



**Town of Windham  
Planning Department**  
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## MEMO

DATE: October 21, 2021

TO: Windham Planning Board  
FROM: Steve Puleo, Town Planner  
Cc: Jason Donovan, Bangor Savings Bank  
Jeffery Read, P.E., Sevee and Maher Engineer, Inc.  
Development Review Team

RE: 21-20: Bangor Savings Bank and Cross Insurance Building Parking Expansion – 6 Abby Road – Amended Major Site Plan Review  
Planning Board Meeting: October 25, 2021

Overview –

**Staff find the application INCOMPLETE in regard to Section 807.f.1.(b). The Town has advertised the proposed parking expansion project and has received public comments. The Planning Board can not make a final determination on the proposal until it's in a completed state.** The application is to amend the site plan approval of the development of Bangor Savings Bank and Cross Insurance Buildings by constructing a fifteen (15) space paved parking expansion. Cross Realty, LLC purchased the 6 Abby Road property before constructing the bank branch and office building located at 745 Roosevelt Trail to support the site development. The applicant removed the existing residence and utilities from the lot and added a gravel pad to accommodate a job trailer, contractor parking, and material storage. Cross Realty, LLC intends to combine the three properties into one parcel owned by Cross Insurance. The proposal is to improve the lot with paved parking spaces for staff and patrons using the new bank and office building.



Aerial View of the subject parcel relative to surrounding properties and street network.

The parcel is Tax Map 67 Lots 54, 55, and 56: Zone: Commercial I (C-1).

#### Background

April 13, 2020, the Planning Board approved the application for a combination Bangor Savings Bank branch with a drive-through and Cross office building on a 0.85-acre property at 745 Roosevelt Trail. The building location is 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 adds the fifteen (15) new parking spaces on the 6 Abby Road parcel. The new parking area will be paved and connected internally to the new bank branch and office building site. The Planning Board is authorized to review and act on Section 814.G. of the Town of Windham Land Use Ordinance.*
2. Title, Right or Interest: *The applicant provided copies of deeds referencing the three parcels as being owned by Cross Realty, LLC.*
3. Waivers: *None*
4. Complete Application: ***Staff find the application INCOMPLETE in regard to Section 807.f.1.(b). In the applicant response to the comment letter, the staff inquired on whether the parking expansion would require Maine Construction General Permit (MCGP). The applicant stated that filed the MCGP under Stormwater Permit-by-Rule (PBR) on October 13, 2021. The Town or the applicant does not have a permit in hand at the time of writing this memo.***

**MOTION:** ~~The amended major site plan for project number 21-20: Bangor Savings Bank and Cross Insurance Building Parking Expansion are 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 October 25, 2021.

6. Site Walk: A site walk was not been scheduled for this amendment request project. The Planning Board should determine if a site walk is necessary for this project.

Findings of Fact and conclusions for the

**Windham Planning Board,**

~~**MOTION:** The amended major site plan application for project number 21-20: Bangor Savings Bank and Cross Insurance Building Parking Expansion on Tax Map: 67, Lots 54, 55, and 56 is to be (approved with conditions/denied) with the following findings of fact and conclusions:~~

#### FINDINGS OF FACT

### **812. - MAJOR SITE PLAN PERFORMANCE STANDARDS**

#### **812.A. - Utilization of the Site**

- The proposed improvements will add approximately 3,560 SF to the and increase to development to approximately 34,130 SF with an overall redeveloped area of 1.24 acres.
- The parcel is one of three lots as part of the Bangor Savings Bank branch and the Cross Insurance.
- The applicant designed the proposed improvements with the parking expansion to include site lighting and minor landscaping.
- There are no wetlands or environmentally sensitive areas identified on the property.

#### **812.B. - Vehicular Traffic; 812.C. - Parking and Loading; 812.D. - Pedestrian Traffic**

- The subject parcel fronts Abby Road although access to the parking area is internally for the bank branch and office building site.
- **Planning Board should consider requiring the applicant to install a sidewalk 323-feet along the Abby Road site frontage, connecting with the sidewalk in the Route 115 ROW (Tandberg Trail), per Section 812.D and Section 813.D.4.a.**
- The applicant designed the parking area to feature single-aisle parking access, traffic control signage, and pedestrian crossings to minimize conflicts with vehicles and pedestrians.
- Independent professional peer review of the final application for Vehicular and Pedestrian Traffic per Section 812.B. and D. and Section 813.D.1. was performed by Gorrill Palmer (GP) and submitted to the Town on October 13, 2021, stating that *“there are no internal pedestrian sidewalks from the new parking area to the building.”*
- The applicant states *“a crosswalk and signage are provided at the east side entrance to allow safe pedestrian access to the proposed parking area. The proposed parking expansion is planned as an overflow for buildings staff. Pedestrian circulation to and from this area will be limited to the beginning and end of the workday and shift changes. The size of the parking lot and frequency of use not expected to create an unsafe condition for pedestrians on site.”*
- 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 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.

- The proposed parking area and drive aisles are designed to meet the off-street parking standards in the Town of Windham Land Use Ordinance.
- Section 812.C.(1)(d) requires 30% of the parking spaces to be 10'x20' and the applicant is providing 9 of the 15-new spaces as 10' x 20'. The entire site will provide 18 of the 43-parking spaces servicing the office building as 10' x 20'.
- The proposed access to the new parking area will be a two-way 24' wide travel aisle with ninety-degree parking spaces.
- The applicant states that the parking area will be used primarily by the 25 employees that work at the office building.
- The parking expansion is not anticipated to not create additional traffic to the site.

**812.E. - Stormwater Management; 812.F. - Erosion Control**

- This project is located within the Presumpscot River watershed.
- The applicant has provided a plan for Erosion and Sedimentation Control practices during the site improvement construction activities that will meet the Basic Standards per Section 4(A) of the MeDEP Chapter 500 Stormwater Rules as outlined for the final plan review, per Section 812.F.2. and 2(a).
- Per Section 812.F.1., the applicant designed to redevelopment project to minimize impacts to the site to the fullest extent possible. The proposed site improvements will preserve the natural vegetation as much as possible.
- A Stormwater Management Plan produced by Sevee and Maher Engineers, dated October 2021, was submitted with the final application. The plan addresses surface runoff through a combination of two (2) infiltration swales and basins capturing the surface runoff for treatment and infiltration into the ground. The applicant's Engineer states the post-development runoffs rates remain the same as pre-development rates.
  - Town Engineer, Mark Arienti, P.E. reviewed the final plan submission and supports the proposed stormwater management plan.
  - The applicant **has not provided the Stormwater PBR permit for the system and the Maine Construction General Permit activity greater than one (1) acres in size.**
- The applicant has provided an acceptable Post-construction Stormwater Management Plan.
- This project is in the NPDES (National Pollutant Discharge Elimination System) area as designated by the Environmental Protection Agency for the Town of Windham See recommended Condition of Approval #2.).

**812.G. - Water Supply Provisions; 812.H. - Sewage Disposal Provisions**

- The parking expansion will not require water usage or sewage disposal.

**812.I. - Utilities**

- The proposed parking light will be connected via underground utility lines to the existing parking lot circuit and timer.
- The abandoned residential electrical and water service have been removed and coordinated with Portland Water District and Central Maine Power.

**812.J. - Groundwater Impacts; 812.K. - Water Quality Protection**

- The parking area is not expected to adversely affect the quality or quantity of groundwater in the area.

- The parking area will not store or discharge any treated or untreated liquids, gases, or solids that will contaminate or pollute water.
- The project will not adversely impact any river, stream, or brook. as designated by MeDEP.

**812.L. – Hazardous, Special and Radioactive Materials**

- The proposed parking area will not involve the storage or use of any material identified by the federal or state as hazardous, special, or radioactive.

**812.M. – Shoreland Relationship**

- The proposed parking area is not located in a shoreland zoning district.

**812.N. - Technical and Financial Capacity**

- The estimated construction cost of the proposed parking area is approximately \$74,963.00 and the applicant has provided a letter dated October 1, 2021, from Ms. Wendy Durah, Senior Vice President from Bangor Savings Bank as cash available to complete the project.
- Sevee & Maher Engineer, Inc is an experience permit management and site firm and has the technical capacity required to complete the proposed project.

**812.O. – Solid Waste Management; 812. P. – Historical and Archaeological Resources; 812.Q. - Floodplain Management**

- The proposed parking expansion will not generate solid waste
- The parking area is a redevelopment site and no disturbance to historic buildings or structures as part of this project.
- The proposed parking area is not in a mapped FEMA floodplain.

**812.R. – Exterior Lighting; 812.S. - Noise**

- The lighting is designed to prevent glare and dark spots in the parking lot and provide safe operation for pedestrian and vehicular traffic. The exterior lighting will be a shielded, full cut-off type LED fixture to minimize impact to the night sky. The light fixture will be mounted on a 15 -foot pole and the applicant has provided a product detail sheet for review.
- The proposed use is an accessory use to commercial use and the noise levels are not expected to exceed 65 dB between 7:00 AM to 10:00 PM and 55 dB between 10:01 PM to 6:59 AM.

**812.T. – Storage of Materials and Screening (Landscape Plan)**

- For the final plan review submission, the applicant is providing a landscaping plan the includes two (2) greased infiltration area for stormwater management, one (1) Red Maple shade tree, and fourteen (14) broadleaf evergreen shrubs, to buffer the vehicles lights from the properties across Abby Road.
- The snow storage areas are identified on the final plan for review.

**813 Commercial District Design Standards for the Commercial I (C1)**

**Required :813.B. - Site/Parking**

- Per Section 813.B.6.a. for Parking Screening.
  - See the landscaping description above.

**813.C. – Landscaping/Lighting coordinated with Landscaping**



- Per Section 813.C.3.a., Lighting coordinated with Landscaping.
  - See the landscaping description section above.
- Per Section 813.C.5., Snow Storage areas Designated
  - The applicant has shown proposed storage areas, see sheet C-103.

#### **813.D. – Bicycle/Pedestrian**

- Per Section 813.D.1.a., Internal walkways.
  - See above in the pedestrian description section above
- Per Section 813.D.2.a., for links to the community.
  - The applicant should connect a sidewalk along Abby Road to Tandberg Trail.
- Per Section 813.D.4.a. Sidewalk.
  - The applicant should connect a sidewalk along Abby Road to Tandberg Trail.
- Per Section 813.D.5.a., Crosswalks.
  - The applicant is providing an internal crosswalk from the parking expansion.
  - The applicant has provided a crosswalk as required on April 13, 2020.

#### Per Section 813.D.6.a., Bike Rack.

- The applicant has provided a bike rack as required on April 13, 2020.

### **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 meets 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.
- 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 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 the description under “Landscape Plan” above.
- The site design includes pedestrian-friendly internal crosswalks are provided for pedestrians accessing the building from the parking lot, to safely cross the drive-thru aisle as well as provided for pedestrians using the sidewalks on Routes 115 and 302. A bike rack has been installed by the main building entrance.

#### **2. Comprehensive Plan**

- This project meets the goals and objectives of the 2017 Comprehensive Plan. The proposed project is 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 on Adjacent/Neighboring Properties**

- The parking area will be screened by fencing and landscape plantings.
- Site lighting is a cut off fixture minimizing light pollution, the applicant included lighting fixture details.

### **CONCLUSIONS**

1. ~~The development plan **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/does not have** 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/will not** provide 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** the 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 groundwater.~~
11. ~~The proposed site plan **will** provide for adequate stormwater management.~~
12. ~~The proposed location and height of buildings or structure walls and fences, parking, loading and landscaping shall be such that it **will/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/does not** 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 October 1, 2021, as amended October 21, 2021, and supporting documents and oral representations submitted and affirmed by the applicant, and conditions, if any, imposed by the Planning Board, and any variation from such plans, proposals and supporting documents and representations are subject to review and approval by the Planning Board or the Town Planner in accordance with Sections 814 of the Site Plan 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.