



Town of Windham
Planning Department
8 School Road
Windham, Maine 04062
Tel: (207) 894-5960 ext. 2
Fax: (207) 892-1916
www.windhammaine.us

MEMO

DATE: November 10, 2021

TO: Mr. John Chase, Chase Custom Homes & Finance
FROM: Steve Puleo, Town Planner
Cc: Staff Review Committee
Jeff Amos, P.E., Terradyn Consultants, LLC

RE: 21-22: Canada Hill Subdivision – Amended Major Subdivision Plan Review – Chase Custom Homes & Finance
Planning Board Meeting: **Tentatively Scheduled for November 22, 2021**

Thank you for submitting your application on October 25, 2021. The application status is **incomplete**. The staff has reviewed the application and found several outstanding items that need your attention before scheduling a Planning Board sketch plan review. Your application is **tentatively scheduled for review on November 22, 2021**. The Planning Board meeting is an “In-person meeting” at the Town Council Chambers in the Town Hall located at 8 School Street. The meeting begins at 6:30 PM and your attendance is required.

The application is to create a fourteen (14) lot conservation subdivision on Lot 9-14 of the Canada Hill Subdivision. The lot is approximately 46.48-acres in size and was retained by Chase Custom Homes & Finance. The developer received a Planning Board approval for the Canada Hill subdivision on June 25, 2012. The amended subdivision will create new fourteen (14) residential lots; new thirteen (13) residential lots on the new proposed road constructed between Canada Hill Road to Highland Cliff Road, and the new one (1) residential lot on Highland Cliff Road. The remainder of the site will be open space areas. The parcel is further identified as an Assessor’s Tax Map 4 Lot 9-14; Zone: Farm (F) District.

Tax Map: 4; Lot: 9-14; Zone: Farm (F) District.

Staff Comments:

Planning Director:

- No comments were received at the time of writing this memo.

Town Planner:

- The applicant description of the development is incorrect. The application is for the conservation subdivision of Lot 9-14, which was retained by the developer of the Canada Hill Subdivision, Chase Custom Homes & Finance, because the Town is considering subdivision of the lot as an amendment to the June 25, 2012 approval of Canada Hill Subdivision.
- Please clarify the number of new subdivision residential lots, per Section 911.K.4.(d)(1), “The subdivider may retain ownership of the remaining land from which the subdivision lots area to be created provided the portion of the remaining land counted toward the subdivision Open Space is subject to permanent ownership of the Open Space to a 3rd party, per Section 911.E.2.”

- Please explain the Sketch is only showing 12 residential lots when two lots are labelled "Retained by Owner". Are those lots part of the Open Space" calculations and are they proposed to be conveyed to a third and not developed?
- Is the Developer considering any other waivers than the stormwater?
- The Town is considering a subdivision proposal as an amendment to Canada Hill Subdivision.
- Please explain the purpose of the easement area and is it part of the Open Space calculation?
- Missing location and size of existing utilities and adjacent to the land including utility poles and hydrants, etc.
- Please provide the technical capacity of the subdivider and the civil engineering firm.
- Please provide correspondence with MeDEP explaining why a Site Location of Development Act permit is not required.

CONDITIONS OF APPROVAL (POSSIBLE)

1. Approval is dependent upon, and limited to, the proposals and plans contained in the application dated October 25, 2021, as amended November 22, 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 Section 913 of the Land Use Ordinance.
2. The contractor must provide evidence of flow rates (gallons/minute) and the results of a water quality test prior to the issuance of a certificate of occupancy for each house in the subdivision.
3. Prior to any blasting, the applicant shall submit a detailed blasting plan to Planning Staff for review and receive approval of the extent of pre-blast survey work. The detailed blasting plan shall include a ledge profile created using a drill rig, an estimate of the quantity and duration of blasting required, extents of areas where blasting may occur, a pre-blast survey plan, the developer's abutter notification plan, and that blasting may only occur between the hours of 7 AM and 5 PM.

Town Engineer:

- The Sketch Plan submittal indicates that treatment of stormwater within the 50' road right-of-way will be accomplished using level spreaders flowing vegetated buffers. This may be acceptable assuming the buffers are designed in accordance with MEDEP Ch. 500 Appendix F and the buffer areas. The forested will be protected from alteration through the execution of deed restrictions
- The Sketch Plan submittal indicates that they will be asking for a waiver of the Stormwater Flooding Standard in Windham Subdivision Ordinance Section 911 based on the treatment of 75% of the impervious area and 50% of the developed area of the roadway using forested buffers. However, this is conditioned on the project not requiring a SLDA permit, which may not be the case. In any event, a stormwater management plan will need to be submitted that details how each portion of the site stormwater is treated to determine if it is in compliance with Windham's subdivision ordinance and applicable sections of CH. 500
- The proposed subdivision will be using Canada Hill Road as a second access point. Canada Hill is in poor shape and additional traffic from the subdivision will not help the situation. The developer of the subdivision should be required to contribute to improving/upgrading Canada Hill Road to accept the new traffic flow without further degradation of Canada Hill Road.

- The application says that a MeDEP NRPA Tier 1 Wetland Alteration Permit will be required; an Army Corps of Engineers (ACOE) Category 2 Maine General Permit will also be required for the proposed 9,359 SF of wetland impacts.

Public Works, Director

- The new road Cairn Drive comes out onto Canada Hill road and this is not a built road. This was an old dirt camp road a previous director paved and it has since fallen apart. As this appears to be the second access point to the subdivision it should be considered that Canada Hill road be built to town standards from Highland Cliff road to Cairn Drive.

Fire Chief:

- There are no issues with this proposal. They are capturing fire suppression through residential sprinklers and meeting our access needs through the Major Private Road standard and ensuring adequate access by connecting with Canada Hill Road.

Thank you for your attention to these matters. Provide one copy of your response to staff comments with all revised application materials and three (3) plan sets, with the required construction details. Email an electronic copy of your response letter, supporting documentation and plan set. If I receive more comments, I will send them to you ASAP. We will need your response by November 16, 2021. Please feel free to call me with any questions and concerns at (207) 777-1927 or email me at sjpuleo@windhammaine.us.