

# Town of Windham

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## MEMO

DATE: April 19, 2018

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

RE: 18-27 Heritage Village - Major Site Plan Amendment Final Plan Review  
Planning Board Meeting & Public Hearing: April 22, 2019

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### Overview –

This application is for a 3,535 square foot expansion of Building A at Heritage Village for medical office use.

The Heritage Village Site Plan was approved by the Planning Board on March 22, 2004 on 2.7 acres that is a combination of Lots 1 and 2 of the Lakes Region Commons Subdivision. Staff approved a minor change to the site plan in November 2005 to increase the size of Building A by 450 square feet, remove the drive-thru around the west side of Building A, relocate the septic system, and revise the landscaping plan. Staff also approved a minor change to the site plan in September 2006 to change the direction of one-way traffic around Building D.

This project was last before the Board as a Sketch Plan on September 24, 2018 as a 3,900 square foot addition. At that meeting the Board discussed the location of building in close proximity to Route 302 that meets the current requirements of the C-1 district but will reduce the current amount of landscaping. Since that meeting the applicant has submitted a final plan set that includes building elevations, a revised site plan that shows the addition of 3 parking spaces, and a copy of the approved Maine DEP amended stormwater permit.

Underlined text in the memo below shows new information included with the Final Plan Submission and new staff comments from the memo dated September 19, 2018.

The Board's scope of review should be limited to the proposed changes to the site plan that affect approval standards.

Tax Map: 14; Lot: 10A-1. Zone: Commercial 1 (C-1)

## SITE PLAN REVIEW

### Staff Comments:

1. Waivers: None

2. Complete Application:

**MOTION:** The site plan application for project 18-27 Heritage Village 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: A public hearing has been scheduled for the April 22, 2019 Planning Board meeting.

4. Site Walk: At the September 24, 2018 Planning Board meeting, the Board voted that a site walk was not necessary for this project.

Findings of Fact and conclusions for the

### **Windham Planning Board,**

**MOTION:** The Site Plan application for 18-27 Heritage Village Amendment on Tax Map:14, Lot: 10A-1 is to be **(approved with conditions/denied)** with the following findings of fact and conclusions.

## FINDINGS OF FACT

### **Utilization of the Site**

- The project is located on a 2.7 acre parcel that is a combination of Lots 1 and 2 of the Lakes Region Commons Subdivision and includes four (4) commercial buildings with associated parking areas.
- This property has been organized as the Windham Heritage Village Condominium. The applicant should demonstrate sufficient right, title and interest to amend this plan and expand Building A into the Common Elements. The existing Condo Declaration was included with the November 19, 2018 final plan submission. In the April 1, 2018 submission the applicant states that the applicant is the Declarant of the Condominium and they currently own all condominium units. The Declarant reserves the right to vary common elements and the proposed building expansion is to be built over area that was identified as Limited Common Element for Building A.

### **Vehicular and Pedestrian Traffic**

- The subject parcel has frontage on Route 302 and Commons Avenue.

- The property has two existing entrances to Commons Avenue.
- The amendment proposes five (5) additional parking spaces. In accordance with Section 811.C.2.a, no minimum number of parking spaces is required for the proposed 3,900 square foot expansion. The applicant should demonstrate that the number of spaces provided onsite will meet the needs of the anticipated uses on the property.
- The sketch plan shows a sidewalk connection from the expanded building to the Route 302 sidewalk.
- A traffic impact study is not required as the project will not 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.
- The November 19, 2018 final plan shows 5 new parking spaces and the narrative states that the proposed building expansion is estimated to generate 12 additional peak-hour trip-ends.
- In an email dated November 30, 2018, Town Engineer Jon Earle, PE, asked for clarification of the trip generation and determine whether the additional trip generation triggers a MDOT Traffic Movement Permit.
- The April 1, 2019 submission revised the site plan to show an addition of 3 new parking spaces.
- The April 19, 2019 submission states that the 3,535 square feet of new building footprint and will add 3 parking spaces. The new facility will generate approximately 150 additionally daily vehicle trips and does not require a Traffic Movement Permit with the Maine DOT because the building have been built for 10 years are not considered part of the calculation of new trips.

### **Sewage Disposal, Water Quality and Groundwater Impacts**

- The development is located in the Ditch Brook watershed.
- The existing septic system serving the building is located in the same general location where the building expansion will occur, so applicant proposes to serve the property with a new private subsurface wastewater disposal (septic) system.
- A new septic system designed by Norman "Bud" Harris, LSE or Harris Septic Solutions, Inc dated November 16, 2018 has been submitted and is designed based on existing water usage (640 GPD) plus a twenty percent expansion. The septic location is shown on the plan.
- The proposed use should not have a significant impact on the quantity or quality of area groundwater.

### **Stormwater Management**

- Per Section 812.E., a stormwater plan needs to be submitted that meets the standards DEP Chapter 500 Stormwater Management.

- The 2004 Heritage Village site plan approval is subject to MaineDEP Stormwater Permit #L-21739-NJ-A-N dated May 6, 2004. If an amendment to the DEP permit is required it should be submitted with the Final Plan submission.
- This project is in the NPDES (National Pollutant Discharge Elimination System) area as designated by the Environmental Protection Agency for the Town of Windham. As a result, there will be additional construction inspection requirements and ongoing requirements for reporting of stormwater infrastructure maintenance if the area of development is greater than one (1) acre.
- The November 19, 2018 submission states that calculations have been prepared indicating the existing basin has the available capacity to accommodate the additional impervious surface based on the Maine Stormwater Management Design Manual Volume III Technical Design Manual as published by the Department of Environmental Protection.
- In an email dated November 30, 2018, Town Engineer Jon Earle, PE, requested a post-development watershed plan and calculation sheets be provided to verify that the project meets the standards.
- The final plan submission included an amended MaineDEP Stormwater Permit L-21739-NJ-B-A dated April 18, 2019. The permit details that the approximately 0.13 acres of new impervious area will be treated using the existing infiltration basin that is adjacent to Commons Avenue and a dripline filter around the proposed building except for where there is impervious area used for ingress/egress.

### **Erosion Control**

- An erosion and sedimentation plan, prepared by DM Roma Consulting Engineers, dated November 19, 2018, has been submitted as part of the Preliminary Plan. Notes and details are shown on Drawing D-1.
- In an email dated November 30, 2018, Town Engineer Jon Earle, PE, stated that the project has been designed with adequate provisions for erosion and sediment control to meet Maine DEP Chapter 500 standards.

### **Utilities**

- The property is currently served by public water. In an email dated September 13, 2018 Town Engineer Jon Earle PE asked if the existing water service will be used to serve the expansion.
- The existing is served by underground utilities.
- Based on the size of the building with the proposed addition sprinkler systems are not required by the Fire Protection Ordinance.
- The closest fire hydrants on Route 302 are at the property line in front of the Public Safety Building, and to the south at the intersection of Pope Road and Route 202.

### **Technical and Financial Capacity**

- A letter dated April 3, 2018 from Ed Powell, Vice President at Mechanics Savings Bank, was submitted as evidence of financial capacity.
- The applicant has provided information on the licensed professionals working on this project as evidence of technical capacity.

### **Landscape Plan**

- The sketch plan submission states that the existing landscape berm will be removed to accommodate the new building and new landscaping will be proposed along the building frontage.
- A landscaping plan is included as part of the amended site plan, Drawing S-1, of the final plan set dated November 19, 2018.

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

#### **1. Land Use**

- Medical Office is a permitted use in the Commercial 1 (C-1) District.
- The project meets the minimum lot size and setback requirements of the C-1 zoning district.

#### **2. Comprehensive Plan**

- This project is located in the North Windham Growth Area and meets the goals and objectives of the 2017 Comprehensive Plan.

#### **3. Others:**

- Design Standards, Section 813. The project must meet the design standards of the C-1 zoning district, along with a minimum of 8 of the elective Design Standards.
  - Building elevations were included with the November 19, 2018 final plan submission.
  - The applicant has supplied a narrative on April 19, 2019 addressing the Standards in Section 813.A. The building will have a pitched roof with siding material of clapboards and stone veneer that will match the existing building. The frontage includes more than 40% windows and includes an entrance with a sidewalk connection to Roosevelt Trail. Snow storage areas are shown on the plan.

### **Impacts to Adjacent/Neighboring Properties**

- The November 19, 2018 final plan submission states that there will be no proposed lighting fixtures as part of this project.
- The April 19, 2019 submission states that the light fixtures installed on the building are in scale with the site and building development. There are no additional pole mounted fixtures proposed.

- Impacts to nearby properties should be minimal, based on the proposed use.

## 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 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 that could be avoided by adequate

## CONDITIONS OF APPROVAL

1. Approval is dependent upon, and limited to, the proposals and plans contained in the application dated September 4, 2018, as amended April 19, 2019, 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.