



October 25, 2019

Amanda Lessard, Planning Director  
Town of Windham  
8 School Road  
Windham, ME 04062

**Re: Application for Zone Change  
Tax Map 5, Lot 1-1**

Dear Amanda:

On behalf of RMills, LLC, we have prepared the enclosed application, maps and supporting documents to request a Zone Change for property identified on Tax Map 5 as Lot 1-1. This applicant had previously requested a zone change in 2017 for this property and was denied by the Town Council in 2018 in a split vote.

The property is currently bisected by a zone line which designates a 300-foot deep portion of the property closest to River Road as Medium Density Residential Zone (RM Zone). The rear 440-foot deep portion of the parcel is designated as Farm Residential Zone (FR Zone). Our request is to rezone the rear portion of the property from FR Zone to RM Zone so that the entire 7.4-acre parcel is located in the RM Zone. This property is located on the fringe of the South Windham Growth Area as identified on the Future Land Use Map contained in Windham's 2017 Comprehensive Plan. As shown on the attached Zoning Map, the property is surrounded by a large mass of property that is zoned RM, so the zone change will not negatively impact the general character of the neighborhood.

The landowner is currently building Junco Drive and the four condominium units that were approved by the Planning Board (see attached plan). The intent is to continue the duplex unit scheme into the back land where the units will be further away from River Road and we can continue with the duplex unit arrangement. The current zoning would require the residential dwellings to be clustered close to River Road, which is not a desirable condition. The FR Zone does not allow for the construction of new 2-family or multifamily dwellings.

The rezone would be consistent with the Town's Comprehensive Plan and would allow the property to be developed utilizing best practices. We look forward to discussing this further with the Planning Department and the Town Council. 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

*Dustin Roma*

Dustin M. Roma, P.E.  
President

# TOWN OF WINDHAM

## ZONE CHANGE APPLICATION

The original signed copy of this application must be accompanied by the required application fee, along with five (5) copies of any and all plans, maps, drawings, and any related information which shall be printed or reproduced on paper. Applications and application fee must be submitted to the Town of Windham Planning Department. The Town Council Chair and Vice-Chair shall place the request on the Town Council's agenda at their discretion.

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### Contact Information

#### 1. Applicant

Name: RMILLS, LLC

Mailing Address: 13 VICTORIA LANE, WINDHAM, ME 04062

Telephone: 939 - 7472

Fax:

E-mail:

#### 2. Record owner of property

X  (Check here if same as applicant)

Name:

Mailing Address:

Telephone:

Fax:

E-mail:

### Property Information

Property Address: JUNCO DRIVE

Assessor's Tax Map & Lot(s) #: Map:  5  Lot  1-1

Property size (square feet):  260,246 SF   6 ACRES

Current Zoning District:

Requested Zoning District:

RM & FR

RM

Current use of the property:

Requested use of the property:

2-FAMILY RESIDENTIAL

2-FAMILY RESIDENTIAL

### Required Attachments

1. Evidence of right, title, or interest in the property.
2. An explanation of how rezoning the property in question would support the goals and objectives of the Town of Windham Comprehensive Plan.
3. A plan of the lot(s) proposed to be rezoned. This plan may be a Windham Tax Map or Survey conducted by a Maine Licensed Surveyor. At a minimum, the plan must contain the following:
  - a. Lot lines of the lot(s) proposed to be rezoned,
  - b. Approximate location, width, and purpose of easements or restrictions on the property (if applicable),
  - c. Streets on and adjacent to the lot(s),
  - d. Approximate location of existing buildings, structures, or other improvements to the site (if none, please note).
  - e. Major natural features of the site, approximated by the applicant, including wetlands, streams, ponds, floodplains, treelines, and other important natural features (if none, please note).

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I certify all the information in this application form and accompanying materials is true and accurate to the best of my knowledge.

*Dustin Roma*

10-25-2019

Signature

Date

**QUITCLAIM DEED**  
(Maine Statutory Short Form)

**DLN: 1001840024463**

**KNOW ALL PERSONS BY THESE PRESENTS**, that, **R. Bryan Mills** of Windham, Maine, for consideration paid, hereby GRANTS to **RMILLS, LLC**, with a mailing address of 13 Victoria Lane, Windham, ME 04062, with **QUITCLAIM COVENANT**, the land with any buildings thereon situated in Windham, County of Cumberland and State of Maine, described as follows:

See Attached Exhibit A

Meaning and intending to convey the same premises conveyed to **R. Bryan Mills** by virtue of a deed from Stephen C. Loura and Richard L. Plummer. dated July 12, 2017 and recorded in the Cumberland County Registry of Deeds in Book 34155, Page 270.

Witness my hand and seal this 6<sup>th</sup> day of April, 2018.

\_\_\_\_\_  
Witness

R. Bryan Mills  
R. Bryan Mills

STATE OF MAINE  
COUNTY OF CUMBERLAND

April 6, 2018

Then personally appeared before me the above- named **R. Bryan Mills** and acknowledged the foregoing instrument to be his free act and deed.

Before me;

Lisa Jones  
Notary Public/ Attorney at Law

Printed Name:

My Comm. Exp:

**LISA JONES**  
NOTARY PUBLIC  
State of Maine  
My Commission Expires  
November 10, 2022

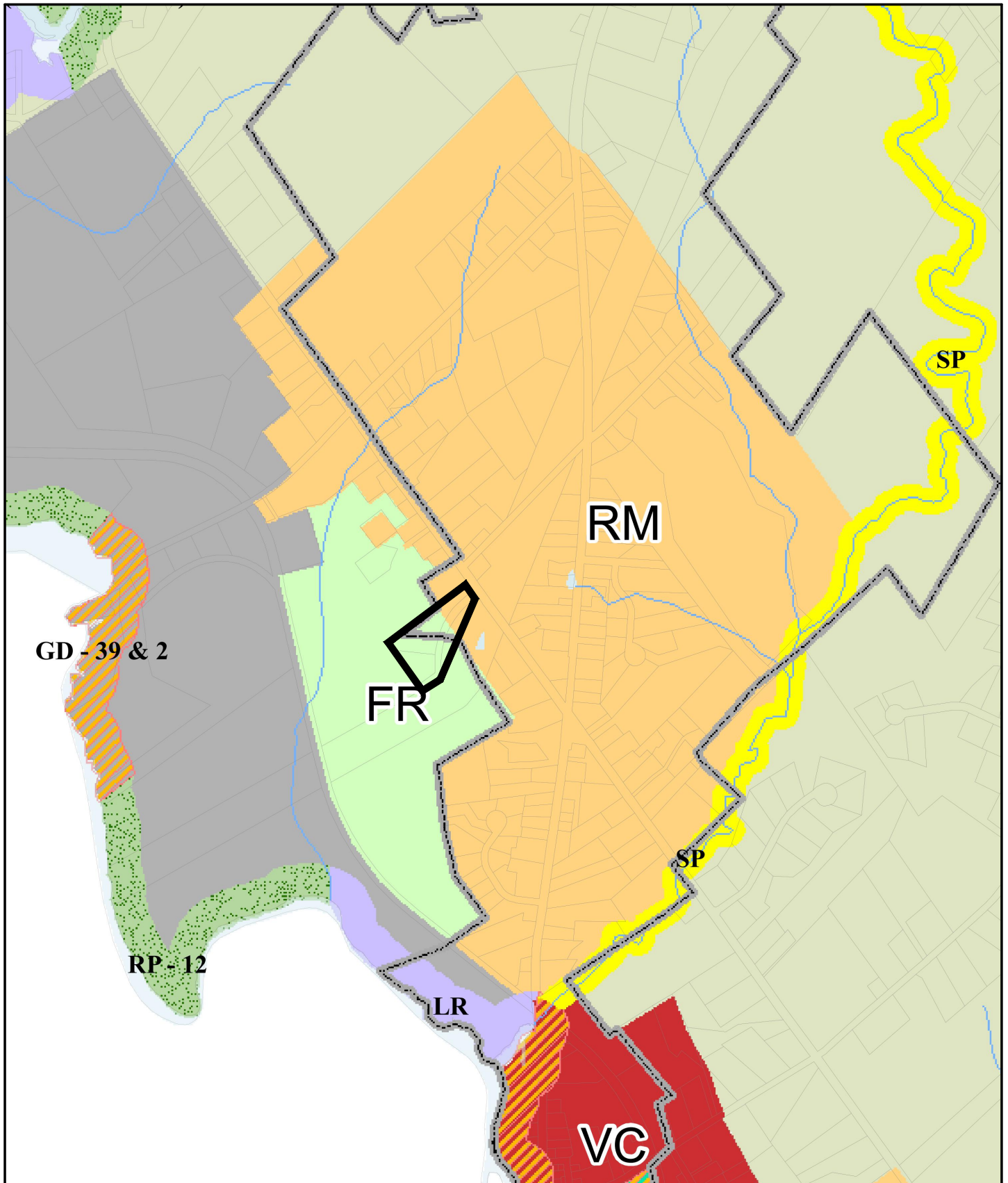
**EXHIBIT A**

A certain lot or parcel of land, situated in the Town of Windham, County of Cumberland and State of Maine, more particularly bounded and described as follows:

Beginning at a point located at the southeasterly corner of land recently conveyed to Jennifer Libby by deed dated January 21, 2015 and recorded in the Cumberland County Registry of Deeds in Book 32039, Page 238, and thence traveling along River Road in a southerly direction for a distance of approximately one hundred fifty-nine and fifty-eight tenths (159.58) feet to a monument; Thence, S20°55'56"W a distance of six hundred fifty and eighteen hundredths (650.18) feet to an iron pipe or rod; Thence, S60°36'03"W a distance of one hundred eighty-two and two tenths (182.20) feet to an iron pipe or rod; Thence, N36°07'33"W a distance of four hundred seventy-four and forty-seven hundredths (474.47) to an iron pipe or rod along land now or formerly of Donald Toms as set forth in CCRD Book 13039, Page 271; Thence, N54°06'44"E a distance of two hundred forty-three (243) feet along land of said Toms to an iron pipe or rod; Thence, N58°21 '23"E a distance off one hundred ninety-six and six tenths (196.60) feet along land of said Toms to an iron pipe rod located at the southwesterly corner of land of said Libby; Thence, traveling along the southern border of said Libby N41°12'54"E a distance of two hundred ninety and sixty-four tenths (290.64) feet to the point of beginning.

Said property being the property which was known as the Alexander Estates Subdivision as set forth on the Minor Subdivision Plan of Alexander Estates Subdivision recorded at the CCRD in Plan Book 207, Page 341. See also Vacancy and Termination Order Minor Subdivision Plan Alexander Estates Subdivision recorded at CCRD in Book 32174, Page 235.

No Title Search was done in preparation of this deed



## WINDHAM MUNICIPAL ZONING MAP

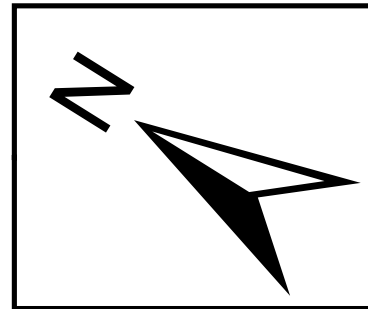
SCALE: 1"=1,000'  
DATE: 10-9-2017  
JOB NUMBER: 17057

# DM ROMA

CONSULTING ENGINEERS

59 HARVEST HILL RD  
WINDHAM, ME 04062  
(207) 310 - 0506





THESE MAPS ARE FOR ASSESSMENT PURPOSES ONLY AND ARE NOT FOR CONVEYANCE.

These Tax Maps are based on original maps compiled by James W. Sewall Co.

# TOWN OF WINDHAM CUMBERLAND COUNTY, MAINE 2016 PROPERTY MAPS

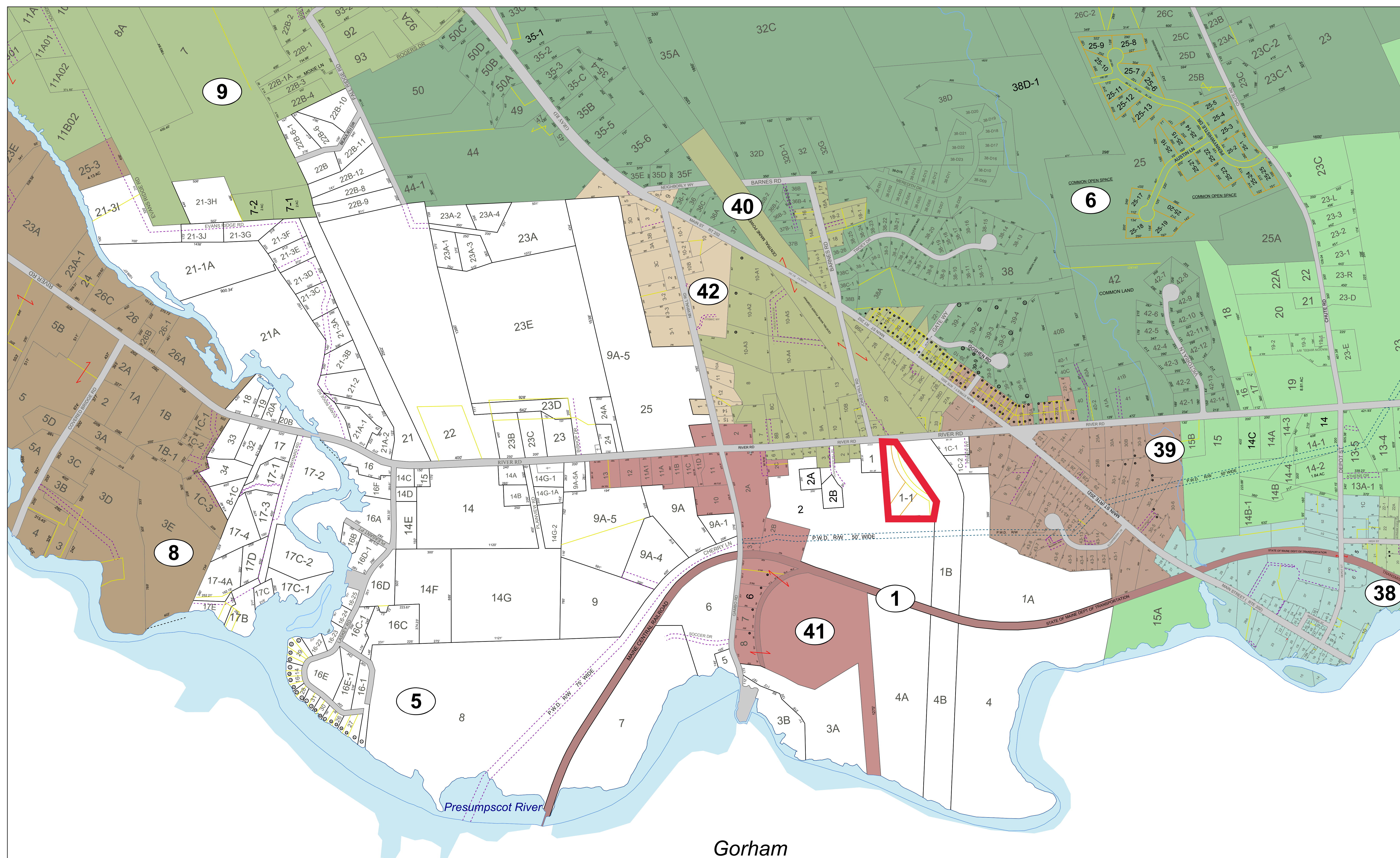
SOURCES:  
Windham Tax Assessor's Office  
Completion Date: April 1, 2016  
UTM NAD83 Z19N  
Prepared by: Windham GIS Dept.  
Scale is based on printing at 24" x 36".

- Legend**
- Cemetery
  - Condominium
  - Farmstead
  - Hook
  - Old Property Lines
  - PWD ROW Easement
  - ROW Easement
  - Streams
  - Subdivision Number
  - Tie Line
  - Town Line
  - Utility
  - Vacated Subdivision
  - Subject Map

1 inch = 400 feet

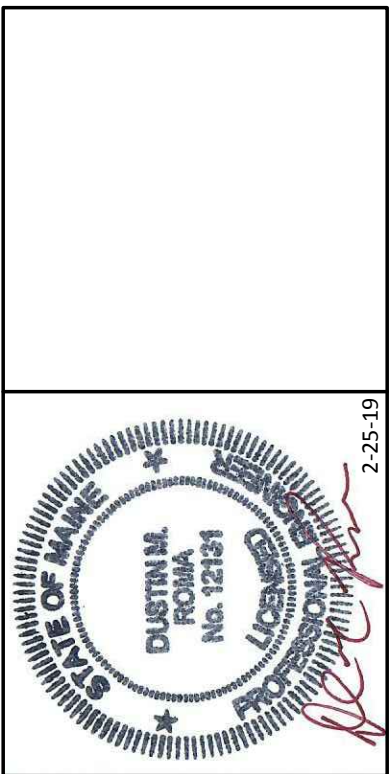
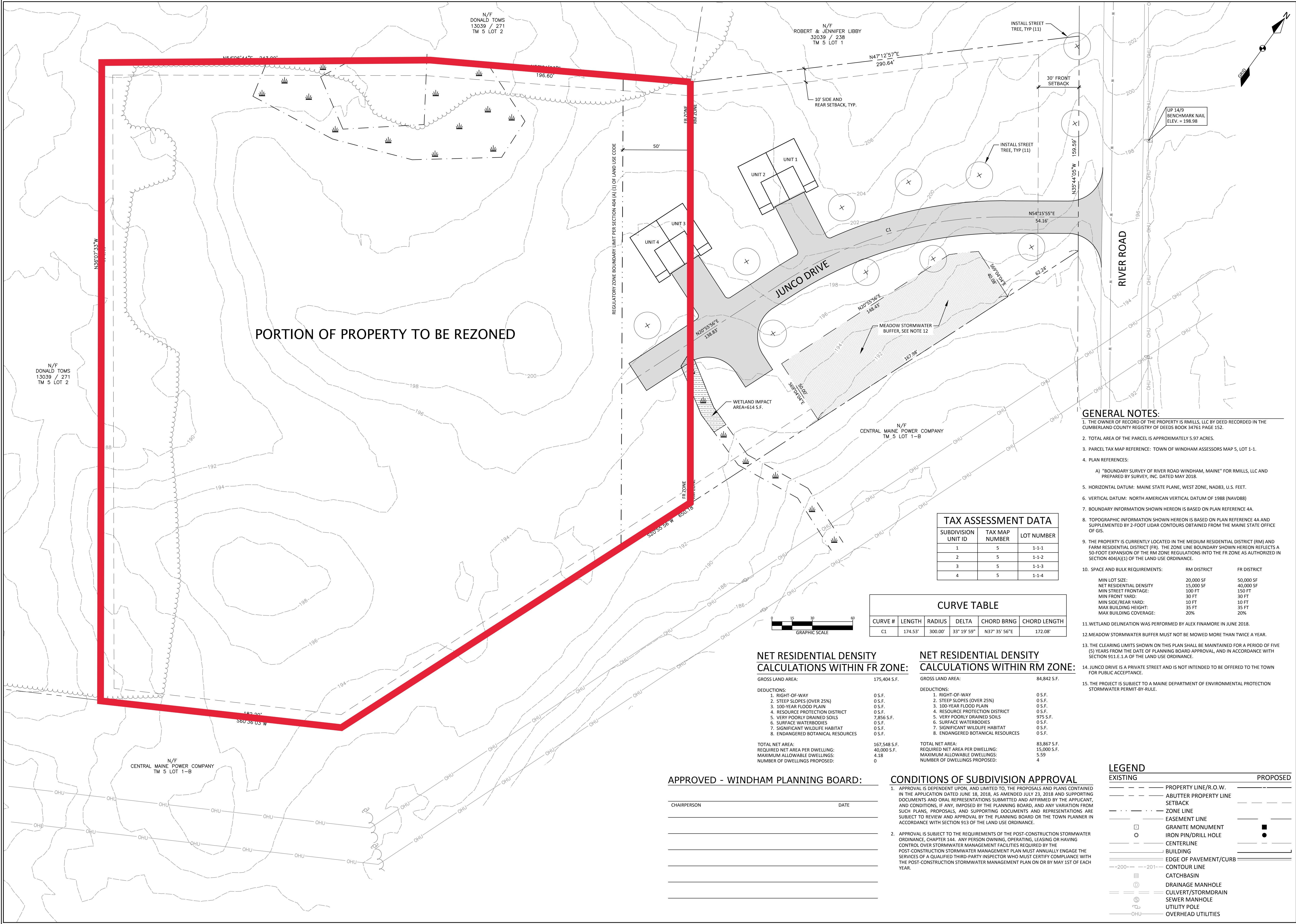
0 500 1,000 2,000 Feet

Map 5



Gorham





**DM ROMA**  
CONSULTING ENGINEERS  
P.O. BOX 1116  
WINDHAM, ME 04062  
(207) 310 - 0506

REV	DATE	BY	DESCRIPTION
A	7-19-18	DMR	ISSUED FOR PWD REVIEW
B	7-23-18	DMR	ISSUED FOR TOWN REVIEW
C	9-4-18	DMR	REVISED WATER MAIN
D	11-14-18	DMR	ISSUED FOR PLANNING BOARD SIGNATURES
E	2-25-19	DMR	ADDED STREET TREES

**SUBDIVISION PLAN**  
RIVER ROAD PROPERTY  
WINDHAM, MAINE  
FOR RECORD OWNER:  
**RMILLS, LLC**  
13 VICTORIA LANE  
WINDHAM, ME 04062

17057  
JOB NUMBER:  
1" = 30'  
SCALE:  
2-25-2019  
DATE:  
SHEET 3 OF 7  
SB-1