

**TOWN OF WINDHAM
STAFF REVIEW COMMITTEE
MINUTES
July 27, 2016**

The meeting was called to order by Ben Smith, Planning Director. Other committee members present were: Doug Fortier, Public Works Director; Brent Libby, Fire Chief; Heather McNally, Code Enforcement and Zoning Administration Officer.

Approval of Minutes: December 9, 2015

Doug Fortier made a motion to approve the minutes.

Seconded by Brent Libby.

Vote: All in favor.

Applicant Contact with Staff:

New Business:

16-24 Rossini Commercial Building Expansion Amendment. Minor Site Plan Amendment. Tom Rossini to request amendment to an approved minor site plan to remove requirement to install a sidewalk and instead require payment of the Sidewalk Impact Fee. The subject property is located at 4 Crimson Drive, across Roosevelt Trail from Enterprise Drive. Tax Map: 21, Lot: 2-1. Zone: Commercial 1 (C-1).

Mr. Rossini was present. He requested elimination of the requirement for a sidewalk and excavation of the sidewalk because it would not go anywhere. He was going to install the plantings as required. The property was nearly sold and the new owner would finish the project.

Amanda Lessard explained that sidewalk impact fee language had been adopted in 2013, after approval of the plan. It required payment of an impact fee rather than construction of a sidewalk. Payment of the impact fee amount would mean that no other permit would require payment of a fee because the square footage of the building would max out the fee requirement.

Consensus of the Committee was that a public hearing was not required.

The Committee commented:

- This would provide the 21st Century Downtown Plan with money to construct sidewalks where they were needed more.
- What was the plan for doing the landscaping?
- The incomplete work would have to be completed before occupancy.

Mr. Rossini understood that the new owner would have to complete work that was not yet completed and he had explained that to the prospective buyer.

Doug Fortier made a motion that the Site Plan application for 16-24 Rossini Commercial Building Expansion Amendment, on Tax Map: 21, Lot: 2-1 was to be approved with conditions with the following findings of fact and conclusions.

FINDINGS OF FACT

Utilization of the Site

- The project is located on a parcel of approximately 21,000 square feet.
- The site is currently occupied by a 4,000 square foot commercial service building with 4 overhead doors.

Vehicular and Pedestrian Traffic

- Access to the site is via a single full movement (two-way traffic), 24-foot wide entrance, shared with the abutting property.
- Al Palmer, P.E., submitted peer review comments in a letter dated November 22, 1975. Comment #4 related to the need for an amended driveway permit from MaineDOT for the building expansion. This entrance is within the Urban Compact Zone, and the entrance permit must come from the Windham Public Work.
- An entrance permit must be obtained for Crimson Drive from Public Works, per the performance standards for "Curb Cuts" on page 5-12 of the Land Use Ordinance.
- Parking spaces shown on the plan measure 9 feet by 20 feet. The ordinance requires spaces that are 10 feet by 20 feet.
- Fifteen (15) parking spaces are shown on the plan. The parking standard for Commercial Business Services requires 8 spaces to serve the existing building (4 spaces per 1,000 s.f. of gross floor area), and 7 spaces to serve the proposed addition (3.5 spaces per 1,000 s.f. of gross floor area). If the building and expansion were to be used exclusively for Commercial Business Service, 16 spaces would be required.
- As required by the C-1 zoning district standards, a 6 foot wide continuous sidewalk is shown along the property's frontage on Roosevelt Trail.
- The entrance will be paved, though the applicant would like to leave the gravel parking area unpaved at this time.
- The amended plan proposes to eliminate the sidewalk from the plan. The applicant will pay the Sidewalk Impact Fee in accordance with Section 1200, see Note 18.

Sewage Disposal and Groundwater Impacts

- James Mancini signed off on the original HHE-200 (septic system application) for the existing building on June 10, 2008. The design flow was for 180 gallons per day.
- The 2,000 s.f. addition will utilize the existing septic system.
- Mr. Mancini amended the HHE-200 based on the applicant's plans for a 2nd 2-bay commercial service building using the same septic field. That amendment is included in the November 15 submission.
- A 2nd amendment to the HHE-200 is dated November 29, 2010. Mr. Mancini states in the application that the current system as installed is sized to handle flows from both the existing building and the expansion, even if both were utilized as retail uses with 6 employees each (12 employees x 15 gallons per day per employee = 180 gallons per day).
- No changes to the sewage disposal system are proposed as part of this amendment.

Stormwater Management

- The stormwater plan for this project is included with the November 15, 2010, submission. It shows that the 2-, 10-, and 25-year storms do not result in an increase in peak flows of stormwater from the existing site conditions.
- Peer review comments were provided by Mr. Palmer in a letter dated November 22, 2010. The only stormwater comment suggested a drip strip on the back of the building. This has been added to the latest version of the plan, dated November 23, 2010.
- The proposed amendment to eliminate construction of the sidewalk will not change the current stormwater drainage.

Erosion Control

- Erosion control notes and measures shown on Sheet C1.2 are adequate to prevent soil erosion and sedimentation during construction activities.
- The proposed amendment to eliminate construction of the sidewalk will not have an impact on soil erosion.

Utilities

- The existing building utilizes a well for water service. The expansion will also be served by this existing well.
- Electrical service for the existing building is provided via overhead line from a utility pole on Route 302 near the northeast corner of the property. The applicant is proposing to connect the expansion to the existing building's electrical service.
- The applicant is proposing wall mounted lighting fixtures over each overhead door. Staff recommends cutoff or full-cutoff fixture models be used. See the specification sheet included with the November 15, 2010, submission materials.
- The proposed amendment will not require any changes to the on-site utilities.

Financial Capacity

- A letter from Greg Murphy of Financial Planning Associates, dated November 17, 2010, indicates that the applicant has the capacity to finance this project.

Landscape Plan

- A landscaping plan has been submitted as part of Sheet C1.2.
- The plantings in coordination with the sign location and along the frontage with Route 302 coordinate with the abutting Meyer Commercial Development, and meets the intent of the Windham Design Standards.
- As this project is in the C-1 district, the Staff Review Committee should consider requesting additional landscaping around the building itself, particularly between the building and Route 302, and along the front of the building facing the parking lot, along with additional planting for screening between the Rossini and Meyer developments. Please see photos of the existing building façade supplied in the November 15, 2010, submission.
- Landscaping approved as part of the 2010 site plan has not yet been installed. The amended site plan application includes a landscaping plan on Sheet C1.2. This is the same landscape plan that was part of the 2010 approval.

Conformity with Local Plans and Ordinances

1. Land Use
 - This project meets the minimum lots size and setback requirements of the C-1 zoning district.
 - Commercial Service Business and Retail uses are both allowed in the C-1 zoning district.
2. Design Guidelines
 - See landscaping comments above.
 - As proposed, the design of the buildings and signage meet the intent of the design guidelines.
3. Comprehensive Plan
 - This project meets the goals and objectives of the 2003 Comprehensive Plan.

Impacts to Adjacent/Neighboring Properties

- See comments on Landscaping and lighting, above.

CONCLUSIONS

1. The plan for development 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 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 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 provide for 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 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 ground water.
11. The proposed site plan will provide for adequate storm water management.
12. The proposed location and height of buildings or structure walls and fences, parking, loading and landscaping shall be such that it 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 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 November 15, 2010, as amended July 14, 2016, and supporting documents and oral representations submitted and affirmed by the applicant, and conditions, if any, imposed by the Staff Review Committee, and any variation from such plans, proposals and supporting documents and representations are subject to review and approval by the Staff Review Committee or the Town Planner in accordance with Section 814.G. of the Land Use Ordinance.
2. Parking spaces 14 & 15 need to be constructed when site demand warrants the creation of these spaces. Permeable paving is encouraged for these spaces when they are built

Seconded by Brent Libby.

Vote: All in favor.

Other Business

Adjournment.

Heather McNally made a motion to adjourn.

Seconded by Brent Libby.

Vote: All in favor.