



March 27, 2020

Windham Planning Board  
Town of Windham  
8 School Road  
Windham, Maine 04062

Re: Proposed Bangor Savings Bank and Cross Insurance Agency, 745-747 Roosevelt Trail, Windham, Maine

To Windham Planning Board:

Bangor Savings Bank and Cross Insurance Agency is proposing to redevelop the property at 745-747 Roosevelt Trail into a single-story branch bank and office building with a double drive through. Bangor Savings has recently completed a similar project in Auburn, Maine. Based on our past experiences, Bangor Savings has the technical and financial capabilities to successfully complete the proposed project.

Sincerely,

A handwritten signature in black ink, appearing to read "Bob Montgomery-Rice", with a stylized flourish at the end.

Bob Montgomery-Rice  
President & CEO

# SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION

Maine Dept. Health & Human Services  
Div of Environmental Health, 11 SHS  
(207) 287-2070 Fax: (207) 287-4172

<b>PROPERTY LOCATION</b>		<b>&gt;&gt; CAUTION: LPI APPROVAL REQUIRED &lt;&lt;</b>	
City, Town, or Plantation	Windham	Town/City _____	Permit # _____
Street or Road	745 Roosevelt Trail	Date Permit Issued ____/____/____	Fee: \$ _____ Double Fee Charged [ ]
Subdivision, Lot #		L.P.I. # _____	
<b>OWNER/APPLICANT INFORMATION</b>		Local Plumbing Inspector Signature _____ <input type="checkbox"/> Owner <input type="checkbox"/> Town <input type="checkbox"/> State  The Subsurface Wastewater Disposal System shall not be installed until a Permit is issued by the Local Plumbing Inspector. The Permit shall authorize the owner or installer to install the disposal system in accordance with this application and the Maine Subsurface Wastewater Disposal Rules.	
Name (last, first, MI) _____			
<input checked="" type="checkbox"/> Owner Donovan, Jason (for Bangor Savings Bank) <input type="checkbox"/> Applicant			
Mailing Address of Owner/Applicant _____			
Daytime Tel. # _____		Municipal Tax Map # _____ Lot # _____	
<b>OWNER OR APPLICANT STATEMENT</b>		<b>CAUTION: INSPECTION REQUIRED</b>	
I state and acknowledge that the information submitted is correct to the best of my knowledge and understand that any falsification is reason for the Department and/or Local Plumbing Inspector to deny a Permit.		I have inspected the installation authorized above and found it to be in compliance with the Subsurface Wastewater Disposal Rules Application.	
_____ Signature of Owner or Applicant Date		_____ Local Plumbing Inspector Signature (2nd) date approved	
<b>PERMIT INFORMATION</b>			
<b>TYPE OF APPLICATION</b> <input checked="" type="checkbox"/> 1. First Time System <input type="checkbox"/> 2. Replacement System Type replaced: _____ Year installed: _____ <input type="checkbox"/> 3. Expanded System <input type="checkbox"/> a. <25% Expansion <input type="checkbox"/> b. >25% Expansion <input type="checkbox"/> 4. Experimental System <input type="checkbox"/> 5. Seasonal Conversion	<b>THIS APPLICATION REQUIRES</b> <input checked="" type="checkbox"/> 1. No Rule Variance <input type="checkbox"/> 2. First Time System Variance <input type="checkbox"/> a. Local Plumbing Inspector Approval <input type="checkbox"/> b. State & Local Plumbing Inspector Approval <input type="checkbox"/> 3. Replacement System Variance <input type="checkbox"/> a. Local Plumbing Inspector Approval <input type="checkbox"/> b. State & Local Plumbing Inspector Approval <input type="checkbox"/> 4. Minimum Lot Size Variance <input type="checkbox"/> 5. Seasonal Conversion Permit	<b>DISPOSAL SYSTEM COMPONENTS</b> <input checked="" type="checkbox"/> 1. Complete Non-engineered System <input type="checkbox"/> 2. Primitive System (graywater & alt. toilet) <input type="checkbox"/> 3. Alternative Toilet, specify: _____ <input type="checkbox"/> 4. Non-engineered Treatment Tank (only) <input type="checkbox"/> 5. Holding Tank, _____ gallons <input type="checkbox"/> 6. Non-engineered Disposal Field (only) <input type="checkbox"/> 7. Separated Laundry System <input type="checkbox"/> 8. Complete Engineered System (2000 gpd or more) <input type="checkbox"/> 9. Engineered Treatment Tank (only) <input type="checkbox"/> 10. Engineered Disposal Field (only) <input type="checkbox"/> 11. Pre-treatment, specify: _____ <input type="checkbox"/> 12. Miscellaneous Components	
<b>SIZE OF PROPERTY</b> 0.9 +/- _____ <input type="checkbox"/> SQ. FT. <input checked="" type="checkbox"/> ACRES	<b>DISPOSAL SYSTEM TO SERVE</b> <input type="checkbox"/> 1. Single Family Dwelling Unit, No. of Bedrooms: _____ <input type="checkbox"/> 2. Multiple Family Dwelling, No. of Units: _____ <input checked="" type="checkbox"/> 3. Other: Bank and Insurance Company (specify) Current Use <input type="checkbox"/> Seasonal <input checked="" type="checkbox"/> Year Round <input type="checkbox"/> Undeveloped	<b>TYPE OF WATER SUPPLY</b> <input type="checkbox"/> 1. Drilled Well <input type="checkbox"/> 2. Dug Well <input type="checkbox"/> 3. Private <input checked="" type="checkbox"/> 4. Public <input type="checkbox"/> 5. Other	
<b>SHORELAND ZONING</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
<b>DESIGN DETAILS (SYSTEM LAYOUT SHOWN ON PAGE 3)</b>			
<b>TREATMENT TANK</b> <input checked="" type="checkbox"/> 1. Concrete <input checked="" type="checkbox"/> a. Regular <input type="checkbox"/> b. Low Profile <input type="checkbox"/> 2. Plastic <input type="checkbox"/> 3. Other: _____ CAPACITY: 1,000 GAL.	<b>DISPOSAL FIELD TYPE &amp; SIZE</b> <input type="checkbox"/> 1. Stone Bed <input type="checkbox"/> 2. Stone Trench <input checked="" type="checkbox"/> 3. Proprietary Device <input type="checkbox"/> a. cluster array <input type="checkbox"/> c. Linear <input checked="" type="checkbox"/> b. regular load <input type="checkbox"/> d. H-20 load <input type="checkbox"/> 4. Other: _____ SIZE: 768 _____ <input checked="" type="checkbox"/> sq. ft. <input type="checkbox"/> lin. ft.	<b>GARBAGE DISPOSAL UNIT</b> <input checked="" type="checkbox"/> 1. No <input type="checkbox"/> 2. Yes <input type="checkbox"/> 3. Maybe If Yes or Maybe, specify one below: <input type="checkbox"/> a. multi-compartment tank <input type="checkbox"/> b. _____ tanks in series <input type="checkbox"/> c. increase in tank capacity <input type="checkbox"/> d. Filter on Tank Outlet	<b>DESIGN FLOW</b> 288 _____ gallons per day BASED ON: <input checked="" type="checkbox"/> 1. Table 4A (dwelling unit(s)) <input type="checkbox"/> 2. Table 4C (other facilities) SHOW CALCULATIONS for other facilities 24 employees w/no showers at 12 gpd each (288 gpd) <input type="checkbox"/> 3. Section 4G (meter readings) ATTACH WATER METER DATA
<b>SOIL DATA &amp; DESIGN CLASS</b> PROFILE CONDITION 5 / B at Observation Hole # TP-1 Depth >65" of Most Limiting Soil Factor	<b>DISPOSAL FIELD SIZING</b> <input checked="" type="checkbox"/> 1. Medium---2.6 sq. ft. / gpd <input type="checkbox"/> 2. Medium---Large 3.3 sq. ft. / gpd <input type="checkbox"/> 3. Large---4.1 sq. ft. / gpd <input type="checkbox"/> 4. Extra Large---5.0 sq. ft. / gpd	<b>EFFLUENT/EJECTOR PUMP</b> <input type="checkbox"/> Not Required depends on level of <input checked="" type="checkbox"/> May Be Required plumbing in proposed bank <input type="checkbox"/> Required Specify only for engineered systems: DOSE: _____ gallons	<b>LATITUDE AND LONGITUDE</b> at center of disposal area Lat. N 43 _____ d 50 _____ m 5.2 _____ s Lon. W 70 _____ d 26 _____ m 16.4 _____ s if g.p.s, state margin of error: _____
<b>SITE EVALUATOR STATEMENT</b>			
I certify that on <u>3/25/2020</u> (date) I completed a site evaluation on this property and state that the data reported are accurate and that the proposed system is in compliance with the State of Maine Subsurface Wastewater Disposal Rules (10-144A CMR 241).			
_____ Site Evaluator Signature  Andrew Gobeil Site Evaluator Name Printed		_____ #370 SE # (207) 829-5016 Telephone Number	
		_____ 3/30/2020 Date apg@smemaine.com E-mail Address	

Note : Changes to or deviations from the design should be confirmed with the Site Evaluator.

# SUBSURFACE WASTEWATER DISPOSAL SYSTEM APPLICATION

Maine Department of Human Services  
Division of Health Engineering, Station 10  
(207) 287-5672 Fax: (207) 287-3165

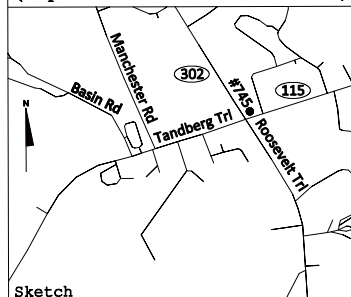
Town, City, Plantation  
**Windham**

Street, Road, Subdivision  
**745 Roosevelt Trail**

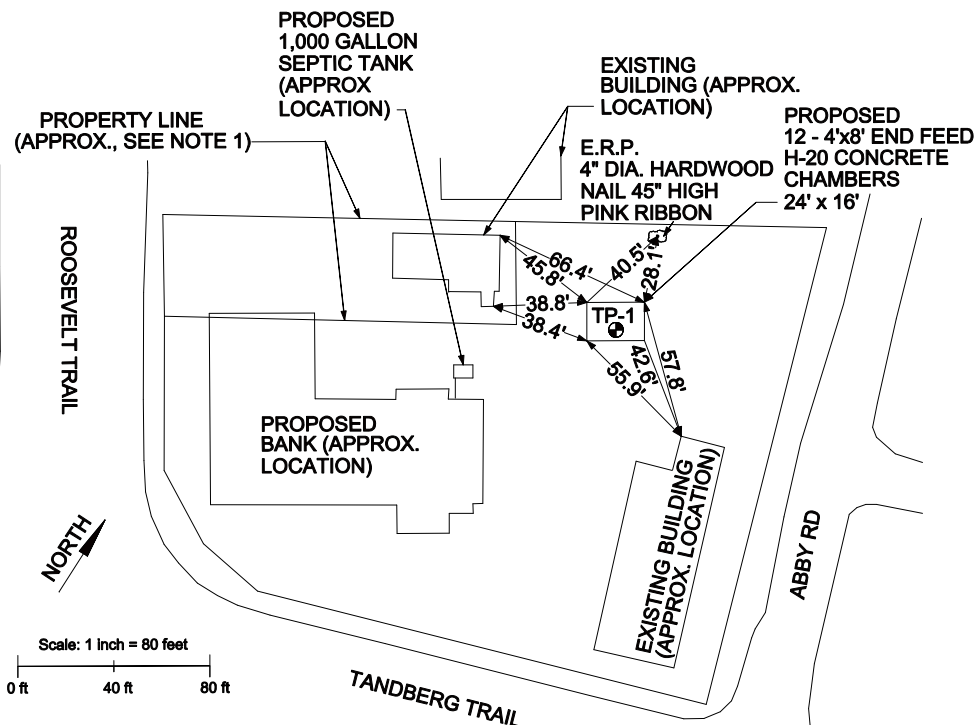
Owner or Applicant Name  
**Bangor Savings Bank**

## SITE PLAN Scale 1" = 80 ft.

## SITE LOCATION PLAN (map from Maine Atlas recommended)



- NOTES:**
1. Property boundaries shown are approximate. Disposal field is located at least 10 feet from property line based on information provided by the owner.
  2. Proposed septic tank must be located at least 8 feet from proposed full-foundation.
  3. Area served by public water supply.
  4. Proposed foundation must be at least 20 feet from proposed disposal field.
  5. It is the responsibility of the contractor/excavator to confirm that there are no underground utilities (e.g., electric, gas, water) in areas required to be excavated.
  6. Proposed stormwater detention basin must be located at least 50 feet from proposed septic tank and disposal field.



## SOIL PROFILE DESCRIPTION AND CLASSIFICATION

(Location of Observation Holes Shown Above)

Observation Hole #	TP-1	<input checked="" type="checkbox"/> Test Pit	<input type="checkbox"/> Boring
0	Depth of organic horizon above mineral soil		
Texture	Consistency	Color	Mottling
0	Fine Sandy	Friable	10YR 6/6
6	Loam (fill)		
12	Gravelly		10YR 8/6
18	Fine to		
24	Course		
30	Sand (fill)		
36	Loamy Fine		10YR 4/3
42	Sand		
48	Gravelly Fine	Loose	10YR 8/6
	to 65"+	to 65"+	None to 65"+
Soil	Classification	Slope	Limiting Factor
5	B	1	>65"
Profile	Condition	Percent	Depth

Observation Hole # \_\_\_\_\_ ☐ Test Pit ☐ Boring

\_\_\_\_\_ " Depth of organic horizon above mineral soil

Depth below mineral soil surface (inches)	0	Texture	Consistency	Color	Mottling
	6				
	12				
	18				
	24				
	30				
36					
42					
48	Soil	Classification	Slope	Limiting Factor	<input type="checkbox"/> Groundwater
	Profile	Condition	Percent	Depth	<input type="checkbox"/> Restrictive Layer
					<input type="checkbox"/> Bedrock

*Andrew J. Jolani*  
Site Evaluator Signature

#370  
SE #

3/30/2020  
Date

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**Maine Department of Human Services  
Division of Health Engineering, Station 10  
(207) 287-5672 Fax: (207) 287-3165**

Owner or Applicant Name	Bangor Savings Bank
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Scale: 1" = 30 ft.

(APPROX., SEE PAGE 2, NOTE 1)

PROPOSED  
EDGE OF PAVEMENT

PROPERTY LINE  
(APPROX., SEE PAGE 2, NOTE 1)

PROPOSED  
1,000 GALLON  
SEPTIC TANK  
(APPROX  
LOCATION)

PROPOSED  
1/4" / FT (min)  
SOLID 4" DIA.  
PVC PIPE  
SEWER LINE

PROPOSED  
BANK (APPROX.  
LOCATION)

PROPOSED DRIVE  
THRU

4" DIA. SOLID  
PVC PIPE

DIST  
BOX

PROPOSED  
1/8" / FT (min)  
SOLID 4" DIA.  
PVC PIPE  
EFFLUENT LINE

0" Fill

0" Fill

0" Fill

0" Fill

40.5'

28.1'

E.R.P.  
4" DIA. HARDWOOD  
NAIL 45" HIGH  
PINK RIBBON

PROPOSED  
12 - 4'x8' END FEED  
H-20 CONCRETE  
CHAMBERS  
24' x 16'

PROPERTY LINE  
(APPROX., SEE PAGE 2, NOTE 1)

NORTH

ABBY RD

NOTES:

1. Insulate distribution box.
2. All construction materials and installation methods must be in accordance with the State of Maine Subsurface Wastewater Disposal Rules (10-144, CMR 241).
3. Install 4-inch diameter PVC effluent line inside 6-inch diameter schedule 80 PVC conduit.

Scale: 1 inch = 30 feet

0 ft 15 ft 30 ft

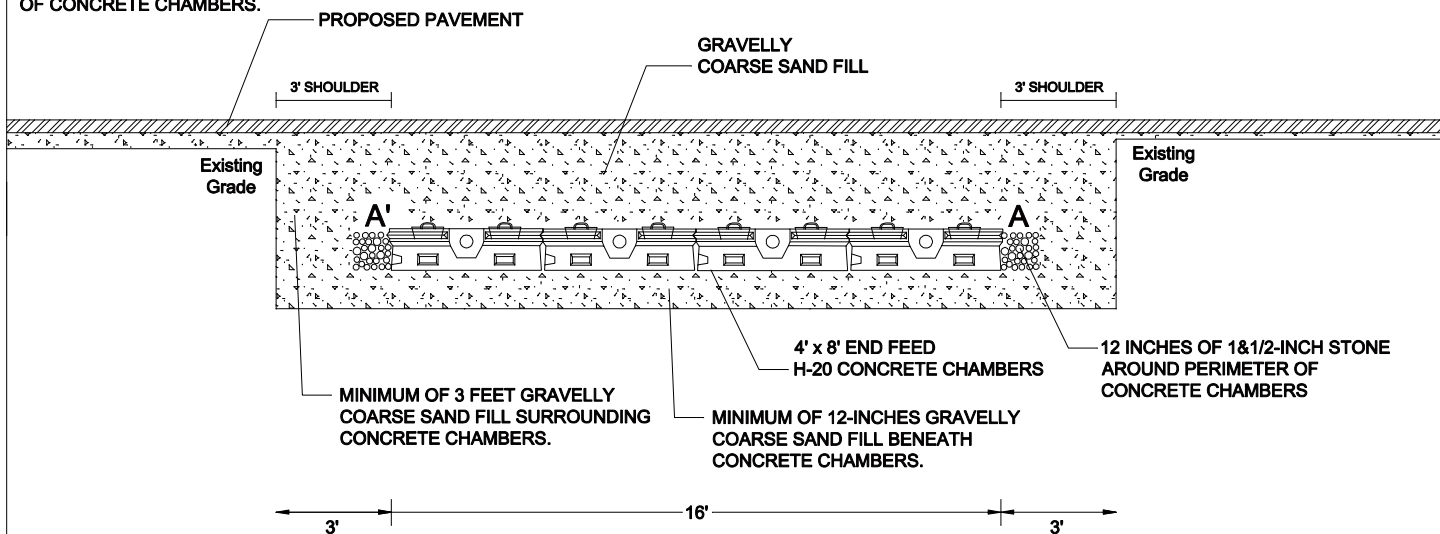
## ELEVATION REFERENCE POINT

Location & Description: Nail 45" above ground  
in 4" diameter hardwood (see above).

Reference Elevation is: 0.0" or: X

**Scales:**

Vertical:  $1" = \underline{5}$  ft.  
Horizontal:  $1" = \underline{5}$  ft.

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September 16, 2019

Robert Montgomery-Rice, President  
Bangor Savings Bank  
24 Hamlin Way  
Bangor, ME 04401

**Re: Letter of Intent for Proposed Bank/Office Building in Windham, ME**

Dear Bob,

Cross Realty, LLC ("Cross") is pleased to present the following general terms ("Letter of Intent") upon which Cross or its affiliate would lease the property described below to the Bank, for the Bank to construct a building thereon, a portion of which would be used for a bank branch and a portion of which would be used by Cross Insurance or another tenant designated by Cross. This letter is intended to facilitate the parties' negotiation of a definitive lease and related agreements (the "Lease Documents"):

- Tenant:** Bangor Savings Bank.
- Landlord:** Cross Realty, LLC, or an affiliate thereof.
- Property:** The 2 parcels of land (containing approximately .85 acre) as more particularly described on Exhibit A attached hereto. The parcels will not be combined unless the Building is completed.
- Ground Lease:** The entire Property as a ground lease during the Initial Term and any renewal term, which would enable the Tenant to seek and obtain all necessary approvals (subject to reasonable consent of the Landlord) to construct the building, install utilities, conduct site work, etc. and to own the Building during its tenancy. The Building will automatically revert to and become Landlord's property upon the earlier of the expiration or termination of the Ground Lease, for no consideration.
- Building:** Tenant shall construct a building which will be utilized for a Bank Branch and a second space containing 3,500 sq ft of space, with the understanding that the Tenant shall deliver the additional space as building core and shell /white box with Landlord responsible for

interior finish (the "Additional Space"). Tenant shall (sub)lease the Additional Space to the insurance agency for a nominal base rent plus all real estate taxes, operational and other costs associated with the Additional Space such that the nominal base rent is NNN to Tenant, while Tenant is a tenant under the Ground Lease. All Tenant construction to be in accordance with the mutually agreeable plans and specifications.

- Permitted Use:** The Building, except for the Additional Space, shall be used as Bank Branch.
- Initial Term:** 20 years.
- Options to Renew:** Tenant shall have six (6) options to renew the Ground Lease for consecutive five (5) year terms. Tenant shall provide notice of its intent to renew in each instance not less than 9 months prior to expiration of the initial term and first renewal term, as applicable.
- Delivery Condition:** Landlord shall deliver the Property to Tenant AS IS, subject to the occupancy of the insurance agency. Upon the completion of the build-out by Landlord and the occupancy by the insurance agency of the Additional Space, Tenant shall demolish any prior existing building(s) remaining on the Property and complete the site work, parking and landscaping all at its sole cost and expense.
- Rent Commencement Date:** The Rent Commencement Date shall be the earlier of (i) the date Tenant receives a certificate of occupancy from the Town of Windham or (ii) the date Tenant begins banking operations therein.
- Construction Timeline:** Tenant's proposed approval and construction timeline is attached hereto. All plans and specifications are subject to Landlord's reasonable approval, which shall not be unreasonably withheld, conditioned or delayed. Tenant shall use its commercially reasonable efforts to complete construction of the Building no later than December 31, 2020. Tenant shall not be permitted to use or occupy the Building unless the Additional Space has been delivered to Landlord in approved shell and core condition. Landlord shall have reasonable access to the Additional Space to perform its tenant fit-out. The Ground Lease will contain a construction phasing and milestone schedule, which shall include anticipated Building Delivery.
- Triple Net (NNN):** Tenant shall be responsible for that percentage or all costs and expenses of the Building and the Property during the Term and any renewal term, including, but not limited to the NNN's.
- Base Rental Rate:** \$35,000/annum paid in equal monthly installments on the first day of the month and prorated for any partial month at the beginning or end of

the term. Base rent shall increase by 12% every five (5) years following the Rent Commencement Date.

**Real Estate Taxes:**

Tenant will pay its proportionate share of real estate taxes.

**Operating Expenses:**

Ground Lease to be triple net (NNN) with Tenant to pay its proportionate share of operating expenses, including roof, structure, HVAC, Parking and any managerial administrative expenses associated with the Building. Tenant shall provide management for the Building.

**Parking:**

Tenant shall provide \_\_\_ parking spaces, \_\_\_ of which shall be dedicated to the Bank and 15 shall be dedicated to the insurance agency and \_\_\_ to be shared by the visitors, customers and invitees of the Bank and the occupant of the Additional Space.

**Brokerage:**

No broker involvement has been contemplated as part of this process, and no brokerage fees have been factored into these terms. To the extent that either party engages a broker, such party shall be 100% responsible for payment of any commission due.

**Permitting:**

Tenant shall make diligent efforts to obtain permitting for the construction of the branch and Core and Shell for the Additional Space pursuant to plans and specifications reasonably approved by Landlord. In the event Tenant determines that it is not able to obtain necessary permitting, on or before 6 months from the commencement of the Ground Lease Tenant shall have the right to terminate the Ground Lease. In the event Tenant has not received a certificate of occupancy on or before 12 months from the commencement of the Ground Lease, Landlord shall have the right to terminate the Ground Lease.

**Signage:**

Subject to (i) Tenant obtaining all necessary permits and approvals, (ii) Tenant leasing and occupying the Bank Branch and (iii) Landlord's approval of all aspects of Tenant's signage, which shall not be unreasonably withheld, conditioned or delayed, Tenant and the occupant of the Additional Space shall each have the right to exterior signage on the Building, the cost of which shall be Tenant's expense.

**Right of First Refusal:**

Tenant shall have a right of first refusal to purchase the Property if Landlord pursues a sale of the Property while the Ground Lease is in effect. This right shall be personal to Bangor Savings Bank, and its affiliated entities.

**Accounting:**

It is the intention that the transactions contemplated hereby are structured to respect the fact that Tenant will be able to depreciate its investment in the Building for tax and accounting purposes during its tenancy.

**Sublease and Assignment:**

Tenant shall not sublease, mortgage or assign its interest without Landlord's consent, which consent shall be within Landlord's sole discretion. Change in control of Tenant shall entitle Landlord to, at its option, recapture the Property by reimbursing Tenant for its undepreciated investment.

It is understood that this proposal is not an offer to lease nor intended to constitute a legally binding contract to consummate the transaction described herein, nor an agreement to enter into a legally binding contract, but merely a good faith effort to set forth certain material terms which might form the basis for the negotiation of a mutually satisfactory Ground Lease. No contract or legally binding obligation with respect to the Property until mutually acceptable Lease Documents have been duly executed by Landlord and Tenant. The terms of this proposal are valid until December 31, 2019, after which they shall automatically become invalid.

Please acknowledge your agreement with the foregoing by countersigning a copy of this letter of intent in the space provided below and returning such countersigned copy to the undersigned at your earliest convenience.

Very truly yours,

Landlord:

Cross Realty, LLC

By: 

Name: Royce R. Cross

Title: Manager

Signed and Accepted:

Tenant:

By: 

Name: \_\_\_\_\_

Title: \_\_\_\_\_



## Exhibit A – Legal Description

Conceptual Drawings and Plans for Core and Shell

Proposed Time Line