



January 19, 2015

Amanda Lessard, Town Planner
Town of Windham
8 School Road
Windham, ME 04062

**RE: Application for Major Subdivision Sketch Plan Review
Application for Major Site Plan Sketch Plan Review
Abby Commons Retirement Community
R & T Enterprise, LLC, Applicant
MMI# 5617-01-1**

Dear Amanda:

On behalf of Ralph Vance, d/b/a R&T Enterprise, LLC, we are requesting Sketch Plan Review of a proposed Retirement Community project consisting of 21-units on property located on Sandbar Road. The parcel is approximately 4.8 acres and is identified on Windham Tax Map 18 Lot 31. The property is located in the Commercial-1 (C-1) zoning district and the Retirement Community and Care Facility Overlay (RCCFO) district.

Existing Site Conditions

The parcel is mostly level, and is generally cleared of trees and vegetation in its entirety. Soils on the property are classified as Hinckley gravelly sandy loam, which is excessively drained. Several test pits were excavated to a depth of 100" with no evidence of groundwater. The parcel is encumbered by three rights-of-way including Sandbar Road, a driveway easement to Noel, and an easement for a switching station to Fairpoint Communications. The property is bounded by residential properties to the west, east and south and a large vacant parcel to the north that has been used for mineral extraction. The Sandbar Road right-of-way runs through the property, with the applicant owning fee interest in the private roadway. For practical development purposes, the easements divide the property into three separate parcels.

Proposed Development

The proposed development will be a Retirement Community use as defined in the Windham Land Use Ordinance, and will generally consist of duplex style buildings. Unit 13 is currently proposed as a single detached dwelling. All buildings will be condominium ownership with similar architectural elements, and will consist of single story living (with a potential for a lofted space) with two bedrooms. The units will include garages, driveways and decks. In lieu of a deck, units 13, 14 and 15 will have an architectural porch element that would create a "curb view" appearance that would be typical of a building front, as opposed to the back side of a

building. The proposed roads will be private, and would generally reflect the Town's standard for a Minor Local Street and paved 22 feet wide. Sidewalks would be 5 foot wide bituminous.

Utilities

A water main exists on the north side of Sandbar Road with an existing hydrant near the driveway entrance to the Marblehead project. We anticipate that meter pits will be installed at each of the proposed driveway entrances and that the buildings would be served by a private water main extending from the meter pits. Electrical and data service will be installed underground. We are also in the process of coordinating the project with Maine Natural Gas to determine if extending gas service to the buildings is feasible.

Wastewater Disposal

The project is expected to generate a design flow of approximately 3,800 gallons per day of wastewater. The wastewater disposal design is anticipated to consist of collection in several septic tanks that would discharge effluent to a central gravity sewer system. The sewer system would discharge to two or three separate wastewater leach fields managed by the Condominium. We understand that final design will include HHE-200 forms and a hydro-geologic nitrate plume analysis.

Stormwater Management

The project will result in the creation of approximately 1.2 acres of new impervious surface, predominately from paved road surfaces and buildings. We are in the process of preparing and submitting a Stormwater Permit Application to the Maine Department of Environmental Protection, and anticipate that infiltration will be utilized to the greatest extent possible as a Stormwater Best Management Practice. We also understand that post-construction maintenance and reporting will be required as a condition of MDEP approval and also in support of the Town's ongoing responsibilities through the National Pollutant Discharge Elimination System program.

Vehicular Traffic

The posted speed limit on Sandbar Road is 25 mph, which requires a 200 foot vehicular sight distance as defined by the Maine Department of Transportation. We have situated the proposed driveway entrances so that sight distance exceeds the minimum requirements for the posted speed limit. The Institute of Traffic Engineers Manual states that a development of this type would be expected to produce one peak hour trip-end for three residential units, or less than 10 peak hour trip-ends at the peak hour when the project is fully occupied. Sandbar Road is currently paved approximately 16 feet wide, and appears to be in satisfactory condition to accommodate the anticipated increase in vehicular traffic.

Utilization of Common Open Space

We are currently exploring several options to utilize the undeveloped common area as an amenity for the development. Potential uses may include community gardens, sitting areas, or supplemental parking that could also be used by residents of Sandbar Road that wait for the school bus with their children at the corner of Sandbar Road and Abby Lane.

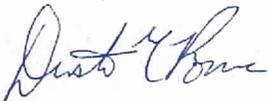
Landscaping and Pedestrian Features

With essentially a blank slate to start from with this property, we intend to develop a comprehensive landscaping, signage and lighting plan that will include street trees, decorative planting beds, and a defining entrance element that will enhance the project and surrounding streetscape. Pedestrian scale lighting will be installed along the sidewalks, including the walks along Sandbar Road that connect the two new neighborhoods to the Marblehead project. The sidewalks and lighting will remain on project property, with ongoing maintenance responsibilities staying with the condominium association.

We are excited to present this project to the Planning Board and Development Review Team at their next available meetings. After reviewing the enclosed information, please feel free to contact me with any questions or if you would like any additional information prior to our presentations.

Sincerely,

Milone & MacBroom, Inc.



Dustin M. Roma, P.E.
Lead Project Engineer, Civil

Enclosures

Project Name: ABBY COMMONS

Tax Map: 18 Lot: 31

Estimated square footage of building(s): 28,014 SF

If no buildings proposed, estimated square footage of total development/disturbance:
180,000 SF DISTURBANCE

Contact Information

1. Applicant

Name: RALPH VANCE

Mailing Address: 590 ROOSEVELT TR, WINDHAM, ME 04062

Telephone:

Fax:

E-mail:

2. Record owner of property

(Check here if same as applicant)

Name: R+T ENTERPRISE, LLL

Mailing Address: 590 ROOSEVELT TR, WINDHAM, ME 04062

Telephone:

Fax:

E-mail:

3. Contact Person/Agent (if completed and signed by applicant's agent, provide written documentation of authority to act on behalf of applicant)

Name: DUSTIN ROMA

Company Name: MILONE AND MACBROOM, INC.

Mailing Address: 100 COMMERCIAL ST, SUITE 417, PORTLAND, ME 04101

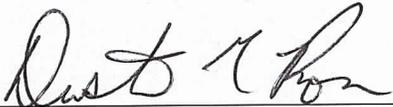
Telephone: 541-9544

Fax: 541-9548

E-mail:

DROMA@MMINL.COM

I certify all the information in this application form and accompanying materials is true and accurate to the best of my knowledge.



Signature

1-19-15
Date

**TOWN OF WINDHAM
SUBDIVISION & SITE PLAN APPLICATION**

Performance and Design Standards Waiver Request Form

(Section 808 – Site Plan Review, Waivers)
(Section 908 – Subdivision Review, Waivers)

For each waiver request from the Performance and Design Standards detailed in Section 811 or Section 911 of the Town of Windham Land Use Ordinance, as applicable, please submit a separate completed copy of this waiver request form.

Subdivision or Project Name:

Tax Map: Lot:

Waivers are requested from the following Performance and Design Standards (add rows as necessary):

Ordinance Section	Standard	Mark which waiver this form is for
910.C.1.C.1	HIGH INTENSITY SOIL SURVEY	X
910.C.1.C.5	TRAFFIC IMPACT ANALYSIS	X
910.C.1.C.6	STORMWATER PHOSPHORUS PLAN	X

a. Describe how a waiver from the standard indicated above will improve the ability of the project to take the property's pre-development natural features into consideration. Natural features include, but are not limited to, topography, location of water bodies, location of unique or valuable natural resources, relation to abutting properties or land uses. Attach a separate sheet if necessary.

1. SOILS WILL BE ANALYZED BY A LICENSED SITE EVALUATOR, GEOLOGIST AND ENGINEER AS PART OF THE SEPTIC SYSTEM DESIGN AND DOES NOT WARRANT A HIGH INTENSITY SOIL SURVEY. TEST PITS INDICATE SOILS ARE HOMOGENEOUS.
2. TRAFFIC IMPACT IS VERY MINIMAL FOR THE PROPOSED USE.
(continued next page)
3. THE MDEP WILL REVIEW AND APPROVE AN APPROPRIATE DESIGN OF BEST MANAGEMENT 1 of 2 PRACTICES BASED ON THE BASIC AND GENERAL STANDARDS OF CHAPTER 500.

Ordinance Section: SEE SCHEDULE

b. Will the waiver have an impact on any of the following criteria?

	Yes	No
Water or air pollution		X
Light pollution or glare		X
Water supply		X
Soil erosion		X
Traffic congestion or safety		X
Pedestrian safety or access		X
Supply of parking		X
Sewage disposal capacity		X
Solid waste disposal capacity		X
Scenic or natural beauty, aesthetics, historic sites, or rare or irreplaceable natural areas		X
Flooding or drainage issues on abutting properties		X
The Town's ability to provide the subdivision with public safety services (if subdivision)		X

If granting the waiver will result in an impact on any of the criteria above, please provide more detail below.

Sketch Plan - Minor & Major Site Plan: Submission Requirements		Applicant	Staff
a.	Complete Sketch Plan Application form	X	
b.	Project Narrative	X	
	conditions of the site	X	
	proposed use	X	
	constraints/opportunities of site	X	
	identify if any of the following will be completed as part of the Final Plan	X	
	traffic study	N/A	
	utility study	X	
	market study	N/A	
c.	Name, address, phone for record owner and applicant	X	
d.	Names and addresses of all consultants working on the project	X	
e.	Evidence of right, title, or interest in the property	X	
f.	Evidence of payment of Sketch Plan fees and escrow deposit	X	
g.	Any anticipated waiver requests (Section 808)	X	
	Waivers from Submission Criteria in Section 811 of the Land Use Ordinance.	X	
	If yes, submit letter with the waivers being requested, along with reasons for each waiver request.	X	
	Waivers from Subdivision Performance Standards in Section 812 of the Land Use Ordinance.	N/A	
	If yes, submit letter with the waivers being requested, along with a completed "Performance and Design Standards Waiver Request" form.	N/A	
	Submit initialed form regarding additional fees, from applicant intro packet	X	
h. Plan Requirements			
	Please note: the Sketch Plan does not need to be surveyed. However, if it is surveyed, please refer to the GIS requirements for Final Plan review. It may be in the applicants interest to obtain the required GIS data while the surveyor is on site.	X	
1	Name of subdivision, north arrow, date and scale (not more than 100 ft: 1in)	X	
2	Boundary of the parcel	X	
3	Relationship of the site to the surrounding area	X	
4	Topography of the site at an appropriate contour interval (10' contours generally adequate)	X	
5	Approximate size and location of natural features of the site, including wetlands, streams, ponds, floodplains, groundwater aquifers, significant wildlife habitats and fisheries, or other important natural features. If none, so state.	X	
6	Existing buildings, structures, or other improvements on the site	X	
7	Existing restrictions or easements on the site. If none, so state.	X	
8	Approximate location and size of existing utilities or improvements servicing the site. If none, so state.	X	
9	Class D medium intensity soil survey	X	
10	Location and size of proposed building, structures, access drives, parking areas, and other development features.	X	

Sketch Plan - Minor & Major Subdivisions: Submission Requirements		Applicant	Staff
a.	Complete Sketch Plan Application form	X	
b.	Project Narrative	X	
	conditions of the site	X	
	number of lots	X	
	constraints/opportunities of site	X	
	Outline any of the following studies that will be completed at a future stage:	X	
	traffic study	N/A	
	utility study	X	
	market study	N/A	
c.	Name, address, phone for record owner and applicant	X	
d.	Names and addresses of all consultants working on the project	X	
e.	Evidence of right, title, or interest in the property	X	
f.	Evidence of payment of Sketch Plan fees and escrow deposit	X	
g.	Any anticipated waiver requests (Section 908)	X	
	Waivers from Submission Criteria. Will the applicant be requesting waivers from the "Submission information for which a Waiver May be Granted"?	X	
	If yes, submit letter with the waivers being requested, along with reasons for each waiver request.	X	
	Waivers from Subdivision Performance Standards. Will the applicant be requesting waivers from any of the performance and design standards detailed in Section 911 of the Land Use Ordinance?	X	
	If yes, submit letter with the waivers being requested, along with a completed "Performance and Design Standards Waiver Request" form.	X	
h.	Copy of portion of the USGS topographic map of the area, showing the boundaries of the proposed subdivision.	X	
	Copy of that portion of the Cumberland County Medium Intensity Soil Survey covering the proposed subdivision, showing the boundaries of the proposed subdivision.	X	
i.	Submit initialed form regarding additional fees, from applicant intro packet	X	
j. Plan Requirements			
1	Name of subdivision, north arrow, date and scale	X	
2	Boundary and lot lines of the subdivision	X	
3	Approximate location, width, and purpose of easements or restrictions	X	
4	Streets on and adjacent to the tract.	X	
5	Approximate location and size of existing utilities on and adjacent to the tract, including utility poles and hydrants (if none, so state).	X	
6	Existing buildings, structures, or other improvements on the site	X	
7	Major natural features of the site, approximated by the applicant including wetlands, streams and ponds, floodplains, groundwater aquifers, treelines, significant wildlife habitat and fisheries, and any other important features.	X	

8 If this subdivision involves 20 or more acres in the Farm Zone, or 10 or more acres in the Farm Residential Zone, submit both cluster and conventional subdivision plans

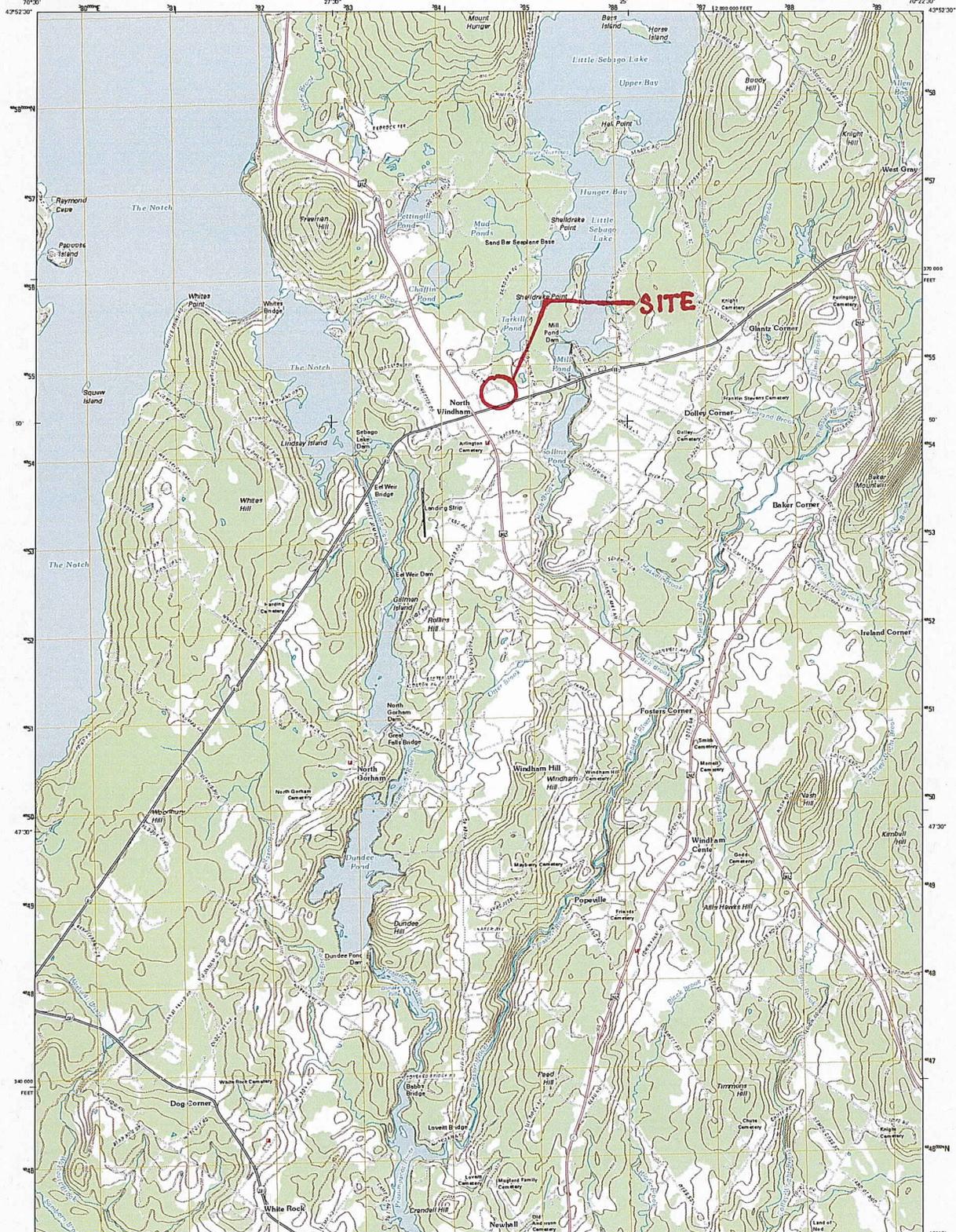
N/A	
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U.S. DEPARTMENT OF THE INTERIOR
U. S. GEOLOGICAL SURVEY

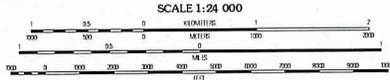
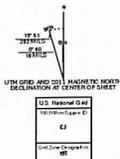


NORTH WINDHAM QUADRANGLE
MAINE-CUMBERLAND CO.
7.5-MINUTE SERIES



Produced by the United States Geological Survey
North American Datum of 1983 (NAD83)
World Geodetic System of 1984 (WGS84). Projection and
1:50,000 scale and Universal Transverse Mercator Zone 18T
10 000-foot Grid. Maine Coordinate System of 1983 (east
zone)

Imagery: NAD 83 July 2009
Roads: ©2006-2011 Terrestrial
Names: National Hydrography Dataset, 2005
Contours: National Hydrography Dataset, 2005
Boundaries: Census, BIVAC, Inc. USGS, 1972, 2010



CONTOUR INTERVAL 20 FEET
NORTH AMERICAN VERTICAL DATUM OF 1985

This map was produced to conform with the
National Geospatial Program US Topo Product Standard, 2011.
A worldwide file associated with the product is shall version 0.0

QUADRANGLE LOCATION

Neighb	Regional	City
State	North	Department
Local	Windham	County
State	County	Principal
State	County	Line

ROAD CLASSIFICATION

Interstate Road	State Road
US Road	Local Road
Ramp	4WD
Vertical Curve	US Road
	Some Road

NORTH WINDHAM, ME
2011

WARRANTY DEED

Maine Statutory Short Form

KNOW ALL MEN BY THESE PRESENTS, That We, GEORGE A. KEEF and JEAN A. KEEF, a/k/a JEAN D. KEEF, being married, of the Town of Windham, County of Cumberland, and State of Maine, whose mailing address is 9 Sandbar Road, Windham, Maine 04062 (hereinafter "Grantor"), for consideration paid, grant to R&T Enterprise, LLC, a limited liability company organized under the laws of the State of Maine and having a mailing address of 588 Roosevelt Trail, Windham, Maine 04062, (hereinafter "Grantee"), with WARRANTY COVENANTS, the land in the Town of Windham, County of Cumberland, and State of Maine more particularly described as follows:

See attached Exhibit A.

IN WITNESS WHEREOF, the said George A. Keef and Jean A. Keef have caused this instrument to be signed this:

23rd day of the month of August, 2005.

SIGNED, SEALED AND DELIVERED in the presence of:

Curtis Lane
Witness

George A. Keef
George A. Keef

Curtis Lane
Witness

Jean A. Keef
Jean A. Keef

MAINE REAL ESTATE TAX PAID

Exhibit A

Beginning at a 4" x 4" granite monument located on the southerly sideline of Abby Road; said monument marks the northwest corner of land now or formerly Brown/Neault as described in Deed Book 15614, Page 64 of the Cumberland County Registry of Deeds.

Thence North 37°58' 51" West across Abby Road as depicted on plan of Fairview Park Extension One recorded in Plan Book 61, Page 18 of the Cumberland County Registry of Deeds, and along the easterly sideline of land now or formerly Cummings as described in Deed Book 13434, Page 42 of the Cumberland County Registry of Deeds also being Lot 17 of said plan, Two Hundred Forty Eight Feet and 18/100 (248.18) to a point marking the Southeast corner of land now or formerly Ingerowski as described in Deed Book 6247, Page 69 of the Cumberland County Registry of Deeds;

Thence North 38°43' 40" West along the Northeasterly sideline of land now or formerly Ingerowski, land now or formerly Geary as described in Deed Book 15303, Page 254 of the Cumberland County Registry of Deeds and land now or formerly Horr as described in Deed Book 10801, Page 262 Cumberland County Registry of Deeds, Three Hundred Twenty-Two Feet and 56/100 (322.56) to a No. 5 rebar marking the Southwest corner of land now or formerly Marblehead Seniors Housing Corp. as described in Deed Book 4374, Page 254 recorded in the Cumberland County Registry of Deeds;

Thence North 61°10' 41" East along the Southerly sideline of land now or formerly Marblehead Seniors Housing Corp. and across the assumed right of way of Sand Bar Road, Three Hundred Thirty Four Feet and 59/100 (334.59) to a 1" iron pipe on the assumed Southeasterly sideline of Sand Bar Road; Said iron pipe marks the Northwest corner of land now or formerly Drenzo as described in Deed Book 3747, Page 52 in the Cumberland County Registry of Deeds;

Thence South 40°34' 39" East along the Westerly sideline of land now or formerly Drenzo, Two Hundred Fifty Feet and 00/100 (250.00) to a No. 5 rebar at the Northerly corner of land now or formerly Noel as described in Deed Book 6280, Page 308 in the Cumberland County Registry of Deeds;

Thence South 49°25' 21" West along land now or formerly Noel, One Hundred Fifty Feet and 00/100 (150.00) to a No. 5 rebar;

Thence South 40°34' 39" East continuing along land now or formerly Noel, Two Hundred Feet and 00/100 (200.00) to a No. 5 rebar;

Thence North 49°25' 21" East continuing along land now or formerly Noel, One Hundred Fifty Feet and 00/100 (150.00) to a No. 5 rebar at land now or formerly Drenzo as previously described;

Thence South 40°34' 39" East along the Westerly sideline of land now or formerly Drenzo, Three Hundred Fifty-One Feet and 77/100 (351.77) to a No. 5 rebar;

Thence South 83°35' 01" West across land of the Grantor herein and the assumed right of way of Sand Bar Road, Three Hundred Fifty Feet and 23/100 (350.23) to a No. 5 rebar at land now or formerly Brown/Neault as previously described;

Thence North 43°24' 51" West along the assumed Westerly sideline of Sand Bar Road and land now or formerly Brown/Neault, Fifty-Seven Feet and 68/100 (57.68) to a 1" iron pipe marking the Northeast corner of land now or formerly Brown/Neault;

Thence South 88°08' 09" West along the Northerly sideline of land now or formerly Brown/Neault and the Southerly sideline of Abby Road, Seventy-One Feet and 53/100 (71.53) to the point of beginning.

Said parcel contains 4.85 acres. Bearings are magnetic of the year 2005. Said parcel is a portion of land described in Deed Book 2044, Page 36 recorded in the Cumberland County Registry of Deeds. Parcel subject to right-of-ways and/or easements of record.

Said parcel is subject to a 28' right-of-way known as Sand Bar Road described in Deed Book 1337, Page 413 of the Cumberland County Registry of Deeds.

Said parcel is also subject to a 50' right of way benefiting land now or formerly Noel as described in Deed Book 6280, Page 308 in the Cumberland County Registry of Deeds.

Parcel is also subject to an easement for New England Telephone and Telegraph Company as described in Deed Book 9692, Page 157 of the Cumberland County Registry of Deeds.

Reference is made to a plan entitled "Boundary Survey" located on Sand Bar Road, for Tony Vance, R & T Enterprises, LLC by Survey, Inc. dated June 2005.

Said parcel is also subject to the following Restrictive Covenants which shall hence forth run with the land.

No building shall be erected, altered, enlarged, rebuilt, or used and no premises shall be used except for the following uses:

- a. Retail business which conducted all business exclusively within the building's enclosure;
- b. Business and professional offices;
- c. Fully enclosed places of assembly, amusement, culture, and government;

- d. Accessory buildings and uses;
- e. Municipal uses;
- f. Single and multi-family housing, provided that the dwelling unit (or units) is situated only on the second floor of a mixed-use commercial and residential building, and that the areas devoted to dwelling units meet the standards specified in the then current Town of Windham, Land Use Ordinance, section devoted to mixed-use commercial and residential buildings.
- g. Wireless telecommunications facilities;
- h. Elderly housing projects;
- i. The following uses of the property are permitted if authorized by the Windham Board of Appeals or the entity fulfilling that function at the time of the application, said uses include:
 - 1. Hotels, motels, clubs, and lodging houses; and
 - 2. Restaurants.
- j. Second curb cut, off-street parking facility
- k. Residential housing if the Town of Windham's Land Use Ordinance is modified to allow for such use of the property.
- l. Licensed child care facilities that operate both inside and outside a structure.

Received
Recorded Register of Deeds
Aug 24, 2005 12:33:34P
Cumberland County
John B. O'Brien

Soil Map—Cumberland County and Part of Oxford County, Maine



Map Unit Legend

Cumberland County and Part of Oxford County, Maine (ME005)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
HIB	Hinckley gravelly sandy loam, 3 to 8 percent slopes	21.3	100.0%
Totals for Area of Interest		21.3	100.0%

Soil Map—Cumberland County and Part of Oxford County, Maine

MAP LEGEND

Area of Interest (AOI)	 Area of Interest (AOI)	 Spoil Area
Soils	 Soil Map Unit Polygons	 Stony Spot
	 Soil Map Unit Lines	 Very Stony Spot
	 Soil Map Unit Points	 Wet Spot
Special Point Features	 Blowout	 Other
	 Borrow Pit	 Special Line Features
	 Clay Spot	Water Features
	 Closed Depression	 Streams and Canals
	 Gravel Pit	Transportation
	 Gravelly Spot	 Rails
	 Landfill	 Interstate Highways
	 Lava Flow	 US Routes
	 Marsh or swamp	 Major Roads
	 Mine or Quarry	 Local Roads
	 Miscellaneous Water	Background
	 Perennial Water	 Aerial Photography
	 Rock Outcrop	
	 Saline Spot	
	 Sandy Spot	
	 Severely Eroded Spot	
	 Sinkhole	
	 Slide or Slip	
	 Sodic Spot	

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
 Web Soil Survey URL: <http://websoilsurvey.nrcs.usda.gov>
 Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Cumberland County and Part of Oxford County, Maine
 Survey Area Data: Version 9, Sep 13, 2014

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jun 20, 2010—Jul 18, 2010

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.