



**Town of Windham
Planning Department**
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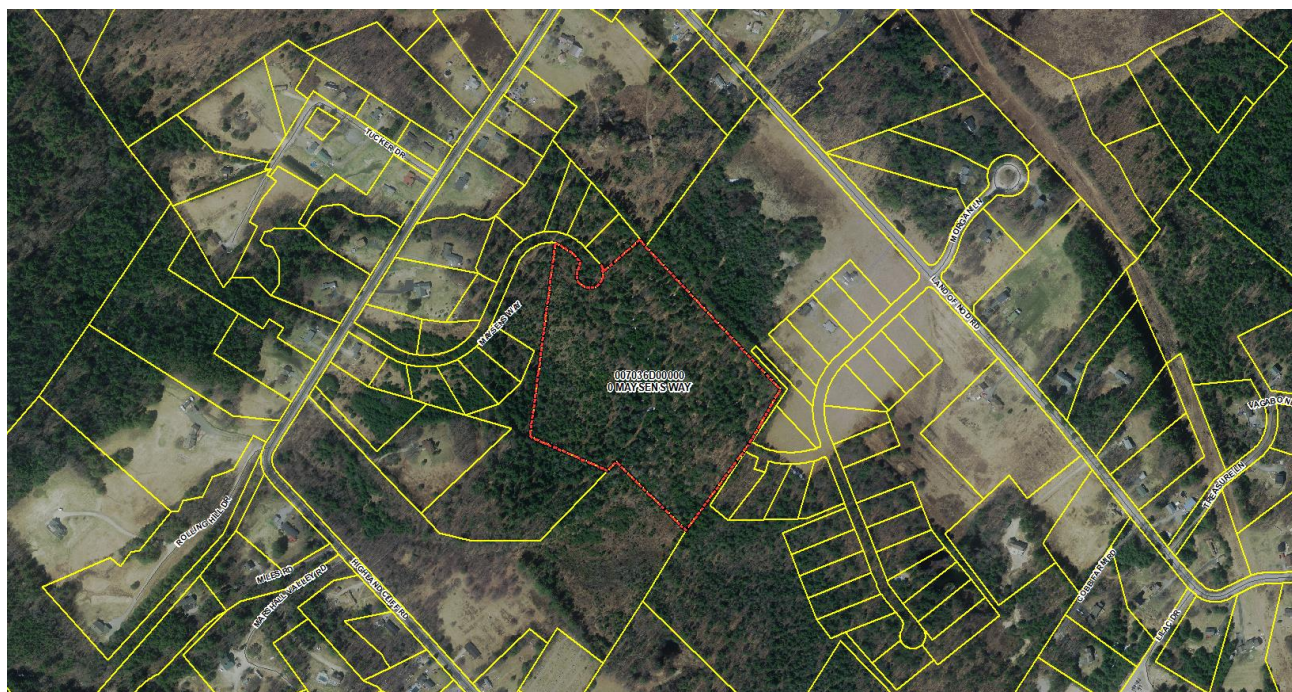
MEMO

DATE: October 18, 2021

TO: Windham Planning Board
FROM: Steve Puleo, Town Planner
Cc: Chris Wilson, Les Wilson and Sons, Inc.
Dustin Roma, P.E., DM Roma Consulting Engineers

RE: 19-20: Les Wilson & Sons Pit - Major Site Plan – Approval Extension Request
Planning Board Meeting: October 25, 2021

The Planning Board originally approved the Site Plan applications for the Mayberry 5-Unit Multiplex at the May 13, 2013, Planning Board meeting. This application is for a new 4.8-acre mineral extraction operation from Maysens Way. Maysen Way is constructed as a public road and will be offered for public acceptance. The road had a final pavement treatment, and the Town is holding the required 10% contingency Performance Guarantee for full-year from the date the Town Council accepts the road. The subject parcel was split from the Highland Woods 14 lot residential subdivision from Highland Cliff Road. The Highland Woods subdivision is currently under construction. The site is an active mineral extraction site. The property is at Tax Map: 7 Lot: 36. Zone: Farm (F).



The Site Plan Ordinance Section 814.A. states that a failure to commence substantial construction of a site plan within two (2) years of the date of final Planning Board approval of the site plan shall render the plan null and void. The applicant has not posted a performance guarantee, construction observation fee and held a pre-construction meeting as required in Section 814.D. To keep Planning

Board approval from expiring, the applicant is requesting an approval extension. The Planning Board may grant up to two (2) one-year extensions of an approved site plan.

The Planning Board may choose to act on the request for an extension of the site plan approval dated October 9, 2019, all the Findings of Fact, Conclusions, and Conditions of Approval shall apply. Specifically, the requirement for the installation of a sign to be installed at the project entrance, stating:

“THIS SAND AND GRAVEL PIT IS APPROVED BY THE TOWN OF WINDHAM, IN ACCORDANCE WITH THE LAND USE ORDINANCE, WITH LIMITATIONS AND CONDITIONS CONTAINED IN A SITE PLAN APPROVAL GRANTED BY THE WINDHAM PLANNING BOARD. HOURS OF OPERATION ARE 7 AM TO 5 PM. CONTACT THE TOWN OF WINDHAM PLANNING DEPARTMENT FOR ADDITIONAL INFORMATION.”

And the Conditions of Approval stated in the approval dated December 12, 2019, are as follows:

1. Approval is dependent upon, and limited to, the proposals and plans contained in the application dated August 19, 2019, as amended December 12, 2019, 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 Section 814.G. of the Land Use Ordinance.
2. Any person owning, operating, leasing or having control over stormwater management facilities required by a stormwater management plan approved as part of a mineral extraction operation is required to annually inspect the stormwater management facilities and provide a certification to the Town of Windham.
3. A performance guarantee for the project shall include an amount for road repairs to Maysen’s Way and to the portion of Highland Cliff Road within 100’ of Maysen’s Way, which may be required due to traffic associated with the gravel pit.

Motion: To approve the first one-year extension, in accordance with Section 814.A. making the plans the Findings of Fact, Conclusions, and Conditions of Approval valid through October 9, 2022.

