



Town of Windham

Town Offices
8 School Road
Windham, Maine

Meeting Minutes - Final

Planning Board

Monday, September 27, 2021

6:30 PM

Council Chambers

Final Agenda

1 Call to Order

Meeting Reconvened

2 Roll Call and Declaration of Quorum

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

Town Planner, Steve Puleo, was present.

3 [PB 21-057](#) Approval of Minutes: September 13, 2021

Attachments: [Minutes 9-13-2021 - draft.pdf](#)

Kaitlyn Tuttle made a motion to approve the minutes of the September 13, 2021 meeting.

Seconded by Marge Govoni.

Vote: All in favor.

New Business

- 4 [PB 21-051](#) 21-16 Gunpowder Mill Subdivision. Major Subdivision sketch plan review. Major Subdivision sketch plan review. Robie Holdings, LLC requested a sketch plan review for a 15-lot conservation subdivision application. The property is located on Gunpowder Mill Road and identified on Tax Map: 5 Lot: 2C, Zone: Farm Residential (FR). *Note: Public comment during the sketch plan review is not allowed unless requested by the Planning Board.*

Attachments: [SKETCHPLAN MEMO GunpowderMillSubdivision 21-16 09-22-21.pdf](#)
[f SKETCHPLAN MEMO GunpowderMillSubdivision 21-16 09-9-21.pdf](#)
[SKETCH-APPLIATION GunpowderMillSubdivision GunpowderMillRd.pdf](#)
[SKETCH-REVISED PLAN GunpowderMillSubdivision GunpowderMillRd.pdf](#)
[SKETCH-Plan GunpowderMillSubdivision GunpowderMillRd.pdf](#)
[STAFF COMMENTS DRT 08-27-21.pdf](#)

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

- They proposed to develop an approximately 15 acre parcel.
- Two existing single family homes used Gunpowder Mill Road, a private road, to provide access.
 - o The first 900 feet of the existing road had been improved to a major private road standard. There would be no difference in construction, whether the road was public or private.
 - o The applicant would not have fee ownership of the road.
 - o An eight inch watermain had been installed at the end of the existing road and some water services had been installed.
- They may request a waiver of the open space requirement. Compliance with that standard would change the open space that was required; reduce the allowable number of lots; and affect the road length.
- A wetland delineation had been done; there were some development restrictions.
- A stream drained across corner of the lot and a floodplain ran across the middle of the property. They were in the process of applying for a letter of Map Amendment.
- Some of the steep slopes on site were likely locations for future houses.
- Portland Water District (PWD) had an PWD easement through the property; currently there was no infrastructure in the easement.

The Board commented:

- The road issue sounded like a technicality; it would happen either way.
- This was a neat spot near the soccer fields and walking paths.
- A site walk to understand the wetlands and floodplain would be good.
- Was there a huge difference between a private and public road?
 - o It seemed to make more sense to have the road owned by subdivision people.
 - o The whole point of conservation was to have a specific amount set aside for open land.
 - o It would be better if the road was part of the subdivision.
 - o How long was road?
- How much open space area would be waived?
- What would be the impact to the small wetland that fed the larger one?
- It would be better to build the subdivision as it was shown.
 - o Development next to all the open space met the intent of the open space requirement.
 - o This was a great opportunity for access to the soccer fields; the Mountain Division Trail; and the river.
 - o There was more interest in doing the subdivision as it was shown, with the house lots off of River Road.
- The Board should have a site walk .

to remove three duplex buildings, shown as units 35 to 40 on the approved plan, and replace the buildings with three (3) 12-unit buildings. The new buildings will be 3-stories in height with entrances on two (2) sides of the structure. The development will increase the dwelling units to 70 units. Parking will be located behind the new buildings. The project is located on Manchester Drive Tax Map 18A Lot 48-D03, Zone Commercial 1 (C1) District. *Note: Public comment during the sketch plan review is not heard unless requested by the Planning Board.*

Attachments: [SKETCH MEMO FirstAmendedChamberlainEstateSubdivision 21-19_092121.pdf](#)
[AMENDED SUBDIVISION APPLICATION ChamberlainEstates 21-19_090821.pdf](#)
[AMENDED SUBDIVISION PLAN ChamberlainEstates 21-19_090821.pdf](#)
[DRT-MEETING NOTES FirstAmendedChamberlainEstateSubdivision 21-19_092021.pdf](#)
[PUBLIC COMMENTS Dunlop_092221.pdf](#)
[PUBLIC COMMENTS JeanneGoode_092321.pdf](#)
[PUBLIC COMMENTS JimGoode_092321.pdf](#)

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

- *The intent had always been to have a phased project. As planning progressed for that it had become apparent that it made sense to have larger 12 unit buildings on Chamberlain Drive.*
 - o *Another loop road wouldn't provide connectivity to any abutting lots.*
 - o *This would allow parking to the rear of the buildings.*
 - o *A proposed curb cut had been removed.*
 - o *A driveway had been moved, and a single driveway would provide access to three parking pods at the rear of the buildings. They had consolidated six driveways into one.*
 - o *Sidewalk access from the road and the rear would be created.*
- *The proposed buildings would have three stories with four units per floor, each with two bedrooms. A central hallway would provide access to parking in back and Chamberlain Drive in front.*
- *There was adequate space along Chamberlain Drive, at the turn around, spurs, and at the end of the road for fire trucks to maneuver.*
- *The fire department had some concerns about on street parking impacting their ability to access the site.*
- *Addition of the three buildings and the required parking would necessitate a site location permit from DEP.*
- *There would be one engineered 6,500 gallon per day leach field for the three proposed buildings. A pump station would be required.*
- *Public water would be accessed from Chamberlain Drive.*
- *A third stormwater infiltration pond would be added.*
- *The watermain to Basin Road had been installed. Installation of a proposed hydrant on Basin Road was up to Portland Water District (PWD).*
- *PWD didn't think a connection from Chamberlain Drive to Basin Road would benefit them. The Fire Department saw an advantage to the connection.*
- *They wanted to deed the 30 foot right-of-way to the town, so it could be used for access to Basin Road if needed in the future.*

The Board commented:

- *Regarding on-street parking:*
 - o *A Board member was not in favor of on street parking because of snow removal and parking in driveways.*
 - o *Another Board member was not for on street parking because the Fire Department didn't want it and it posed a safety issue for people in the buildings.*
 - o *A Board member liked the idea of trying to fit in some on street parking.*
 - o *A Board member favored on street parking*
 - o *Where would the proposed on street parking begin and end?*
- *Regarding connection to Basin Road:*
 - o *The Basin Road neighborhood didn't want a through street to Basin Road. It almost would pose more of a danger; there would be people cutting thru to shopping, and increased traffic from 70 units. There was no big advantage to putting it in.*
 - o *A Board member was not for connection to Basin Road. It seemed to add more complications without knowing what the future of the road would be like.*
 - o *If there was a hydrant on Basin Rd and no road to get there, it would serve no benefit to Chamberlain Estates.*
 - o *A Board member favored the proposed connection to Basin Road for access to the hydrant.*
 - o *Unless the road went through it was of no use.*
 - o *The reason for a right-of-way to Hackett and Basin Roads was frequent flooding and it would be a way for people in and out if the road was swamped.*
 - o *Was the right-of-way viable or would it be used up with treatment ponds?*
 - o *The Board member was not fan of the right-of-way because Dovak Way and Chamberlain Drive provided two existing exits.*
- *Did Lowe's have any issue with the use?*
- *There was only one way in and out for 36 parking spaces*
- *Consensus of the Board was to have a 50 foot row and put the driveway back.*
- *The original condition of approval for future connection to the public sewer would continue.*

Other Business

6 Adjournment

Colin Swan made a motion to adjourn.

Seconded by Marge Govoni.

Vote: All in favor.