## **Town of Windham**

Planning Department 8 School Road Windham, ME 04062

voice 207.894.5960

fax 207.892.1916

## **MEMORANDUM**

DATE: October 28, 2020

TO: Barry Tibbetts, Town Manager FROM: Mark Arienti, Town Engineer

Cc: Jennifer Curtis, Planner

Amanda Lessard, Planning Director Doug Fortier, Public Works Director Jarod Robie, Robie Holdings LLC

RE: Public Acceptance of Streets – Dartmouth Place

Robie Holdings LLC is offering for public acceptance Dartmouth Place at 649 River Road. Dartmouth Place is a roughly 500-ft long road that serves 8 house lots and includes a 20-ft wide access between Lots 5 and 6 to the open space east of the cul-de-sac. Dartmouth Place is shown relative to the subdivision on the attached approved subdivision plans. All work within the right-of-way on the approved plans has been completed to the satisfaction of Town Staff.

The process and submission requirements for offering streets for public acceptance are in Section 911.M.6 of Windham's Subdivision Ordinance and include but are not limited to as-built plans and a deed transferring the road right-of-way. Based on staff review, the application for public acceptance of streets is complete.

It should be noted that all stormwater facilities, including filter basins, culverts and swales not within the right-of-way will remain the responsibility of the owner (Homeowner's Association).

Please note that the owner warranties all public improvements for a period of one year from the date of acceptance and posts a maintenance guarantee per the subdivision regulations. The maintenance guarantee shall ensure the workmanship and the durability of all materials used in the construction of the roadways, curbing, esplanades, sidewalks, sanitary sewerage systems, storm drainage systems, street lighting, tree planting, and other public improvements located within the right-of- way which may become defective within the one(1) year period, all as determined by the Public Works Director or Town Engineer in accordance with Section 911.M.6. The amount of the maintenance guarantee shall be 10% of the total construction costs of all required improvements.

## Robie Holdings, LLC PO Box 1508 Windham, ME 04062

October 20, 2020

Barry Tibbetts, Town Manager Town of Windham 8 School Street Windham, Maine 04062

RE: Offer of Cession for Dartmouth Place, 649 River Road Subdivision/Tax Map 8, Lot 23B

Dear Mr. Tibbetts:

On behalf of Robie Holdings, LLC, we are pleased to offer this written offer of cession and deeds for Dartmouth Place and all associated easements as shown on the Subdivision Plan titled "Subdivision Plan of 649 River Road, Windham, Maine, prepared by DM Roma Consulting Engineers for Robie Holdings, LLC", dated November 30, 2018 and recorded in the Cumberland County Registry of Deeds in Plan Book 219, Page 50 (the "Plan").

This offer is made without demand for compensation. Robie Holdings, LLC has constructed the roadways to Town standards in accordance with the approved plans and under the supervisions of the Town's inspectors.

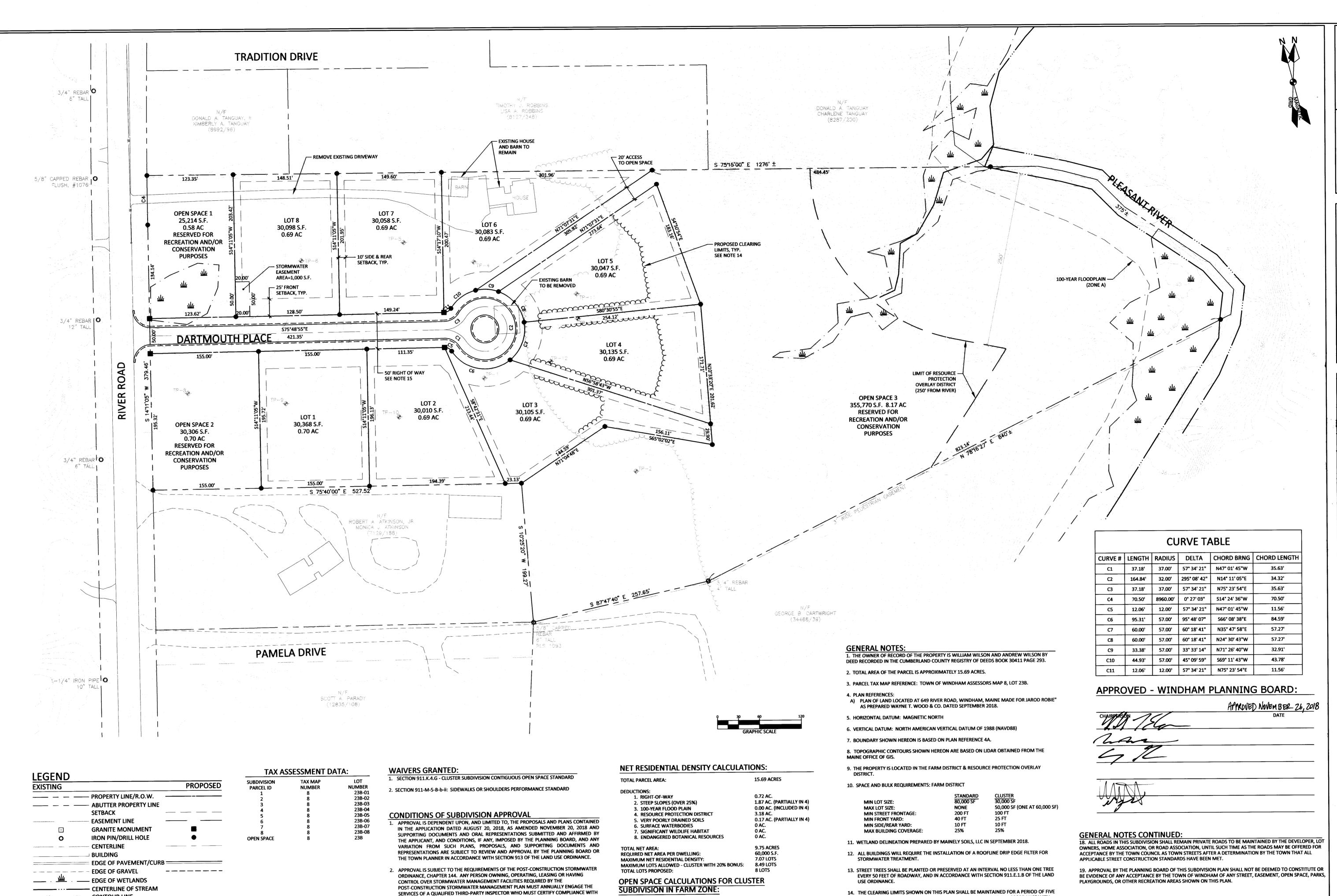
If you require any additional information regarding our request, please contact me. Thank you for your cooperation in this matter.

Respectfully submitted,

Robie Holdings, LLC

Jarod Robie

Its: Member



GROSS LAND AREA:

NET RESIDENTIAL AREA:

TOTAL OPEN SPACE PROVIDED:

MINIMUM REQUIRED OPEN SPACE (50% GROSS):

NET RESIDENTIAL AREA REQUIRED IN OPEN SPACE:

NET RESIDENTIAL AREA PROVIDED IN OPEN SPACE:

9.75

THE POST-CONSTRUCTION STORMWATER MANAGEMENT PLAN ON OR BY MAY 1ST OF EACH

3. A DEED TRANSFERRING OWNERSHIP OF THE OPEN SPACE TO THE TOWN OF WINDHAM OR

4. THE APPLICANT WILL PROVIDE HOMEOWNERS' ASSOCIATION DOCUMENTS TO STAFF FOR

REVIEW AND APPROVAL.

AN ACCESS EASEMENT FOR PUBLIC USE OF THE OPEN SPACE MUST BE RECORDED IN THE

CUMBERLAND COUNTY REGISTRY OF DEEDS PRIOR TO ISSUANCE OF BUILDING PERMITS.

**CONTOUR LINE** 

- WATER MAIN

**WATER VALVE** 

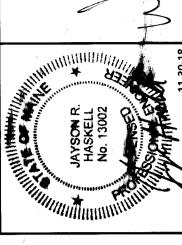
**UTILITY POLE** 

HYDRANT

 $\bowtie$ 

CULVERT/STORMDRAIN

TREELINE



(5) YEARS FROM THE DATE OF PLANNING BOARD APPROVAL, AND IN ACCORDANCE WITH

PORTLAND WATER DISTRICT THAT FOLLOWS THE PROPOSED RIGHT OF WAY. ONCE THE

17. COMMON LAND OR OPEN SPACE SHALL NOT BE DIVIDED INTO LOTS AND NO DWELLING UNITS SHALL BE ALLOWED IN THESE AREAS. CONSTRUCTION AND IMPROVEMENTS IN THIS AREA SHALL BE LIMITED TO STRUCTURES AND BUILDINGS ACCESSORY TO NON-COMMERCIAL

RECREATIONAL OR CONSERVATION USES AND THE INSTALLATION OF UNDERGROUND

TOWN OF WINDHAM ACCEPTS, IF EVER, THE ROADWAY AS A PUBLIC STREET, THE EASEMENT

15. THE PROPERTY IS TO BE SUBJECT TO A 50' WIDE UTILITY EASEMENT BENEFITING THE

16. THE PROJECT IS SUBJECT TO A MDEP STORMWATER PERMIT-BY-RULE.

SECTION 911.E.1.A OF THE LAND USE ORDINANCE.

WILL BE DISSOLVED.

18049
JOB NUMBER:
1" = 60'
SCALE:
11-30-2 <b>018</b>
SHEET 3 OF 6

**SB-1** 

DIVISION

SUBI 649 RIY WIND!

## QUITCLAIM DEED WITH COVENANT

KNOW ALL PERSONS BY THESE PRESENTS, that **Robie Holdings, LLC**, a Maine limited liability company with a place of business in Windham, Maine, for consideration paid, does hereby GRANT to the **Town of Windham**, a Maine Municipal corporation with an address of 8 School Road, Windham, ME 04062, with QUITCLAIM COVENANT, a certain lot or parcel of land situated in the Town of Windham, Cumberland County, State of Maine and more particularly described as follows:

A certain lot or parcel of land being the road and cul-de-sac turnaround shown as "Dartmouth Place" on a plan entitled "Subdivision Plan, 649 River Road Windham, Maine For Robie Holdings, LLC," dated November 30, 2018 by DM Roma Consulting Engineers and recorded in Plan Book 219, Page 50 with the Cumberland County Registry of Deeds (the "Subdivision Plan") to which reference may be had for a more particular description thereof.

The above-described parcel is conveyed together with and subject to: (i) matters shown on the Subdivision Plan; (ii) the easements, conditions, covenants, restrictions, obligations and other provisions and terms of the Declaration of Easements, Restrictions and Covenants for Dartmouth Place Subdivision, dated April 22, 2019 and recorded in Book 35594, Page 226 with the Cumberland County Registry of Deeds; (iii) an Easement from Robie Holdings, LLC to the Town of Windham, dated April 22, 2019 and recorded in Book 35594, Page 30 with said Registry; (iv) an Easement Deed from Robie Holdings, LLC to Portland Water District, dated May 22, 2019 and recorded in Book 35676, Page 130 with the Cumberland County Registry of Deeds. The premises are further subject to any and all other easements or appurtenances of record, insofar as the same are in force and applicable.

Meaning and intending to convey a portion of the premises conveyed to Grantor herein by virtue of a Warranty Deed from William S. Wilson, dated October 29, 2018 and recorded with the Cumberland County Registry of Deeds in Book 35260, Page 300.

IN WITNESS WHEREOF, Robie Hold by Jarod Robie, its manager under seal this	dings, LLC, has caused this instrument to be duly executed day of, 2020.
	Robie Holdings, LLC
Witness	By:
STATE OF MAINE COUNTY OF CUMBERLAND, ss.	, 2020
Then PERSONALLY APPEARED the LLC, and acknowledged the foregoing instruments	above-named Jarod Robie, Manager of Robie Holdings, ent to be his free act and deed.
Before me,	
	Notary Public/Attorney-at-Law Name: My Commission Expires

