

Town of Windham

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MEMO

DATE: August 8, 2019

TO: Windham Planning Board
FROM: Jenn Curtis, Planner
Cc: Dustin Roma, P. E.
Staff Review Committee

RE: 19-14 Lussier Commercial Building Minor Site Plan
Staff Review Committee Meeting August 12, 2019

Overview –

The applicant is proposing to construct a 1912 square foot office building and 4,888 square foot paved driveway and parking area at 243 Roosevelt Trail on Tax Map: 10A Lot: 24-A01 Zone: Commercial III (C3). The building would be used as commercial office space.

The proposed Business and Professional Office is a permitted use in the C3 zone.

This project is subject to site plan review due to the proposed use and square footage of buildings to be constructed. This application has been classified as a minor development as the gross non-residential floor area proposed to be constructed is less than 5,000 square feet.



1. Waivers:
 - a) None
2. Complete Application:
 - a) *Staff find the application complete with regard to submission requirements*

3. Public Hearing: A public hearing has not been scheduled for this project.
4. Site Walk: A site walk has not been scheduled for this project.

- 2 -

Windham Staff Review Committee,

MOTION: The Site Plan application for 19-14 C.N. Lussier Commercial Building located at 243 Roosevelt Trail on Tax Map: 10A Lot: 24-A01 is to be (**approved with conditions/denied**) with the following findings of fact and conclusions.

FINDINGS OF FACT

Utilization of the Site

- The subject parcel is approximately .44 acres and is currently wooded around the perimeters and cleared and leveled in the areas of proposed disturbance.

Vehicular and Pedestrian Traffic

- The lot has 200' of frontage on Roosevelt Trail, which the driveway will connect to.
- The application states that there is over 800 feet of vehicle site distance in both directions.
- There are seven parking spots, a crosswalk, and garage shown on the plan. The parking spaces meet the dimensional requirements of the performance standards.
- There appears to be adequate provision for safe movement of traffic through the site.
- There is no minimum number of parking spaces required. The applicant indicates that seven spaces will be adequate to meet the needs of the workers and visitors who will use the proposed building.
- The applicant stated that the development would be expected to generate approximately 3 to 4 peak hour trip ends and 25 to 30 average daily trips based on estimates published by the institute of Transportation Engineers Trip Generation Manual.
- The project will require a driveway entrance permit from the Town

Sewage Disposal and Groundwater Impacts

- The site will be served by a subsurface wastewater disposal system.
- The applicant submitted an HHE-200 subsurface wastewater disposal application submitted to the Maine Department of Health and Human Services. The submittal included a subsurface wastewater disposal system design prepared by Albert Frick Associates, and signed by a Site Evaluator. It indicates that the system would serve an office building on the proposed site.
- In an email dated July 8, 2019 Town Engineer Mark Arienti requested that the applicant show the approximate locations of the leach field, and well. Both the leach field and well are now shown on the plan. The leach field is located with the parking area. The proposed well location is over 100 feet from the septic field, behind the proposed building. Town Engineer Mark Arienti confirmed in a verbal conversation that he felt the response was adequate and had no further comment.

Stormwater Management

- In an email to the applicant dated July 8, 2019, Town Engineer Mark Arienti, P. E. requested two-foot contour intervals be included on the plan. An updated plan received on July 24, 2019 includes 2' contour intervals

- In an email to the applicant dated July 8, 2019, Town Engineer Mark Arienti, P. E. requested an explanation for why the project is expected to have capacity to receive stormwater from the site. A response to comments from Dustin Roma, P.E., of DM Roma Consulting Engineers on July 24th stated that it was his professional opinion that the existing drainage swales and culverts are capable of receiving the stormwater runoff from the proposed development without causing significant potential for erosion or flooding provided the measures outlined in the Erosion and Sedimentation Control Plan and Grading Plan prepared for the project are followed.

Erosion Control

- The plan signed Dustin Roma, P.E., of DM Roma Consulting Engineers, dated July 24th, includes erosion control best management practices prescribed for the site including Temporary soil stabilization Best Management Practices (BMPs), Sediment Barrier BMPs, Temporary Check Dams, Storm Drain Inlet Protection, Construction Entrance/Exit Stabilization, Dust Control, Land Grading and Slope Preparation, Soil Stabilization and Stormwater Channels.

Utilities

- The application states that water will be supplied via a well.
- The application states that power and communication lines are available on site.
- An existing fire hydrant is located at the corner of Albion Road and Roosevelt Trail, approximately 850' from the proposed building.
- The applicant indicated that Electrical utilities will be from the nearest pole, in front of the lot. 812.I states that: "The development shall be provided with electrical, telephone and telecommunication service adequate to meet the anticipated use of the project. New utility facilities shall be screened from view to the extent feasible. Utility lines shall be placed underground."

Financial and Technical Capacity

- The applicant estimates that the project will cost approximately \$100,000. The applicant submitted a Bangor Savings Bank account statement showing total assets of over \$193,000.
- The applicant, Mr. Lussier, indicated that he has built several homes and has one of the largest home inspection companies in the State of Maine. The applicant has retained the services of Dustin Roma, P.E., of DM Roma Consulting Engineers, for site design work.

Impacts to Adjacent/Neighboring Properties

- The proposed development is not expected to have any undue adverse impacts to adjacent or nearby properties due to noise, lighting, pollution, unsightly conditions, vibrations, hours of operation, or any other form of nuisance.
- The applicant states that solid waste will be collected in trash cans or bags and stored in the garage. A private trash removal service will be used for solid waste disposal.
- The applicant will install a sign 20' back from Roosevelt Trail. The sign will be 100 square feet or less and will be lit with minimal lighting.

- *812.R.1.A requires that lighting fixtures shall be shielded or hooded so that the lighting elements are not exposed to normal view by motorists, pedestrians, or from adjacent dwellings and so that they do not unnecessarily light the night sky.*
- The exterior of the building will be lit with recessed lighting and black cast wall lanterns with clear glass panels.

Conformity with Local Plans and Ordinances

1. Land Use

- In an email to the applicant dated June 21, 2019, Town Engineer Mark Arienti, P. E. requested that snow storage areas be shown on the plan (per Section 813.C.5.a.). On the updated plan received July 24, 2019, the snow storage area is indicated northwest of the parking area.
- The Commercial District Design Standards at 813 must be met. The applicant submitted building elevations to confirm that they meet the required standards. Staff reviewed the elevations and found them to be compliant. The applicant noted that they will additionally comply with the standard by meeting the following elective design standards: B7 – Landscape material surrounding parking lot is capable of tolerating large quantities of snow storage, B8 – Low Impact Design Stormwater, B9 – Shared stormwater treatment, C2 – Lighting coordinates with architecture, C3- Lighting coordinated with landscaping, C4 – Existing trees preserved, C7 – Planting suitability, and C9 – Illumination levels.

2. Comprehensive Plan

- This project meets the goals and objectives of the 2017 Comprehensive Plan.

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 landscaping.

CONDITIONS OF APPROVAL

1. Approval is dependent upon, and limited to, the proposals and plans contained in the application dated June 26, 2019, as amended July 24, 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.