



Town of Windham

Town Offices
8 School Road
Windham, Maine

Meeting Minutes - Draft

Planning Board

Monday, December 14, 2020

6:30 PM

Remote via Zoom

To join the meeting remotely, use this link: <https://us02web.zoom.us/j/143936937>. You may also call 1-646-558-8656 and enter meeting ID: 143 936 937.

1 Call To Order

2 Roll Call and Declaration of Quorum

The meeting was called to order by Chair, Keith Elder. Other members present were: Michael Devoid, Kaitlyn Tuttle, and Colin Swan.

Jennifer Curtis and Amanda Lessard were also present.

3 [PB 20-088](#) Approval of Minutes: November 9, 2020

Attachments: [Minutes 11-9-2020-draft.pdf](#)

Kaitlyn Tuttle made a motion to approve the minutes of November 23, 2020.

Seconded by Michael Devoid.

Roll Call

*Michael Devoid- In favor Colin Swan - In favor
Keith Elder- In favor Kaitlyn Tuttle - In favor*

Vote: All in favor.

4 Prioritized Business Due to Cancellation of November 14, 2020 Meeting

[PB 20-083](#) 20-27 Manchester Drive Subdivision. Major subdivision and site plan sketch plan review. Robie Holdings, LLC to request review of a multi-lot subdivision, including 72 residential apartments (30 duplexes, 1 12-unit) in two phases, to be accessed from Manchester Drive. The subject property is located on Manchester Drive and Basin Road and identified on Tax Map: 18A, Lot: 48 D, Zone: Commercial 2 (C-2).

Attachments: [20-27 Manchester Dr Subdivision Sketch 12-14-20.pdf](#)
[Manchester Drive Subdivision Sketch Plan](#)
[Application 2020_11_2.pdf](#)
[Manchester Drive Subdivision Sketch Plan 2020_11_2.pdf](#)

Dustin Roma, of DM Roma Consulting Engineers was present representing the applicant. He explained the project:

- The site was a 14-acre property bordered by Manchester Road, Basin Road, Lowe's, and Down East Energy. The site would be reached via two existing accesses from Manchester Drive.
- There were existing easements for stormwater drainage which ran through the property.
- Under this application, Lot 1 of the subdivision was not proposed to be developed; Lot 2 would be fully developed; and Lot 3 would be partially developed.
- The current proposal was for :
 - o 40 residential units in 20 duplexes.
 - o The two existing accesses would be developed as roads. The existing Lowe's access would become a 1,400 foot loop road, the Down East access would be a 200 foot road.
 - o Two parking lots would serve the adjacent duplexes and provide overflow/guest parking.
 - o Two reserved curb cuts onto the loop road would be provided for the potential Phase 2.
 - o Public water was available.
 - o There would be multiple septic fields.
 - o Storm water would be collected and discharged to two basins.
 - o They proposed a 24 foot wide internal road with sidewalks on both sides. They would submit a waiver request for the road width, and they may submit a waiver request because a portion of the loop road access would, by necessity, remain private.
 - o The project would require a Storm water permit from DEP.

The Board commented:

- Wider roads were fine.
- Cars would be better parked in the driveways, rather than on the road. This would be better for snow removal, which should be considered.
- It would be good to have limited access to Basin Road for long term planning.
- The loop road was fine.
- There should be crosswalks to Lowe's and Wal-Mart.
- Some on-street parking should be provided, especially if the road was widened.
- It needed to meet more of the standard.
- It should be reconfigured to see fewer cars.
- Access should be maintained to the USGS monitoring well on site.
- The design fit with residential use.
- Not in favor of parking behind the buildings.
- Gated access to Basin Road was OK. Who would plow and maintain it?
- A cross walk across Manchester Drive would be better located at road B, on the plan.
- Surface pavement for Phase 1 should be done before beginning Phase 2.

5 Public Hearings and Continuing Business

[PB 20-085](#)

20-21 Nelson Meadows (Formerly Albion Road) Subdivision. Major subdivision preliminary plan review. Grondin Corporation, Inc. to request

review of a 22-lot residential subdivision. The property in question is located at 176 Albion Road and identified on Tax Map: 13, Lot: 14, Zone: Farm Residential (FR).

Attachments: [20-21 Albion Rd Major Subdivision Prelim 12-10-20.pdf](#)
[Nelson Meadows Preliminary Subdivision Application 2020 11 23.pdf](#)
[Nelson Meadows Subdivision Plans 2020 11 23.pdf](#)
[GP Peer Review 12-2-20.pdf](#)
[MA Peer Review 12-3-20.pdf](#)
[Minor Local Street Diagram.jpg](#)
[Water Well Map.pdf](#)

Dustin Roma, of DM Roma Consulting Engineers was present representing the applicant. He explained the project:

- *They proposed to develop a 21-lot Conservation Subdivision on a 29.8 acre parcel.*
- *There were significant vernal pools and wetlands on the site.*
- *94% of all primary conservation areas will be able to be kept in the 18 acres that were set aside for open space.*
- *The proposed road would be 1,400 feet long with 26 foot wide pavement and one foot gravel shoulders.*
- *The development would be served by public water.*
- *Lots would have individual septic systems.*
- *Stormwater management would be via two wet ponds and a soil filter basin.*
- *They requested a waiver of the requirement for a high intensity soil survey. The third party review and town engineer had no opposition to technical issues. The applicant would conduct a hydrogeological assessment for any developed area within 200 feet of adjacent properties that were served by a well.*
- *They requested a waiver of the requirement for road construction standards for:*
 - o *The 26 foot wide pavement, rather than 24 feet.*
 - o *The general layout, using a cul-de-sac, rather than a hammerhead.*
 - o *The requirement for a hammerhead turn around every 1,000 feet because it was 1,200 feet to the end of the cul-de-sac and an intermediate hammerhead didn't seem appropriate in the Highland Lake Watershed.*
- *They would locate a streetlight at the entrance to the site.*

Public Comment

Dennis Brown expressed his concerns regarding site distance at the entrance because of a steep gully and the setback from the vernal pools. If there were to be a future road to the backlot it would cut into the setback zone.

Allen Caron asked about the driveway for lot 21, which was shown to cut through the wetland. That was an area of heavy storm run-off.

The Board commented:

- *The road and shoulders should be built to the standards.*
- *A right-of-way for future access should be shown along lot 14.*
- *A hammerhead was not necessary for the road because a hydrant would be installed.*
- *The two waiver requests were fine, with the hydrogeological assessment for lots served by wells within 200 feet.*

- *There was access to the other property so a right-of-way access wasn't needed.*
- *The wider road was acceptable because the snow would still be the same distance back.*
- *Not worried about the site distance.*
- *The trails and street trees should be shown on the plan.*
- *As long as water to the Caron property continued to drain off it was ok.*

There was no more public comment. The public hearing was closed.

Michael Devoid made a motion to waive the requirement for a high intensity soil survey.

Seconded by Kaitlyn Tuttle.

Roll Call

*Michael Devoid- Opposed Colin Swan - In favor
Keith Elder- In favor Kaitlyn Tuttle - In favor*

Vote: Three in favor. Michael Devoid opposed.

Michael Devoid made a motion for a waiver of the street standards to widen the pavement from 24 feet to 26 feet and to allow two, one foot shoulders for a total width of 28 feet.

Seconded by Kaitlyn Tuttle.

Roll Call

*Michael Devoid- Opposed Colin Swan - In favor
Keith Elder- In favor Kaitlyn Tuttle - In favor*

Vote: Three in favor. Michael Devoid opposed.

Michael Devoid made a motion for a waiver of the hammerhead turn around every 1,000 feet.

Seconded by Kaitlyn Tuttle.

Roll Call

*Michael Devoid- In favor Colin Swan - In favor
Keith Elder- In favor Kaitlyn Tuttle - In favor*

Vote: All in favor.

Michael Devoid made a motion that the Preliminary Subdivision Plan application for project 20-21 Nelson Subdivision was found complete with regard to the submission requirements based on the application checklist, but the Planning Board retained the right to request more information where review criteria were not fully addressed.

Seconded by Kaitlyn Tuttle.

Roll Call

Michael Devoid- In favor Colin Swan - In favor
Keith Elder- In favor Kaitlyn Tuttle - In favor

Vote: All in favor.

PB 20-086

20-23 WH02 Solar. Major site plan final plan review. TPE ME WH02, LLC to request review of a 19.99 acre, approximately 5 MW, solar project. The property in question is located on Swett Road and identified on Tax Map: 6, Lot: 60, Zone: Farm (F).

Attachments: [WH02 Solar Final 12-23-20.pdf](#)
[2020-11-23 WH02 Town Application & Plans.pdf](#)
[2020-11-20 Stormwater Report.pdf](#)
[MA Peer Review Comments 12-1-20.pdf](#)
[Jordan Belknap\(as applicant\)_RE_Town Council Questions 12-3-20.pdf](#)
[2020-12-02 Final MHPC Determination.pdf](#)
[2020-12-10 Financial Capacity Letter.pdf](#)
[C1.0.pdf](#)
[C4.1.pdf](#)
[NAE-2020-03015-NPR.pdf](#)
[TPE ME WH02 LLC_L28911AN.pdf](#)

Silas Canavan was present with applicant representatives, Michelle Carpenter and Jordan Belknap, of Turning Point Energy. They proposed:

- To construct a community, subscription based , ground mounted solar array.
- The property was approximately 61 acres with a CMP right-of-way bisecting it. It had previously been logged by the owner but was currently wooded.
- They had tried to maintain buffers and wetlands and had augmented the edge of the solar array with additional evergreen plantings.
- After construction was complete the site would see minimal activity.
- They had assumed that vernal pools on site were considered significant.
- The solar array would occupy 19.9 acres, with development clustered in the western corner of the property to minimize impacts to natural resources. There would be two array areas, each enclosed with a chain link security fence.
- The panels would be located 90 feet from the property line and 400 feet from Revolution Drive.
- 305 feet of site distance was required. It was exceeded in both directions.
- The only utilities into the site would be connection to the electrical grid via three or four poles.
- The existing condition of Swett Road would be documented. Any damage resulting from the development would be repaired at the contractor's expense.
- They proposed some clearing and filling within the vernal pool and wetland setbacks.
- They had applied for the appropriate permits through DEP and Army Corp of Engineers and requested a conditional approval contingent on receiving them.

Public Comment

There was no public comment. The public hearing was left open in case there was any public comment that may be offered.

Board Comment

- *It looked like the project was well screened from the neighbors.*
- *Could the applicant provide a six inch gap at the bottom of the fence so wildlife could go under the fence?*
- *The ordinance wouldn't allow a conditional approval contingent on receiving permits.*
- *Because it was adjacent to residential properties, construction times should be limited to between 7 am to 8 pm.*

6 New Business

[PB 20-087](#)

20-29 Stark Self Storage. Amendment. Keith Harnum to request review of a 21,200 square foot self-storage facility. The subject property is located on Self Storage Drive and identified on Tax Map: 25, Lots: 9A-3A1, 9A-3B2 Zone: Commercial 3 (C-3).

Attachments: [20-29 Stark Self Storage Sketch 12-10-20.pdf](#)
[20074- SKETCH PLAN_FOR REVIEW.pdf](#)
[Stark Storage Facility Sketch Plan Application 2020 11 23.pdf](#)
[CRR Landscaping SITE AND GRADING PLAN 7-7-20 Signed.pdf](#)

Dustin Roma, of DM Roma Consulting Engineers was present representing the applicant. He explained the project:

- *They proposed to construct two self-storage buildings. One would contain drive-up storage units. The second would have overhead doors along the outside perimeter and climate controlled units inside of the building.*
- *They proposed an access off of Route 302 that would be independent of abutting properties. Site distance at the proposed location appeared to be adequate.*
- *A Stormwater Permit by Rule was required.*
- *The appearance of the buildings would match those that were located on a nearby property.*
- *28 feet of pavement would surround the buildings.*
- *There would be no office or septic on site.*
- *Lighting would be mounted on the buildings.*
- *Entrance to the property would be gated.*

Jenn Curtis explained:

- *The project was considered warehousing and it was exempt from the requirement for fenestration.*
- *Waivers for the wall plane projections and roof line would be required.*
- *The access drive could be located across from the intersection of Haven Road.*

Board Comment

- *It would be better to have large trees and bushes as a buffer in front of the overhead doors than to have wall projections.*
- *It would be ok to have the access across from Haven Road.*
- *The Fire Department should have access to the gate.*
- *A site walk was not required.*

- *There should be a public hearing.*

7 Other Business

8 Adjournment

Michael Devoid made a motion to adjourn.

Seconded by Kaitlyn Tuttle.

Roll Call

<i>Michael Devoid- In favor</i>	<i>Colin Swan - In favor</i>
<i>Keith Elder- In favor</i>	<i>Kaitlyn Tuttle - In favor</i>

Vote: All in favor.