match the total open space area provided in Note 11.

The area of land proposed in open space equals 40.37 acres as indicated in Note 11. This figure includes areas that are not developable (wetlands and slopes over 25%). The developable area designated as open space equals 27.20 acres. This figure is the area designated as open space minus wetlands and slopes over 25% (40.37 acres -13.17 acres). Note 12, calculates the percentage of reserved open space within the full parcel. As mentioned above the developable area in open space is 27.20 and the developable area within the full parcel is 48.53 acres (same as net residential area), (27.20/48.53) = 56%. Note 12 has been revised to clarify.

3. Final Subdivision Plan (no sheet #) — Plan shall be stamped by a Maine Licensed Professional Engineer and Professional Land Surveyor.

The attached Final Subdivision Plan include the design engineer's stamp and signature.

4. Final Subdivision Plan (no sheet #) – Granite Monuments shall be installed in accordance with Section 911.A.3(a).

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The Final Subdivision Plan has been revised per Section 911.A.3(a).

5. Final Subdivision Plan (no sheet #) — Some proposed well locations are within 100'/50' of the proposed travel way. As stated in Section 911.B.I(c)(1)(iii), wells shall not be constructed within 100' downgradient of travelways or 50' uphill from travelways.

Section 911.B.1.(c)(I)(iii) requires water supply wells to be constructed 100 feet from a traveled way if located downhill from the street, or within 50 feet of a traveled way if located uphill of the street. Review of the site plan only 8 wells were identified that did not meet this requirement. As discussed with the Windham Planning and Code Enforcement the intent of this requirement makes sense for dug wells which happens to be the primary topic of this section. It is presumed that the purpose is to limit the public's exposure to any contaminate from a travel way reaching a dug well. Based on discussions with the town staff Matt Hancock Properties is requesting the Planning Board to waive this requirement for the following reasons:

- The potable water wells shown will be constructed per CMR Chapter 232 Well Drillers and Pump Installer Rules and sealed to prevent surface water from entering the well.
- There are no traveled way setback requirements for residential water supply well in the Maine Well Driller or the Maine Drinking Water Program Rules.
- The project is designed so that 90% of the stormwater generated on travelways will be captured by the ditches on both sides of the Penny Whistle Lane and conveyed to stormwater wet ponds for treatment. Eliminating the chance for stormwater from travelways to flow over land or the upper soil horizon to the proposed well locations.

The typical construction of a drilled well and the stormwater design will virtually eliminate the probability of stormwater cross contaminating the water supply wells of these eight wells. Therefore, Matt Hancock Properties requests that the Windham Planning Board grant a performance waiver from section 911.B.1.(c)(I)(iii) for the Durant Homestead Project.

6. Final Subdivision Plan (no sheet #) — We recommend that the plan show all lot setbacks (front, side, rear).

The Final Subdivision Plan has been revised to show structures setbacks.

7. Final Subdivision Plan (no sheet #) — We recommend that the plan include all space and bulk criteria for a cluster subdivision in a farm zone.

The space and bulk criteria for a cluster subdivision is included on the attached version of the Final Subdivision Plan.

8. Final Subdivision Plan (no sheet #) — It should be noted that the proposed tree line does not appear to include the proposed lot development.

During the preliminary subdivision planning board review process, the Board approved a not showing the proposed tree line for the lots that are not regraded to meet stormwater standards. The basis for this approval is the Durant Homestead Stormwater Treatment

Level Summary Table on Sheet C-5 which specifies the amount of impervious and developed area allowed on each lot. This table allows, the contractor, owner and inspectors to easily determine the limit of clearing and development for each lot in the field.

9. Final Subdivision Plan (no sheet #) - As the stormwater system has been designed to accommodate the proposed impervious and developed areas, as shown on this plan, any changes to the proposed lot development areas may require revisions to the proposed stormwater treatment systems.

There are no changes to the lot development that will require revisions to the stormwater management plan.

10. Site Plan (C-6) – Construction entrance does not appear to be shown in the correct location.

The construction location has been relocated on sheet C-6.

11. Site Plan (C-6) — Building envelopes/setbacks should be revised to exclude any wetlands within the lots.

Building envelopes/setbacks have been revised on C-6 to exclude wetlands.

12. Site Plan (C-9) – Plan scale exceeds maximum scale size allowed (1" = 50"), refer to Section 911.M.5(a)(2). A waiver should be requested if you want to maintain the current scale

Please see the attached waiver request.

13. Site Plan (C-9) – Underground electrical and transformers are not shown on plan.

Underground electrical and transformers are shown on the attached sheet C-2 and C-9. Sheet C-2 includes a note indicating that a utility easement must be established for each transformer location.

14. Profile Plan (C-10) — Grade from Sta. 0+00 to 0+60 exceeds the maximum allowable slope at intersections (2% for 60') as required in Appendix B, Table 3.

The road design has been revised to show a grade of 2% from station 0+00 to 0+60.

15. Profile Plan (C-10) — Sag curve at Sta. 5+50 does not meet the required minimum K value in the AASHTO green book (26 minimum for 25 mph design speed). Given that this road may be submitted for acceptance as a Town Public Road, we would recommend that this vertical curb be revised to meet AASHTO requirements.

Matt Hancock Properties understands the reasoning for this recommendation and want to point out that is a recommendation and not a requirement. The sag curve as designed has been evaluated using AASHTO green book. The sag curve shown has a "K" value of 13 which falls between 15 and 20 MPH. Matt Hancock Properties proposes to post a speed limit of 15 MPH for Penny Whistle Lane, which is a more appropriate speed limit for a clustered subdivision. Sheets C-9 and C-11 have been revised to include speed limit signs and installation detail.

16. Typical Section (C-11) — Roadside ditching does not meet the depth requirements in Section 911.M.5(b)(8)(iii)(c).

Typical Section on Sheet C-11 has been revised to show the ditching depth to meet the requirement of Section 911.M.5(b)(8)(iii)(c).

Please let me know if you have any questions or concerns

Sincerely, Acheron

Kirk J. Ball, PE

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Enclosure: Waiver Requests (5)

Revised Final Subdivision Plan (5)

Plan Sheets C-2, C-4, C-5, C-6, C-7, C-9, C-10 and C-11, (5)

Cc: Matt Hancock, MHP

David Fowler, MHP

# 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 <u>Performance and Design Standards</u> 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: Durant Homestead Subdivision

**Tax Map: 6 Lot: 25** 

## 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.B.1.(c)(I)(iii)	Water Supply	X
911.M.5.(a)(2)	Specific Street Design and Construction Standards	

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.

Section 911.B.1.(c)(I)(iii) requires water supply wells to be constructed 100 feet from a traveled way if located downhill from the street, or within 50 feet of a traveled way if located uphill of the street. Review of the site plan only 8 wells were identified that did not meet this requirement. As discussed with the Windham Planning and Code Enforcement the intent of this requirement makes sense for dug wells which happens to be the primary topic of this section. It is presumed that the purpose is to limit the public's exposure to any contaminate from a travel way reaching a dug well. Based on discussions with the town staff Matt Hancock Properties is requesting the Planning Board to waive this requirement for the following reasons:

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The typical construction of a drilled well and the stormwater design will virtually eliminate the probability of stormwater cross contaminating the water supply wells of these eight wells. Therefore, Matt Hancock Properties requests that the Windham Planning Board grant a performance waiver from section 911.B.1.(c)(I)(iii) for the Durant Homestead Project.

Ordinance Section: Section 911.M.5(a)(2)

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

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

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

Drilled wells on Lots 1, 2, 3, 4, 5, 7, 9 and 10 will not meet the traveled way setbacks in Section 911.B.1.(c)(I)(iii).

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**Tax Map: 6 Lot: 25** 

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911.B.1.(c)(I)(iii)	Water Supply	
911.M.5.(a)(2)	Specific Street Design and Construction Standards	Х

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.

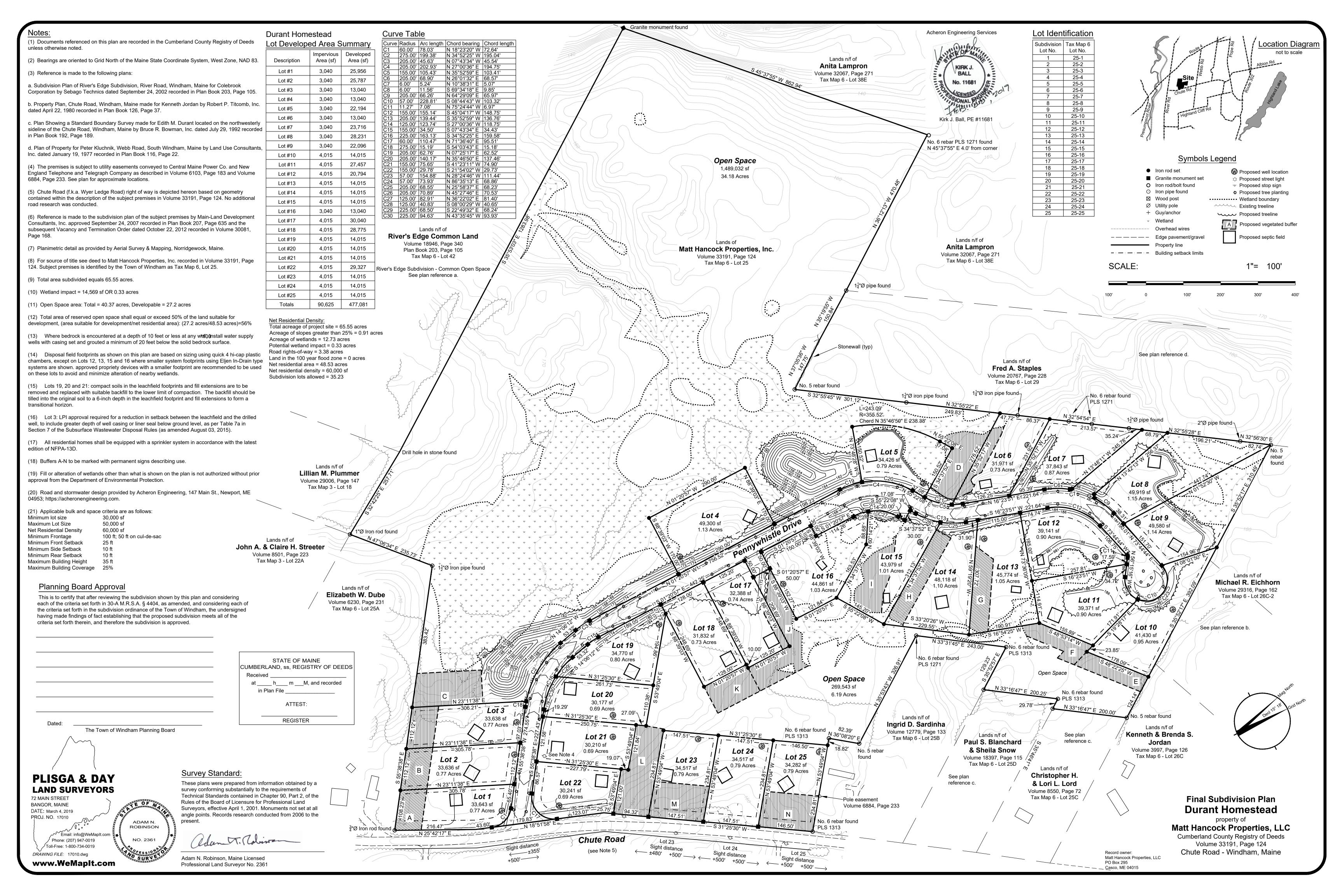
Section 911.M.5(a)(2) limits the plan view scale for detailed construction drawings to one inch no more than fifty feet. The design engineer used best judgement in this case and elected to show the full length of Penny Whistle Lane on sheet C-9 at a scale of one inch equals sixty feet. This allows for reader to understand the full scope and layout of the road without the need to rely on match lines. The design engineer also elected to show additional plan view sections on sheets C-8, C-7, C-12 and C-13 of the project areas requiring more detail, including road stationing at scales of one inch equals thirty and twenty feet. Therefore, Matt Hancock Properties requests that the Windham Planning Board grant a waiver from Section 911.M.5(a)(2) for the Durant Homestead Project.

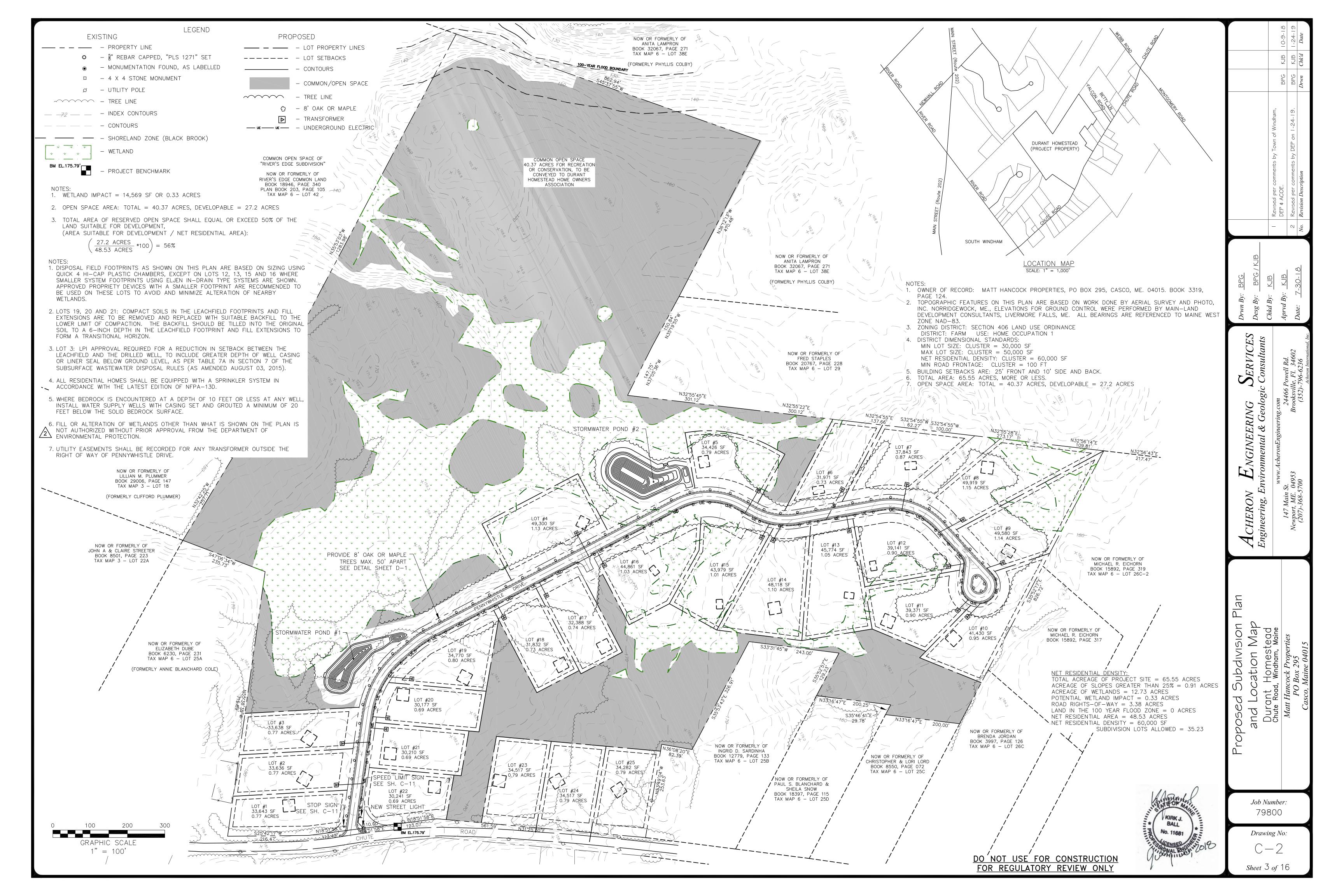
Ordinance Section: Section 911.M.5(a)(2)

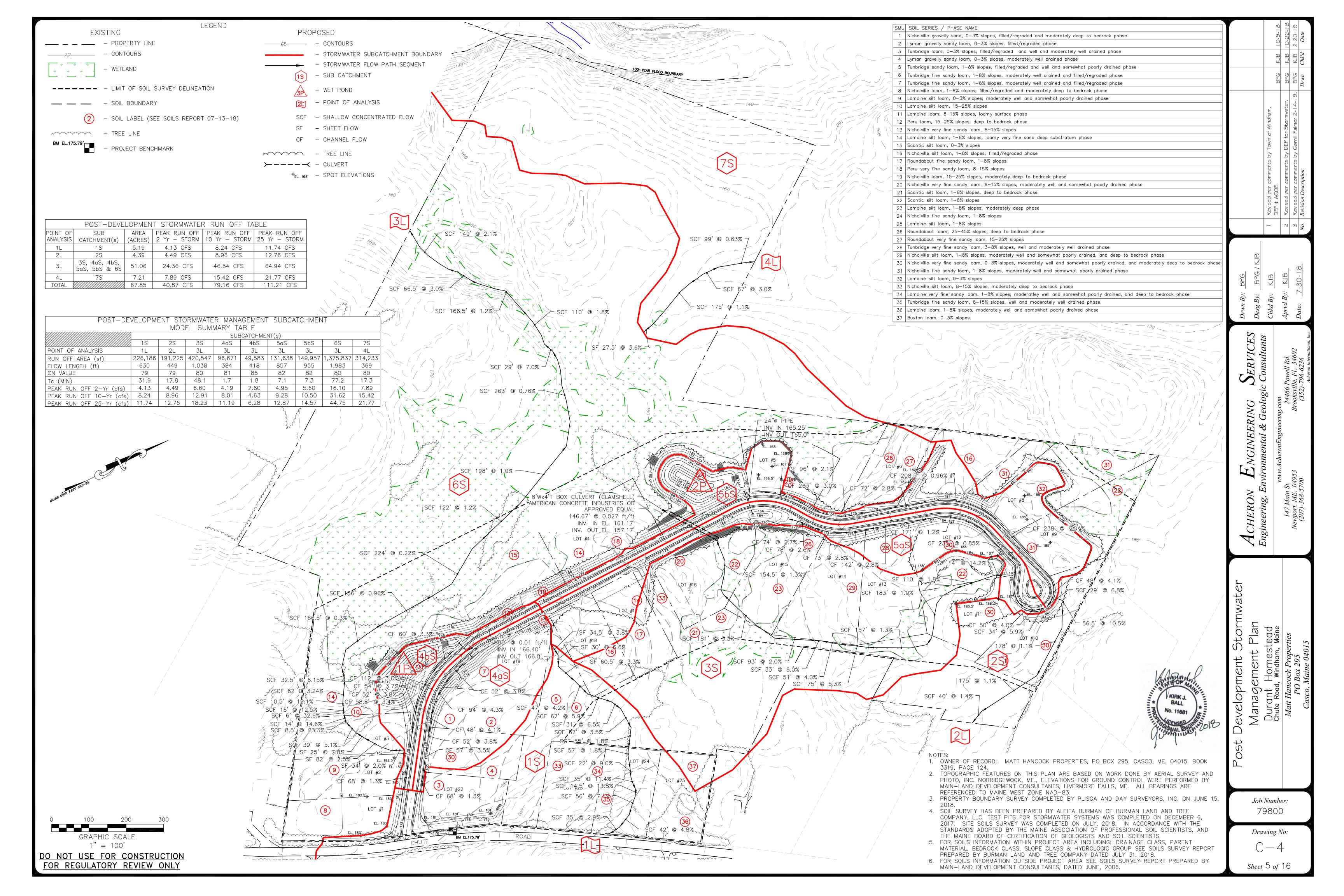
### b. Will the waiver have an impact on any of the following criteria?

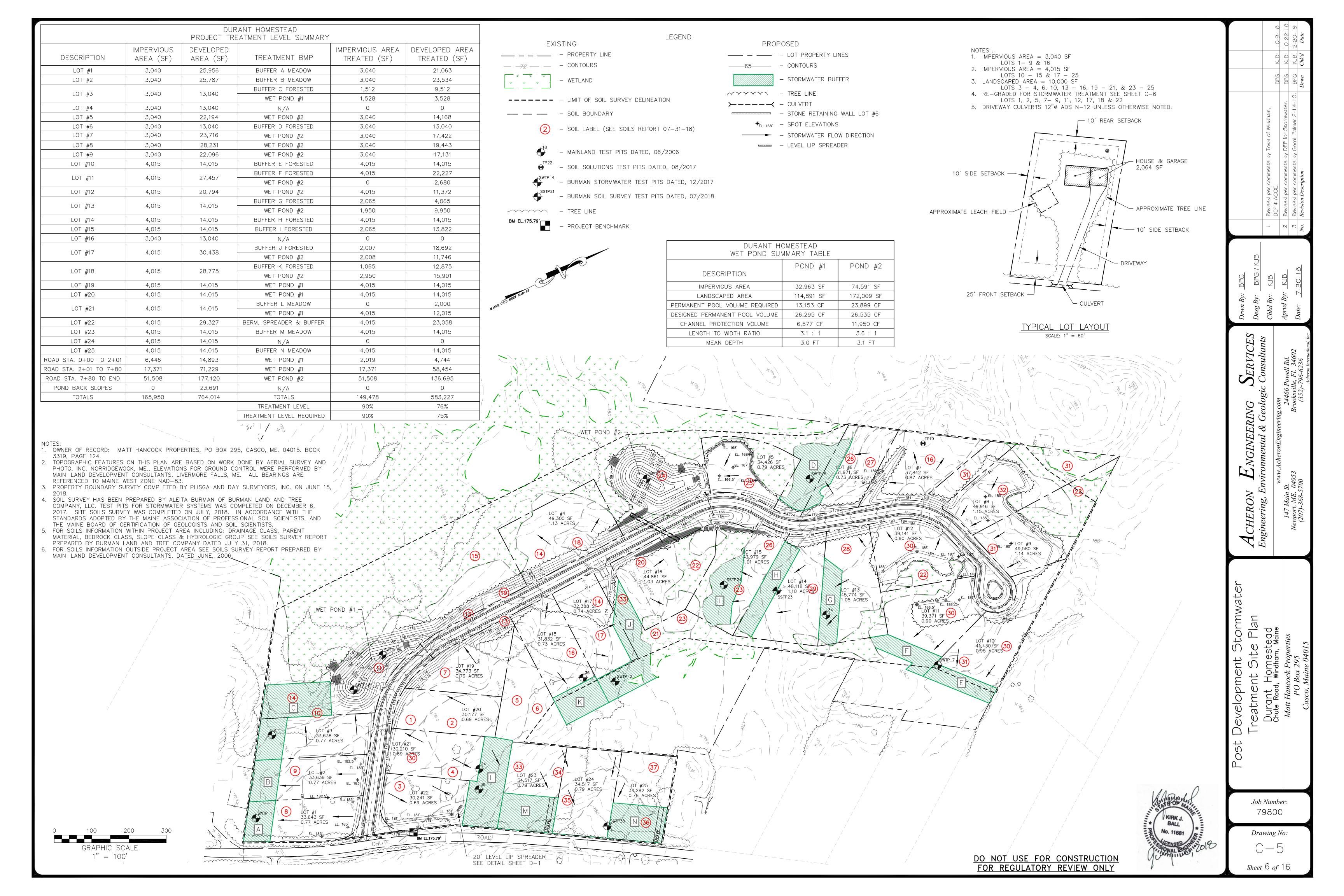
	Yes	No
Water or air pollution		Х
Light pollution or glare		Х
Water supply		Х
Soil erosion		Х
Traffic congestion or safety		Х
Pedestrian safety or access		Х
Supply of parking		Х
Sewage disposal capacity		Х
Solid waste disposal capacity		Х
Scenic or natural beauty, aesthetics, historic sites, or rare or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

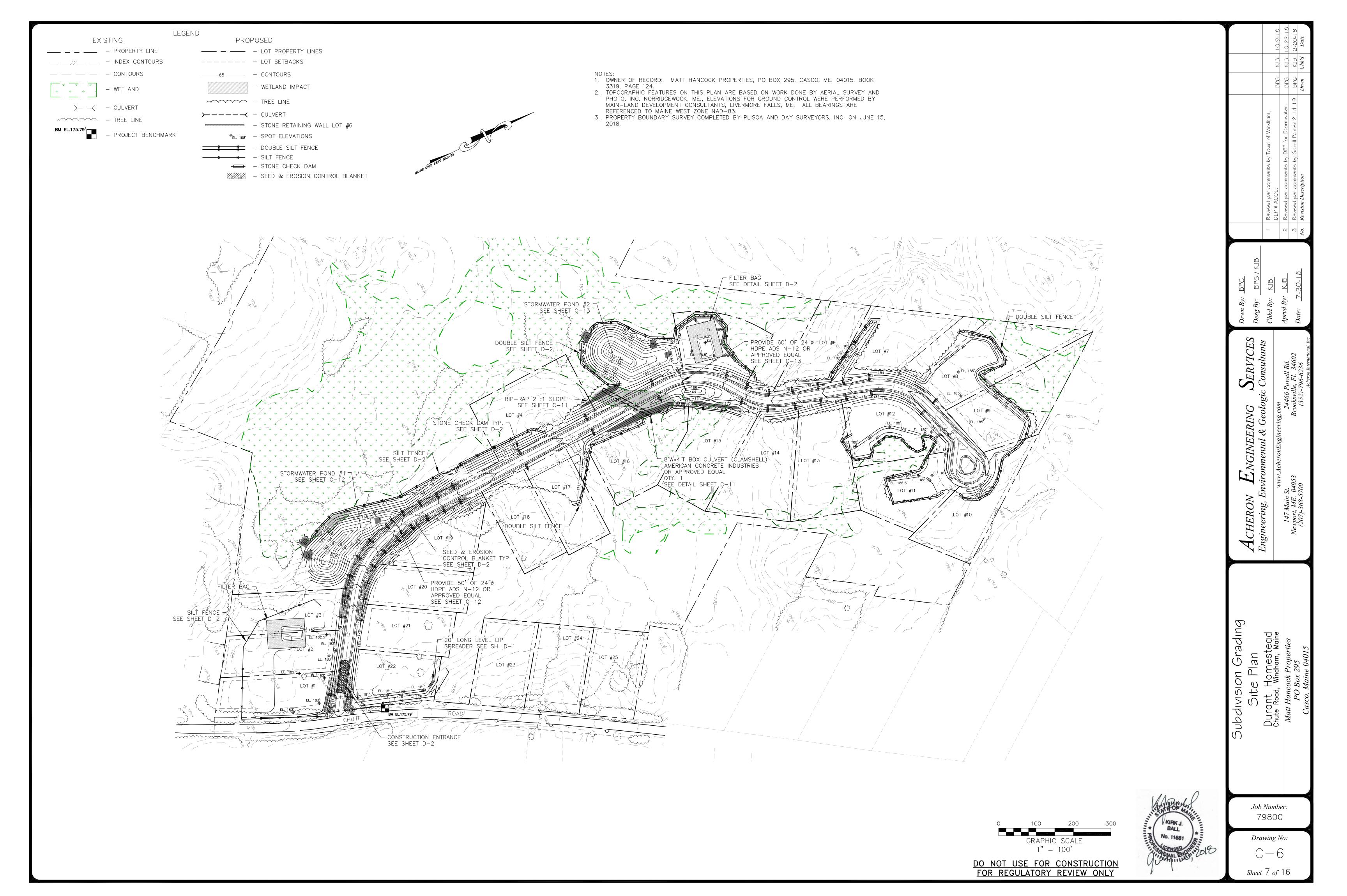
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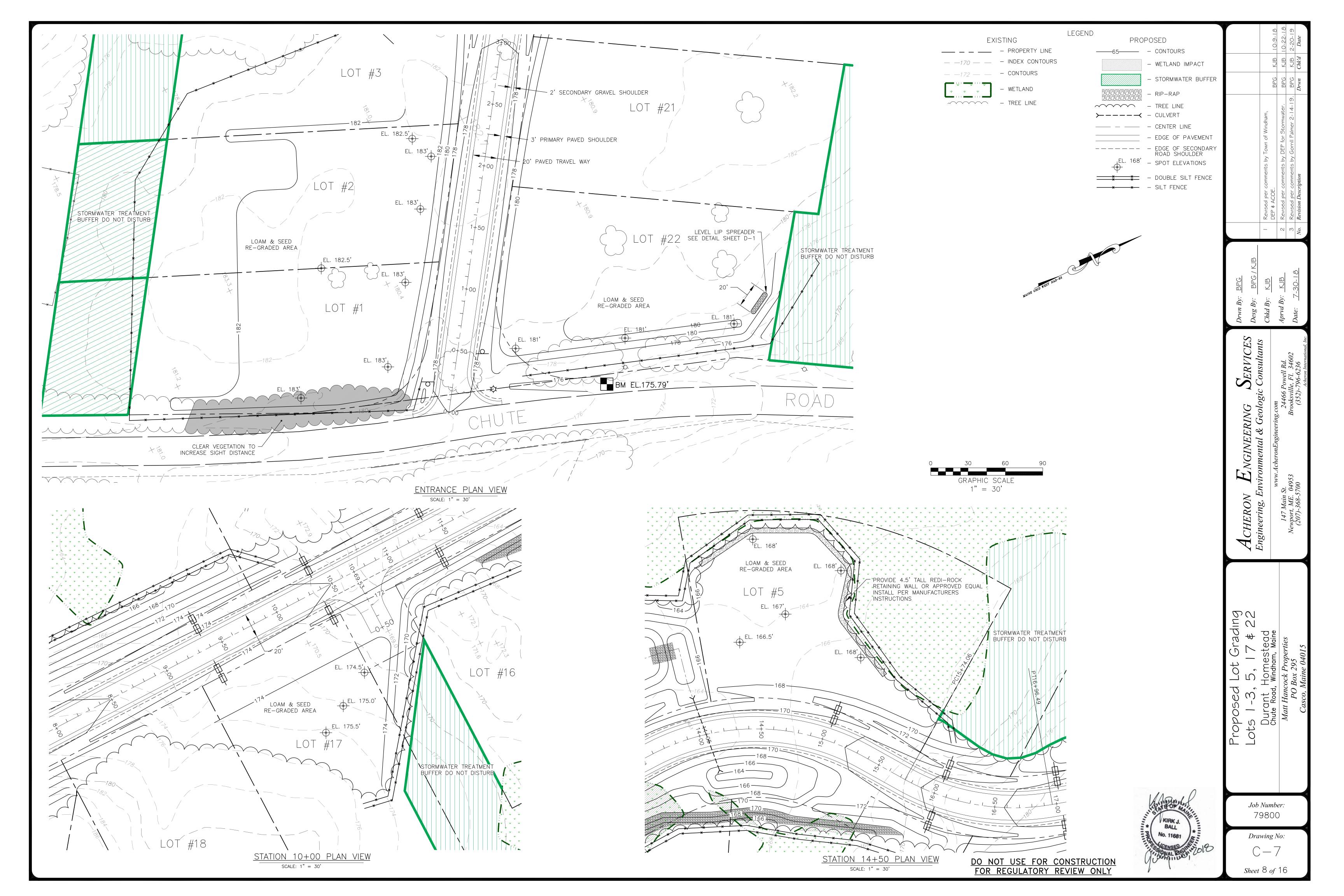


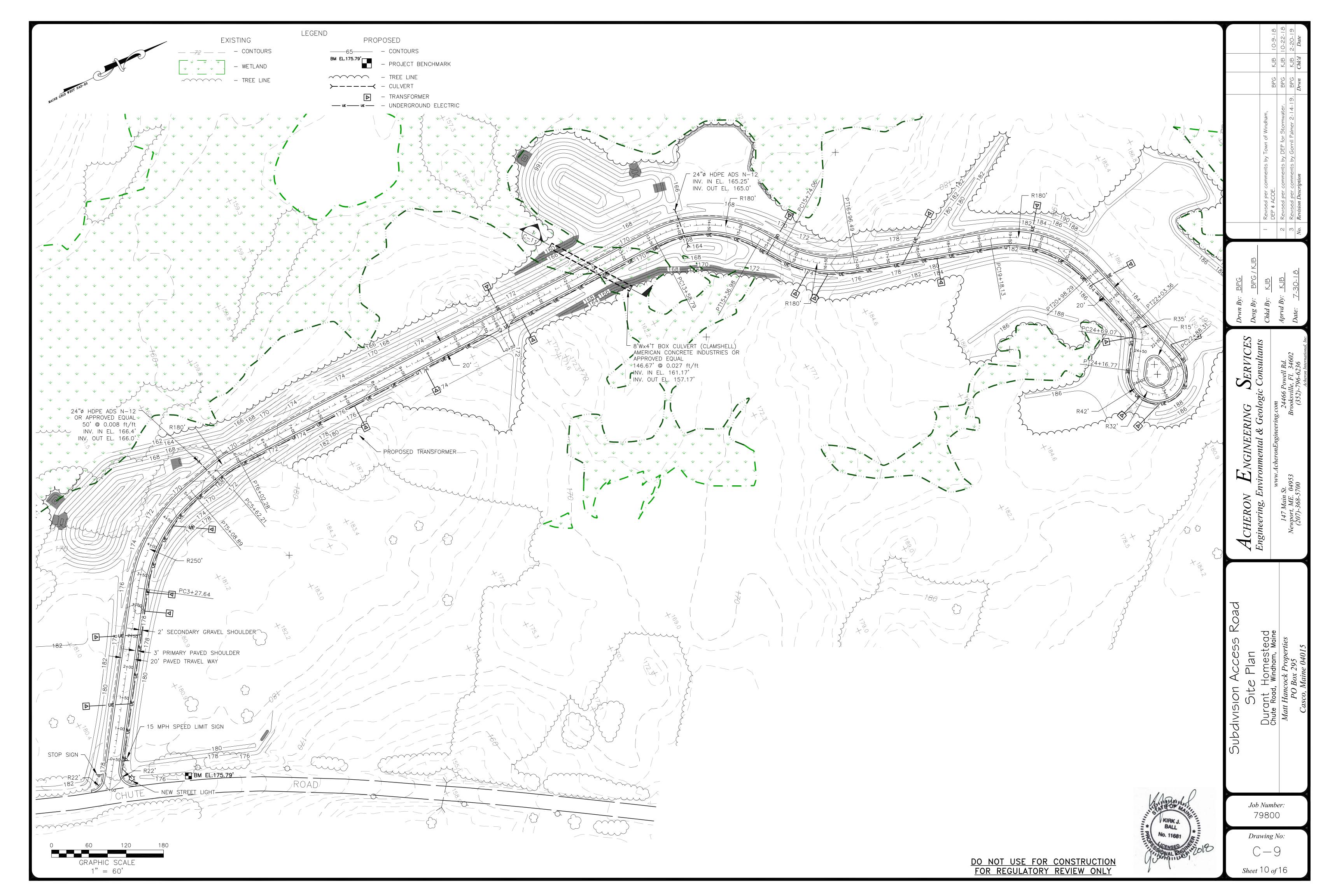


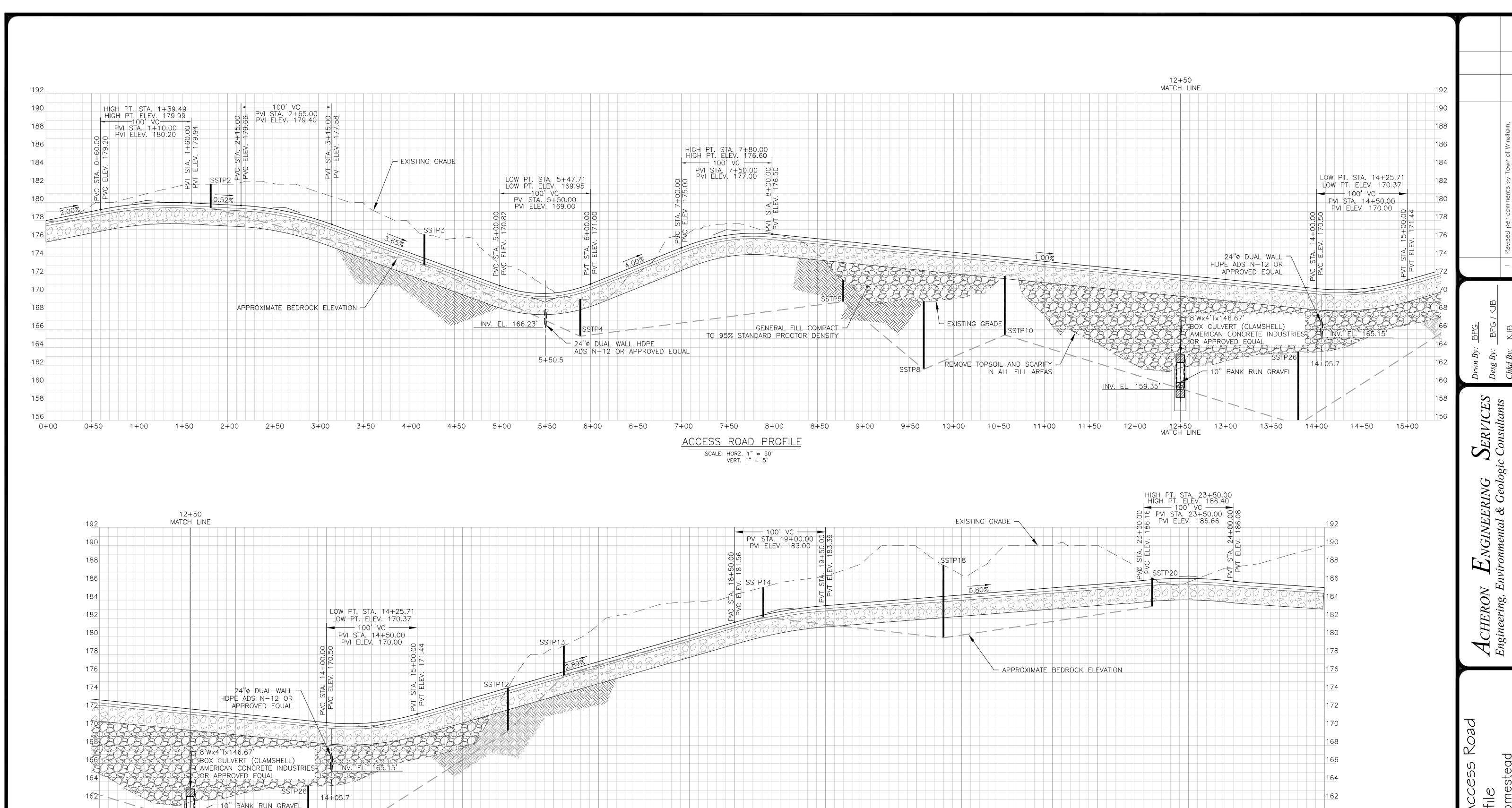












19 + 50

SCALE: HORZ. 1" = 50' VERT. 1" = 5' 21+00

21 + 50

14 + 50

15+00

15 + 50

16+00

16 + 50

KIRK J.
BALL
No. 11681

25+00

24+50

Subdivision Access Re Profile Durant Homestead Chute Road, Windham, Maine

> Job Number: 79800

DO NOT USE FOR CONSTRUCTION FOR REGULATORY REVIEW ONLY

