

Town of Windham

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MEMO

DATE: April 8, 2020

TO: Windham Planning Board
FROM: Jennifer Curtis, Planner
Cc: Amanda Lessard, Planning Director
Development Review Team
Daniel Diffin, PE, Sevee & Maher Engineers, Inc

RE: 20-01 Bangor Savings and Cross Office Major Site Plan – Final Plan Review
Planning Board Meeting & Public Hearing: April 13, 2020

Overview –

This application is for a combined Bangor Savings Bank branch with a drive-through and Cross office building on a 0.85 acre property at 745 Roosevelt Trail. The building is to be located at the busy northeast corner of the intersection of Route 302 and Route 115 and is bounded on the east by Abby Road. The project site is comprised of two lots. Existing buildings are to be demolished.

A Sketch Plan was reviewed by the Planning Board at the meeting on February 10, 2020. At that meeting the Planning Board expressed that they liked the character and look of the building and expressed some concerns over internal traffic movements and interactions between vehicle traffic and pedestrian traffic. The applicant has submitted a traffic analysis, which has been peer-reviewed by Gorrill Palmer. Items updated since the February 10th meeting are underlined in the memo below.

Tax Map: 67; Lots 54, and 55 Zone: Commercial District 1 (C-1)

SITE PLAN REVIEW

Staff Comments:

1. Jurisdiction: The proposed project includes construction of a new 7,000 sf building, classifying the project as a Major Site Plan, which the Planning Board is authorized to review and act on by Section 803.A.1 of the Town of Windham Land Use Ordinance.
2. Title, Right, or Interest: The applicant provided copies of deeds referencing both parcels as being owned by Cross Realty, LLC, and a Letter of Intent for Proposed Bank/Office Building in Windham, ME dated September 16, 2019, with terms that allow the proposed project.
3. Waivers: None
4. Complete Application: *Staff find the application complete in regard to the submission requirements, based on the application checklist.*

MOTION: The application for project 20-01 Bangor Savings and Cross Office 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.

5. Public Hearing: A public hearing is scheduled for the Planning Board Meeting to be held on April 13, 2020.
6. Site Walk: A site walk has not been scheduled for this project.

Findings of Fact and conclusions for the

Windham Planning Board,

MOTION: The Site Plan application for 20-01 Bangor Savings and Cross Office on Tax Map: 67, Lots 54 and 55 is to be (**approved with conditions/denied**) with the following findings of fact and conclusions.

FINDINGS OF FACT

Utilization of the Site

- The site is currently occupied by two commercial structures and paved parking area. The existing structures will be removed and replaced by the new bank branch and office building, parking and reconfigured site accessways.

Vehicular and Pedestrian Traffic

- The proposed project will include a two-lane drive through, a drive through bypass lane, and a 28-space paved parking area.
- The site is bordered by Route 302 on the West, Route 115 on the south and Abby Road on the east.
- The site currently has two two-way curb openings on Route 302, one two-way curb opening on 115, and three two-way curb openings on Abby Rd. The sketch plan depicts one two-way curb opening on 302, the maximum distance from the intersection, one narrow angled entryway only curb opening for right-turning traffic on Route 115, and a single two-way entrance from Abby Road, the maximum distance from the intersection with 115.
- All access drives are located 5' from a side or rear lot line.
- The ordinance does not have a minimum number of spaces required but the applicant shall demonstrate that the number of spaces provided onsite will meet the needs of the proposed use.
- Section 812.C.(1)(d) requires 30% of the parking spaces to be 10'x20'.
- The Final Plan, dated "1/2020" includes 9 of the 28 spaces as 10'x20'
- A traffic impact study must be submitted with the final plan set if the project will 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 applicant states that internal site circulation is designed to minimize conflict between vehicles and pedestrian traffic.
- The site design includes pedestrian friendly sidewalks and a walkway to the entrance from Route 302. Internal cross-walks are provided for pedestrians accessing the building from the parking lot, to safely cross the drive-thru aisle and a cross-walks are also provided for pedestrians using the sidewalk on Routes 115 and 302. A bike rack is planned near the main building entrance.
- The applicant submitted "Traffic Impact Analysis for Proposed Bangor Savings Bank in Windham, produced by Sewall, dated March 16, 2020. The analysis predicts a change of an additional 42 trips in the AM Peak Hour and an additional 60 trips in the PM Peak Hour. The report characterizes the projected impacts to the intersections and includes a safety analysis that discusses the high crash location in the study area (intersection of Abby Road/115). The report recommends a "Do Not Block Intersection" pavement markings and signage to reduce crash potential.
- Independent professional peer review of the final application for Vehicular and Pedestrian Traffic (812.B & D) was performed by Gorrill Palmer (GP) and submitted to the Town on March 31, 2020. GP largely agreed with the methodology used to perform the traffic impact analysis. GP had the following substantive comments:
 - The proposed access management measures (reduction of driveways and restriction of movements) should have a net positive impact to the overall area, reducing potential conflicts and improving safety.

- One approach is anticipated to have a decline in the level of service. The applicant should provide the overall intersection level of service, and address if the level of service of the overall intersection will change.
- The applicant provided a response to comments on April 6, 2020 with additional traffic analysis data, including an analysis of the expected level of service at the overall intersection "... The results show that the Abby Road approach will operate at LOS "E" overall and not "F". Further, and most importantly, the analysis shows that the overall intersection functions at LOS "A" during both peak hour periods so there are no concerns in regard to meeting the ordinance which prohibits LOS "E" or lower for an intersection."
- GP agrees with the safety analysis for High Crash Locations and mitigation tactics to improve these locations. This includes additional striping and signage not to block the intersection.
- In a response to comments dated April 6, 2020 the applicant provided an updated Plan Sheet 102 depicting the prescribed "Do Not Block Intersection" Striping and signage on Rt 115.
- GP recommends the applicant revisit the channelization of the proposed driveways to improve the enforcement of right turn movements only. As currently shown at both driveways, the restrictions do not appear to be prohibitive enough.
- In the response to comments dated April 6, 2020 the Applicant stated: "The geometry of the entrance island has been modified to further discourage entrance across the northbound travel lane from southbound US-302. Project plans have been updated to reflect this change. Copies of the updated plan sheets are attached for reference. We believe these modifications will keep alert, responsible drivers from using the entrance inappropriately."

Sewage Disposal, Water Quality and Groundwater Impacts

- The project will be served by a subsurface wastewater disposal system.
- Test pit soil analysis should be submitted with the final plan. The test pit location must be shown on the plan.
- A groundwater impact analysis is required for involving on-site sewage disposal facilities with a capacity of 2,000 gallons per day or more.
- An HHE-200 prepared by Site Evaluator Andrew Gobeil, dated March 25, 2020 was submitted with a response to comments on April 6, 2020. It states that the disposal tank will be 1,000 gallon and the disposal field will be 768 sf consisting of 12 – 4'x8' concrete chambers, to be placed under the proposed parking lot/driveway area on the northeast quadrant of the property, within the required minimum distances from the property boundaries.

Stormwater Management

- The property is located in the Presumpscot River Watershed.
- 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 as there is more than one (1) acre of development. See recommended Condition of Approval #2.

- At the Development Review Team Meeting on January 31, 2020, the applicant was advised that the stormwater should be treated on-site. The applicant was told by Public Works Director Doug Fortier that similar to other projects in the area, they would be allowed to connect the overflow to the existing public stormwater drainage system in the area.
- A Stormwater Management Plan produced by Sevee and Maher Engineers, dated March 2020, was submitted with the final application. The plan addresses surface runoff through a combination of infiltration and surface runoff to the existing municipal storm drain system. The proposal includes two infiltration basin to collect runoff from the roof of the new building and a significant portion of the paved area. The remaining is designed to drain overland to the municipal storm drain system.
- Town Engineer, Mark Arienti, P.E. reviewed the final plan submission and had commented on March 13, 2020: “To meet the treatment requirements under the General Standards, the stormwater evaluation has utilized the Redevelopment Standards of Ch. 500 for the site, since in the existing condition the site is almost fully paved or buildings. The Stormwater Management report submitted with the application seems to appropriately apply the redevelopment provisions and the other portions of the Ch. 500 Basic and General standards.” Mark had two substantive comments for the applicant to address:
 - Mark recommended that infiltration basin #2 be modified to provide at least 1 foot of freeboard [additional capacity] to reduce the likelihood of water flowing onto Rt 115.
 - The applicant responded on April 6, 2020: “Infiltration basin 2 is designed to provide .5 feet of freeboard above the emergency spillway elevation. Spot grades have been added to the grading plan for clarity. Overflow is intended to travel overland to the municipal storm drain system in the right-of-way based on initial design recommendations from Town staff. Copies of [updated stormwater plan] are attached for reference.”
 - Mark responded to the applicant on April 8, 2020: “The Maine DEP Stormwater BMP Manual Section 6.1, Infiltration Basin, generally recommends that the spillway for an infiltration basin maintain one foot of embankment freeboard above the water elevation in the basin for a 25-year, 24-hour storm. However, this is not a requirement per se, and the additional details provided help to clarify that the proposed design greatly reduces off-site drainage to the maximum extend practicable. No further comment.”
- Although the amount of runoff flowing into the public right-of-way is being largely reduced, there are still about 5,000 - 6,000 SF flowing into Route 302 at the entrance to the project in this area. Other options to minimize the amount flowing onto Rte. 302 in this area should be considered.
 - The applicant responded on April 6, 2020: “Proposed improvements to the site grading stormwater management will significantly reduce the peak flow and volume of stormwater runoff leaving the property and reduce the load on the existing municipal storm drain system. Further reductions in surface runoff from the property will require costly structural stormwater management devices that

will burden the Applicant with long-term maintenance and potential replacement costs.”

- Mark responded to the applicant on April 8, 2020: “This is a satisfactory response considering the reduction in peak flows already achieved. No further comment.”

Erosion Control

- A soil erosion and sediment control plan must be submitted as part of the Final Plan submission.
- The final application states that “All grading, filling, and associated site construction will be conducted in accordance with the Maine Erosion and Sediment Control Best Management Practices, latest edition, dated October 2016. Plan sheet 300 includes erosion control plan specifics, including general, temporary, and permanent measures, dewatering, winter construction and stabilization, housekeeping, and plan details.

Utilities

- The property must be served by underground utilities.
- The application indicates that the site will be served by gas.
- A new water line will feed the building from Route 115.
- The final application includes an Ability to Serve determination from the Portland Water District, dated February 21, 2020, which includes conditions of service that the applicant must adhere to.
- The project will require road opening permits from the Town for each public right of way that is disturbed.
- There is an existing hydrant on Route 115 near the intersection with Abby Road. The building does not need to be sprinklered, as it is under 7,500 sf.
- The building will have a roof-mounted solar array.

Technical and Financial Capacity

- Evidence of financial capacity must be provided as part of the final submission
 - The final application included a cost estimate for the project, estimating the total at approximately \$1.64 Million, with \$1.4 Million allocated to the cost of the building.
 - The final application included a letter of financial commitment from Bangor Savings dated March 27, 2020, indicating that Bangor Savings had recently completed a similar project in Auburn, Maine and have the technical and financial capabilities to successfully complete the project.
- Evidence of technical capacity must be provided as part of the final submission.
 - The applicant has retained the services of qualified professionals to design the project, apply for permits, and prepare the application. In addition, Bangor Savings has recently built several new buildings around the state, including in Auburn, Brunswick, and Augusta.

Landscape Plan

- The applicant is proposing to keep the mature landscaping at the corner.
- The final submission should including a planning schedule for any additional planting.
- A landscape plan was included with the Final Plan. The plan is to maintain the existing plant bed and mature trees at the corner, and add shrubs and flowering bushes and plants around the building and in the curb between the parking lot and the building.
- Snow storage area must be identified on the Final Plan.
- On the landscape plan, a snow storage area is designated on the south end of the parking lot.

Conformity with Local Plans and Ordinances

1. Land Use

- This property meets the minimum lot size requirements and minimum lot frontage requirements of the C1 zoning district.
- The proposed uses are “Service Business, Commercial”, and “Business and Professional Office” – both uses are permitted in the C1 District.
- The property is a corner lot as defined in Section 300 and in accordance with Section 532, the project complies with both the maximum front setback requirements on Roosevelt and Tandberg Trail and the remaining two sides of the lot meet the minimum side yard requirements of the C1 zoning district.
- The Final Plan needs to demonstrate how the project will comply with the Commercial District Design Guidelines in Section 813.
 - The final application dated March 2020, details at section 4.0 how the applicant intends to meet the Commercial District Design Guidelines and includes architectural building elevations:
 - The building has brick and vinyl siding, trimmed windows across 40% or more of the public-street facing sides, a wall-plane projection on the side of the building that is greater than 50’ long, and a peaked roof with gables.
 - The dumpster will be enclosed in a fenced-area on a concrete pad at the back of the parking lot.
 - A snow storage area is designated on the plan.
 - A lighting plan was included. The lighting is designed to coordinate with the building and landscaping to prevent glare and dark spots in the parking lot and provide safe operation for the pedestrians and vehicular traffic. Exterior lighting will be shielded, full cut-off type LED fixtures. Poles will be square steel and not exceed 15 feet in height. Product cut sheets for the fixtures were included.
 - A significant amount of landscaping is included with the plan. See describing under “Landscape Plan” above.
 - The site design includes pedestrian friendly sidewalks and a walkway to the entrance from Route 302. Internal cross-walks are provided for pedestrians accessing the building from the parking lot, to safely cross the drive-thru aisle and a cross-walks are

also provided for pedestrians using the sidewalk on Routes 115 and 302. A bike rack is planned near the main building entrance.

2. Comprehensive Plan

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

3. Others:

- Chapter 144 Post-Construction Stormwater Ordinance: The site is in the NPDES MS4 urbanized area. See Condition of Approval #2.

Impacts to Adjacent/Neighboring Properties

- The applicant indicated that lighting will be designed for vehicular and pedestrian safety, and to minimize light pollution.
- A proposed dumpster will be located on a paved pad with an enclosure.
- The impacts of the proposed use to neighboring properties should be negligible.
- Site lighting is shown on Final Plan, and details of fixtures are included in the submission.

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/will not** 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 January 21, 2020, amended March 2, 2020, and supporting documents and oral representations submitted and affirmed by the applicant, and conditions, if any, imposed by the Staff Review Committee, and any variation from such plans, proposals and supporting documents and representations are subject to review and approval by the Staff Review Committee or the Town Planner in accordance with Section 814.G. of the Land Use Ordinance.
2. Approval is subject to the requirements of the Post-Construction Stormwater Ordinance, Chapter 144. Any person owning, operating, leasing or having control over stormwater management facilities required by the post-construction stormwater management plan must annually engage the services of a qualified third-party inspector who must certify compliance with the post-construction stormwater management plan on or by May 1st of each year.