



# Town of Windham

Town Offices  
8 School Road  
Windham, Maine

## Meeting Minutes - Final

### Planning Board

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Monday, September 10, 2018

7:00 PM

Council Chambers

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1 Call To Order

2 Roll Call and Declaration of Quorum

*The meeting was called to order by Chair, David Douglass. Other members present were: Griffin Bourassa, Drew Mayo, and Kaitlyn Tuttle.*

*Planner, Amanda Lessard was also present.*

3 [PB 18-073](#) Approval of Minutes: August 27, 2018

**Attachments:** [Minutes 8-27-18 - draft](#)

*Griffin Bourassa made a motion to accept the minutes of the August 27, 2018 meeting.*

*Seconded by Kaitlyn Tuttle.*

*Vote: All in favor.*

### **Public Hearing**

4 17-23 Durant Homestead. Major subdivision preliminary plan review. Matt Hancock Properties, LLC to request review of a twenty-six (26) lot residential cluster subdivision. The subject property is located at 60 Chute Road and identified on Tax Map: 6 Lot: 25, Zone: Farm (F).

*Kirk Ball, with Acheron Engineering, was present representing the applicant. He explained the project:*

- The site was a 65.5 acre parcel located on Chute Road. They proposed a cluster subdivision. 23 lots would be accessed from the subdivision road; three lots would be accessed from Chute Road.*
- The subdivision road would be 2,500 feet long and end in a cul-de-sac. The ordinance required two hammer-heads. They would request a waiver for one.*
- There were significant wetlands on site.*
- A small unnamed stream was partially in the Black Brook watershed. No development was proposed in the Shoreland zone.*
- 55 percent of the developable land was in open space. There were two open space parcels which were not contiguous. They would request a waiver of that standard.*
- Stormwater permitting would include the road and all of the lots. There were two wet ponds proposed as well as vegetated and forested buffers.*
- They proposed private wells for the lots. The ordinance required a public*

water supply. They would request a waiver of that standard.

- Lots would have individual septic systems. They would have appropriate separation between the wells and septic systems.
- They proposed a tree line for those lots which had to be regraded to meet DEP stormwater requirements.
- There had been a fire wood processing business on the property which was gone.

*Public Comment:*

*Elizabeth Dube, Chute Road – She wanted to know what it would do to the water level. Would they put a snowmobile trail in somewhere?*

*Mr. Ball responded:*

- The nitrate analysis had positioned septic systems far enough away from abutting property lines to meet the water quality standard. There was sufficient recharge to support the project.
- The snowmobile club had indicated they wanted to continue the trail so no new trail would be put in.

*Amanda Lessard commented that the town's engineer had a question regarding a nitrate plume at the Chute Road right-of-way. Other than that he had no issue with drinking water standards and quantity for other drinking water wells in the area.*

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

## **Continuing Business**

- 5      [PB 18-074](#)      17-23 Durant Homestead. Major subdivision preliminary plan review. Matt Hancock Properties, LLC to request review of a twenty-six (26) lot residential cluster subdivision. The subject property is located at 60 Chute Road and identified on Tax Map: 6 Lot: 25, Zone: Farm (F).

**Attachments:**    [17-23 Durant Homestead Prelim 09-04-2018](#)  
[Peer Review Durant Homestead 08-29-2018](#)  
[2018-08-17 Subdivision Major Prelim Durant Final\\_opt](#)  
[Durant Homestead Subdivision Preliminary Plan Set\\_opt](#)  
[Matt Hancock\\_Chute Road and Snowmobiles 12-05-2017](#)

*Amanda Lessard explained:*

- The open space configuration was accessible by the right-of-way so staff was satisfied with the layout.
- The Fire Chief had recommended sprinkler systems if the watermain was not extended to serve the development.

*Mr. Ball asked Board to consider the cost of extending the watermain was too much to expect the developer to pay. They were 35 feet short of not having to extend it or if they had 25 lots.*

*Board comment:*

- The watermain should be extended because the development was in an appropriate zone and it would be a benefit to life safety and the community.

- *What was their plan if they didn't extend water? The Fire Chief had recommended three hydrants over what was there. It would take significantly more time to establish adequate resources to draw water than to get it from a watermain.*

*Mr. Ball explained:*

- *There would be two ponds lined with clay and designed to have a permanent pool for stormwater. They could easily be converted to water storage with a dry hydrant.*
- *The two ponds combined would have over 300,000 gallons of water available for firefighting.*
- *They had evaluated the water supply and quality to be sure it was feasible without a public water supply.*
- *Extending water, 2,506 feet along Chute Road and an additional 2,500 feet into the development created a strong chance that it wasn't economically feasible.*

*The applicant had requested a waiver from the requirement that open space must be contiguous. The proposed open space was in two parcels. One parcel could be accessed from the subdivision road and the other from Chute Road.*

*Drew Mayo made a motion to accept the open space waiver request.*

*Seconded by Griffin Bourassa.*

*Vote: All in favor.*

*The applicant had requested a waiver from the dead end street performance standard and requested to have one hammer-head. The ordinance required two hammer-heads for the subdivision road. The second hammer-head would be very close to the end of the road.*

*Amanda Lessard said the Fire Chief and staff were ok with the waiver request.*

*Drew Mayo made a motion to accept the waiver request for the hammer-head.*

*Seconded by Kaitlyn Tibbetts.*

*Vote: All in favor.*

*The applicant had requested a waiver from the submission requirement for a landscape plan.*

*Amanda Lessard explained it was only required in subdivisions where street trees and limits of tree clearing on each lot were noted and no further clearing was allowed for five years after Planning Board approval.*

*Griffin Bourassa made a motion to grant the waiver.*

*Seconded by Drew Mayo.*

*Vote: All in favor.*

## **New Business**

- 6**      [PB 18-075](#)      18-25 Basin Road Subdivision. Major subdivision sketch plan review. Jarod Robie to request review of a 6 lot subdivision. The property in question is located at 36 Basin Road and identified on Tax Map: 18A, Lot:

48-1, Zone: Farm Residential (FR) and Commercial II (C-2).

Attachments: [18-25 Basin Road Sketch 09-05-18](#)

[Basin Road Subdivision Sketch Plan Application 2018 8 20](#)

[Basin Road Subdivision Sketch 2018 8 20](#)

*Dustin Roma, a civil engineer with DM Roma Consulting Engineers was present representing the applicant. He explained the project:*

- *The property was a 19 acre parcel with frontage on Route 35 and Basin Road.*
- *One, single family dwelling had been constructed on what would be lot 3.*
- *The property contained two zoning districts, Farm Residential (FR) and Commercial 2 (C -2).*
- *The property contained easements for a stormwater basin, Central Maine Power, and the gas line.*
- *Basin Road was a public road that transitioned into a private road. An eight inch watermain ran down the public portion and ended in a seasonal shut off where it the road became private. From that point a seasonal line continued down Hackett Road and back in to Basin Road. There had been issues with the private part of Basin and Hackett Roads regarding rights as to who could do reconstruction activities and improvements. A watermain extension would require granting of additional easements for the installation of public infrastructure. The applicant did not own that section of Basin Road. They were not sure they had the rights to do that. Additionally, there were many safety and cost concerns to deal with because of the existing gas pipeline.*
- *They would request a partial waiver of the requirement for a watermain extension. In lieu of the extension the applicant was willing to install a new hydrant where the seasonal line began at the end of the public road. Additionally, lot 6 would require a watermain extension to go down Route 35. They would agree to that and would install a hydrant at the end of that water main extension.*
- *They proposed to relocate onto lot 1 an existing Sappi maintenance route to the Eel Weir Canal.*

*Board comment:*

- *The compromise of additional hydrants and connecting lot 6 to public water was good.*
- *Would there be a turn-around for public safety vehicles.*

*Mr. Roma said they could do a turn-around by Sappi's entrance.*

*Drew Mayo made a motion for public hearing.*

*Seconded by Griffin Bourassa.*

*Vote: All in favor.*

*Drew Mayo made a motion for sitewalk.*

*Seconded by Griffin Bourassa.*

*Vote: All in favor.*

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**7**      [PB 18-076](#)

18-26 649 River Road Subdivision. Major subdivision sketch plan review. Cassie Construction Inc to request review of a 10 lot residential cluster subdivision. The property in question is located at 649 River Road and

identified on Tax Map: 8, Lot: 23B, Zone: Farm (F) and Resource Protection (RP).

**Attachments:** [18-26 649 River Rd Sketch 09-07-2018](#)

[649 River Road Subdivision Sketch Plan Application 2018\\_8\\_20](#)

[Sketch Subdivision Plan - 649 River Road 2018\\_8\\_20](#)

*Dustin Roma, a civil engineer with DM Roma Consulting Engineers was present representing the applicant. He explained:*

- *They proposed a ten lot, cluster subdivision on approximately 17 acres, located off of River Road.*
- *The interior subdivision road would be about 500 feet long and end in a cul-de-sac. The travel way would be 26 feet wide with additional one foot paved shoulders on each side.*
- *The existing house and one barn would be located on one of the subdivision lots.*
- *The Pleasant River abutted the property.*
- *A 50 foot right-of-way had been reserved for possible future access to an abutting property.*
- *The developer's intent was to convey the open space to the town.*
- *They proposed to extend public water into the development.*
- *The Fire Chief would not require a hydrant because one existed nearby on River Road.*
- *They would add a streetlight if one was desired.*

*Drew Mayo made a motion to schedule a public hearing.*

*Seconded by Griffin Bourassa.*

*Vote: All in favor.*

*Drew Mayo made a motion to schedule a site walk.*

*Seconded by Griffin Bourassa.*

*Vote: All in favor.*

*Drew Mayo made a motion to accept public comment.*

*Seconded by Griffin Bourassa.*

*Vote: All in favor.*

*Public Comment:*

*Current owner of the property – His first issue was the acreage. He had been assessed for 20.43 acres. If the property is 17 acres how was he taxed on more? There used to be a big horse track. Now there was a huge pond that accumulated from rainfall.*

*Victoria Chase, across the street from the proposed project. There was a large hill off to the side line of site. The Town was supposed to make it safer but didn't achieve that goal. It was still a very dangerous place to pull in and out of. It would be more so with the increased traffic from ten houses in a very small area. There were no trees or natural land sights; they were basically taking ten houses and throwing them in the middle of a field. Now the houses were fairly spread out. It was dark and peaceful. This would*

*drastically change the neighborhood in a very negative way. The culvert going under the road drained into her yard. All that water draining into her yard was not ideal. She would prefer not to have the streetlight.*

*Michael Greene, River Road – He agreed the line of site issue was a real problem. The major problem was with people going north. Adding ten more houses would be a real problem. Was anything else being cleared on the property? He had concerns with disruption of wildlife habitat.*

*Lisa Roberts, who lived behind the existing house – She understood it was farm land and you needed a two acre minimum to build. How could it be less? It was better for the neighborhood to have houses spaced out.*

*Dorian Bannister, River Road - No one had mentioned it was a 50 miles per hour zone. No one went 50. She was almost hit at least once a week trying to turn into her driveway. She was concerned regarding the number of houses in such a small area. It was not a big space to put ten houses in. She was concerned about the negative impact with property values.*

*Monica Atkinson, River Road - No one went 50; it was much higher. It dropped down from the road. The section they talked about draining was wet. If they built a house the second floor window would be parallel to the road. It would be more people pulling in driving around, parking. She was not happy with the streetlight. The space was small, not level. The racetrack held water. Ten houses was mind-boggling that she'd be looking at that in front of her house. The road was more treacherous than it was before and the ditch was soft and mucky.*

*Scott Parady, Pamela Drive - What would the subsurface wastewater systems be? There was a significant drop off, sometimes more than 100 feet, toward the Pleasant River. Water ran off quickly directly into the river; there would be a direct impact from houses or septic systems to the river. There were some severe drop-offs, almost impassable for the average person.*

## **Other Business**

### **8 Adjournment**

*Griffin Bourassa made a motion to adjourn.*

*Seconded by Drew Mayo.*

*All in favor.*