Application for Minor Site Plan Review

THE PLAZA / PHASE ONE

885 ROOSEVELT TRAIL, RT. 302
WINDHAM, ME

Submitted to:
TOWN OF WINDHAM, ME

Prepared for:
MARTIN LIPPMAN dba APPLE ANNIE, INC.
STANDISH, ME

Prepared by:
PLANNING DESIGN ASSOCIATES
WINDHAM, ME

Project Name: PLAZA PROJECT/PHASE ONE

Tax Map: 18 **Lot:** 20

Estimated square footage of building(s): 4300 S.F.

If no buildings proposed, estimated square footage of total development/disturbance:

Contact Information

1. Applicant

Name: MARTIN LIPPMAN DBA APPLE ATHIS

Mailing Address: 71 STUART SHORE RD, STANDISH

Telephone: 329-3191 Fax: E-mail:

2. Record owner of property

____ (Check here if same as applicant)

Name:

Mailing Address:

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: FRED PANICO

Company Name: PLANNING DESIGN ASSOC

Mailing Address: 4 ALEXANDER DR. WINDHAM, ME 04062

Telephone: 892 2649 Fax: E-mail: PLANDESIGN@LIVE.COM

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

X Martin Lippman 8/1/2016

Signature Date

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

PLANNING / DESIGN ASSOCIATES
COMMERCIAL / RESIDENTIAL / RECREATIONAL DESIGN SERVICES
Site Planners
Architectural Designers
Landscape Architects
Real Estate Development Consultants
9 Alexander Drive, Windham, Maine P/F (207) 892-2640 email plandesign @live.com

August 5, 2016

Ben Smith, Planning Director
Amanda Lessard, Planner
Planning Department
Town of Windham
School Street
Windham, ME 04062

Re : 881 Roosevelt Trail
Application for Minor Site Plan Review / Sketch Plan / Phase One

Project Narrative
On behalf of our client, Martin Lippman dba Apple Annie, Inc., we are pleased to present this project known as the Plaza / phase one.The total site is 7.67 acres combining 3 lots plus a 10 acre conservation easement on the Donnabeth Lippman Park site. Phase one is a .0.77 acre portion of this site.

CONDITIONS OF THE SITE
The site is relatively level and well suited for development except tor the wetlands / poor soils area along outlet brook. This portion of the site falls in the resource protection zone, except for a small area which is considered disturbed soil. The front portion of the site is considered disturbed soil. The rear portion of the total site is undisturbed and wooded.
The project is located in the C1 zone with a resource protection overlay along the brook. All proposed uses will conform to current zoning, space and bulk requirements, design guidelines and the Towns' 21 Century proposal for Rt. 302. The project will proceed through the minor site plan review process.

PROPOSED USE
The client wishes to construct a 4800 sf retail / business one story building (# 2). Building #1 is an existing 4000 sf commercial building. Exterior fenestration to be stucco siding, stone veneer and flat roof. Entrances will be on the front facing RT. 302.The parking lot will be on the front and right side of the building.
See enclosed site plan and front elevation

CONSTRAINTS / OPPORTUNITIES OF THE SITE
The following items are assets.
-a high degree of visibility from Rt. 302
-a high traffic count on Rt. 302
-close proximity to Windham's shopping areas, lakes, ski resorts, Saint Joseph's College, all points north
-level, well drained soils
-good site distances along Rt. 302
-5 lane traffic flow on Rt. 302 allows turning in both directions
- tie-in with the Donnabeth Lippman Park recreation facilities and Outlet Brook.

The following items are constraints.
-An area of wetlands, poor soils and a resource protection zone are present along Outlet Brook, although this does not involve phase one.

Septic Disposal
A 1000 gal/day septic system has been designed for this building.

Traffic Flow
The site has 2 primary entrances off Rt. 302. Phase one will use the left entrance.
The existing 4 curb cuts will be reduced to 2 well defined entrances in the future. Driveways and parking areas will be designed to Town standards for all types of vehicles. RT.302 has 4 travel lanes and a turning lane at this point.

UTILITIES
Available utilities at the site are 8" high pressure water, 12" storm sewer, power, gas, fire hydrant and 5' sidewalk. Power for all buildings will be under ground. All buildings will be tied into the gas service.

RECORD OWNER
Martin Lippman, Standish, ME

RIGHT, TITLE, INTEREST
see attached

PAYMENT

WAIVERS
none

Exhibits Attached:
Application
Narrative
Authorization letter
Deed
Location map
Soil log
List of consultants
Site Inventory Plan, 24" x 36"
Site plan phase one, 24" x 36"
Building elevation
Site rendering

Sincerely,

Fred Panico, Project Manager
Planning / Design Associates

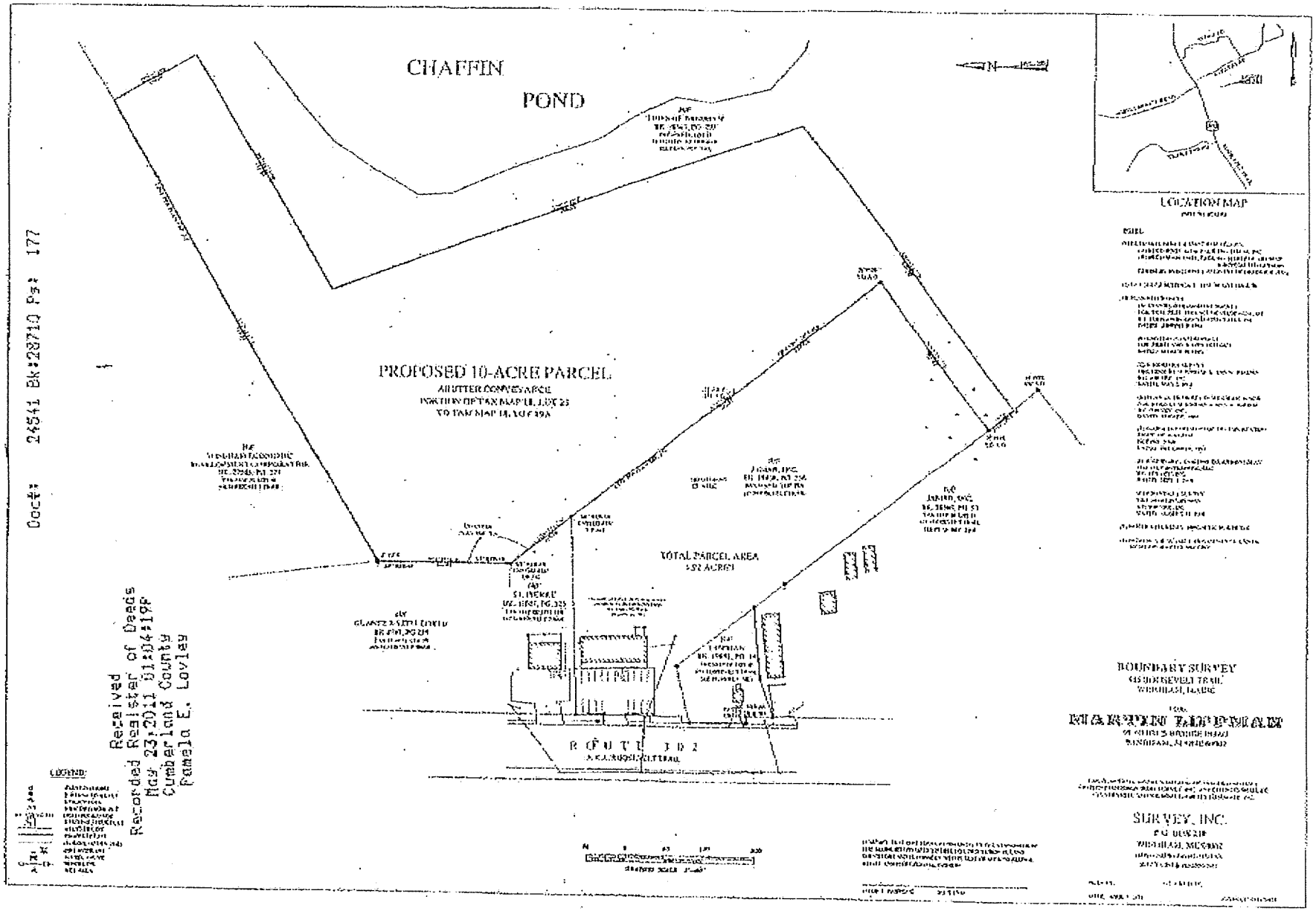
I, Martin Lippman , of 71 Stuart Shores Road, Standish, ME hereby gives Fred Panico of Planning Design Associates permission to represent my interests concerning the lot 19a/20/21 Rt. 302 project before the Town Windham.

Martin Lippman

Date: 9/26/2012

EXHIBIT B

Doc#: 24541 Bk:28710 Pg: 177



Received
Recorded Register of Deeds
May 23,2011 01:04:19P
Cumberland County
Pamela E. Lovley

h. Only the Grantor, its successors and assigns, and Grantee may bring an action to enforce this grant, and nothing herein should be construed to grant the public standing to bring an action hereunder.

i. If any provision of this Conservation Easement or the application of any provision to a particular person or circumstance is found to be invalid, the remainder of this Easement and the application of such provision to any other person or in any other circumstance, shall remain valid.

TO HAVE AND TO HOLD the said Conservation Easement unto the said Grantee, its successors and assigns.

IN WITNESS WHEREOF, the authorized officer of Jamar, Inc. has hereunto set his hand and seal this 17 day of May, 2011.

WITNESS

By Martin Lippman, Its President
JAMAR, INC

GRANTEE ACCEPTANCE

The above and foregoing Conservation Easement is hereby accepted by the Town of Windham and the Town hereby agrees to be bound by its terms and conditions.

By Anthony T. Plante, Town Manager

h. Only the Grantor, its successors and assigns, and Grantee may bring an action to enforce this grant, and nothing herein should be construed to grant the public standing to bring an action hereunder.

i. If any provision of this Conservation Easement or the application of any provision to a particular person or circumstance is found to be invalid, the remainder of this Easement and the application of such provision to any other person or in any other circumstance, shall remain valid.

TO HAVE AND TO HOLD the said Conservation Easement unto the said Grantee, its successors and assigns.

IN WITNESS WHEREOF, the authorized officer of Jamar, Inc. has hereunto set his hand and seal this 13 day of May, 2011.

WITNESS

(See Next Page)

By Martin Lippman, Its President

GRANTEE ACCEPTANCE

The above and foregoing Conservation Easement is hereby accepted by the Town of Windham and the Town hereby agrees to be bound by its terms and conditions.

Tammy Hodgman

By Anthony T. Plante, Town Manager
TOWN OF WINDHAM

STATE OF MAINE
COUNTY OF CUMBERLAND, ss. May 11, 2011

Then personally appeared the above-named Martin Lippman of said Corporation, as aforesaid, and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of said Corporation.

Before me,

Susan M Rogers

Notary Public/Attorney
Print Name:
Commission Expires:

SUSAN M. ROGERS
Notary Public, Maine
My Commission Expires 4/1/2017

STATE OF MAINE
COUNTY OF CUMBERLAND, ss. May 13, 2011

Then personally appeared the above named Anthony T. Plante, Town Manager, affirming that he has been duly authorized by the Town Council to execute this Conservation Easement on behalf of the Town of Windham and, acknowledging acceptance of and agreement to the above Conservation Easement as his free act and deed in his said capacity, and the free act and deed of the Town of Windham.

Before me,

Susan M Rogers

Notary Public/Attorney
Print Name:
Commission Expires:

SUSAN M. ROGERS
Notary Public, Maine
My Commission Expires 4/1/2017

SEAL

STATE OF ~~MAINE~~ New Mexico
COUNTY OF ~~CUMBERLAND~~, ss: Dona Ana

May 12, 2011

Then personally appeared the above-named Martin Lippman of said Corporation, as aforesaid, and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of said Corporation.

Before me,

OFFICIAL SEAL
JOHANNA IDEUS
NOTARY PUBLIC - STATE OF NEW MEXICO
My commission expires 10-5-14

Johanna Ideus
Notary Public/Attorney
Print Name:
Commission Expires: 10-5-14

STATE OF MAINE
COUNTY OF CUMBERLAND; ss:

May _____, 2011

Then personally appeared the above named Anthony T. Plante, Town Manager, affirming that he has been duly authorized by the Town Council to execute this Conservation Easement on behalf of the Town of Windham and, acknowledging acceptance of and agreement to the above Conservation Easement as his free act and deed in his said capacity, and the free act and deed of the Town of Windham.

Before me,

_____
Notary Public/Attorney
Print Name:
Commission Expires:

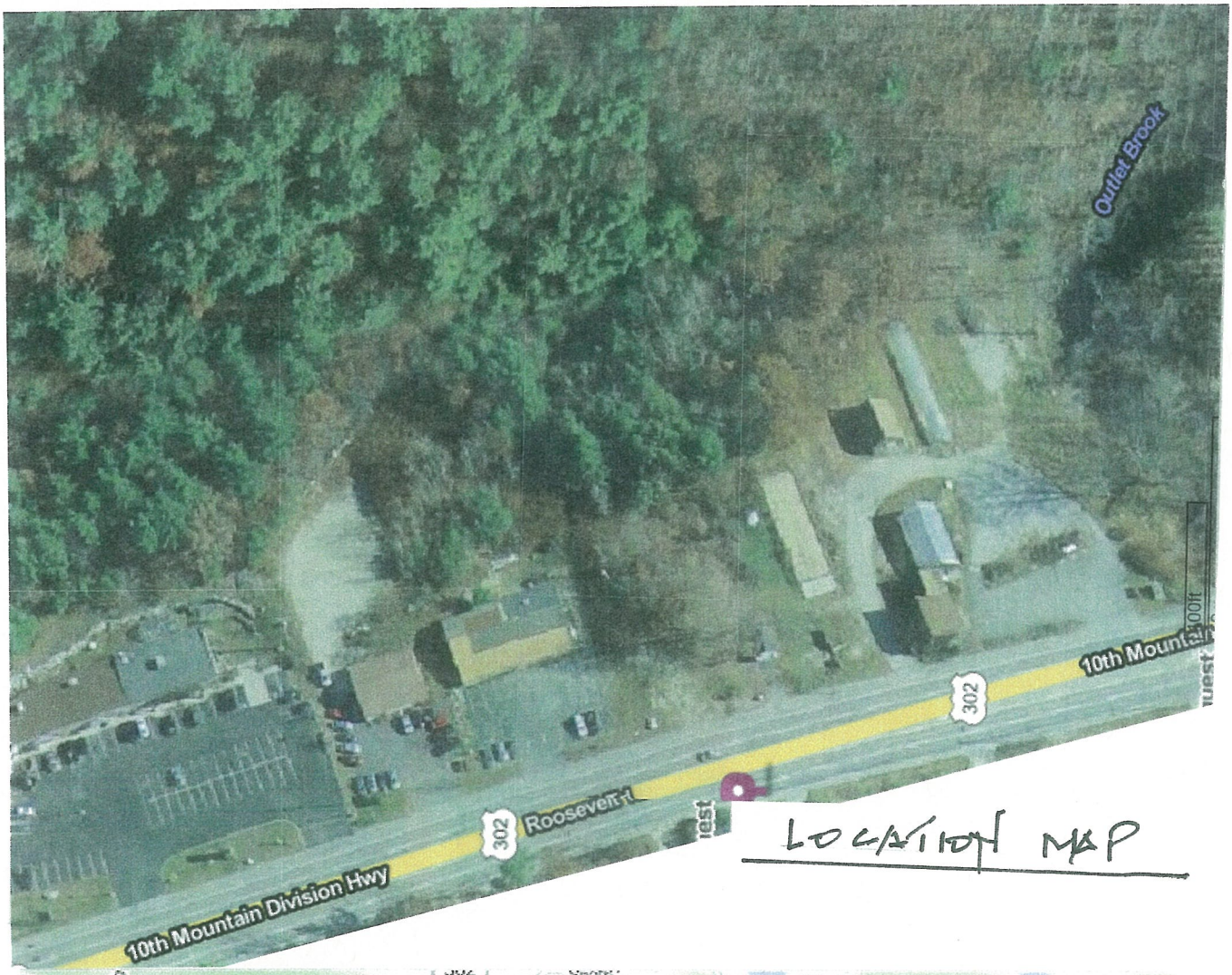
EXHIBIT A

A certain lot or parcel of land located easterly of, but not adjacent to, *Roosevelt Trail* in the Town of Windham, County of Cumberland and State of Maine, bounded and described as follows:

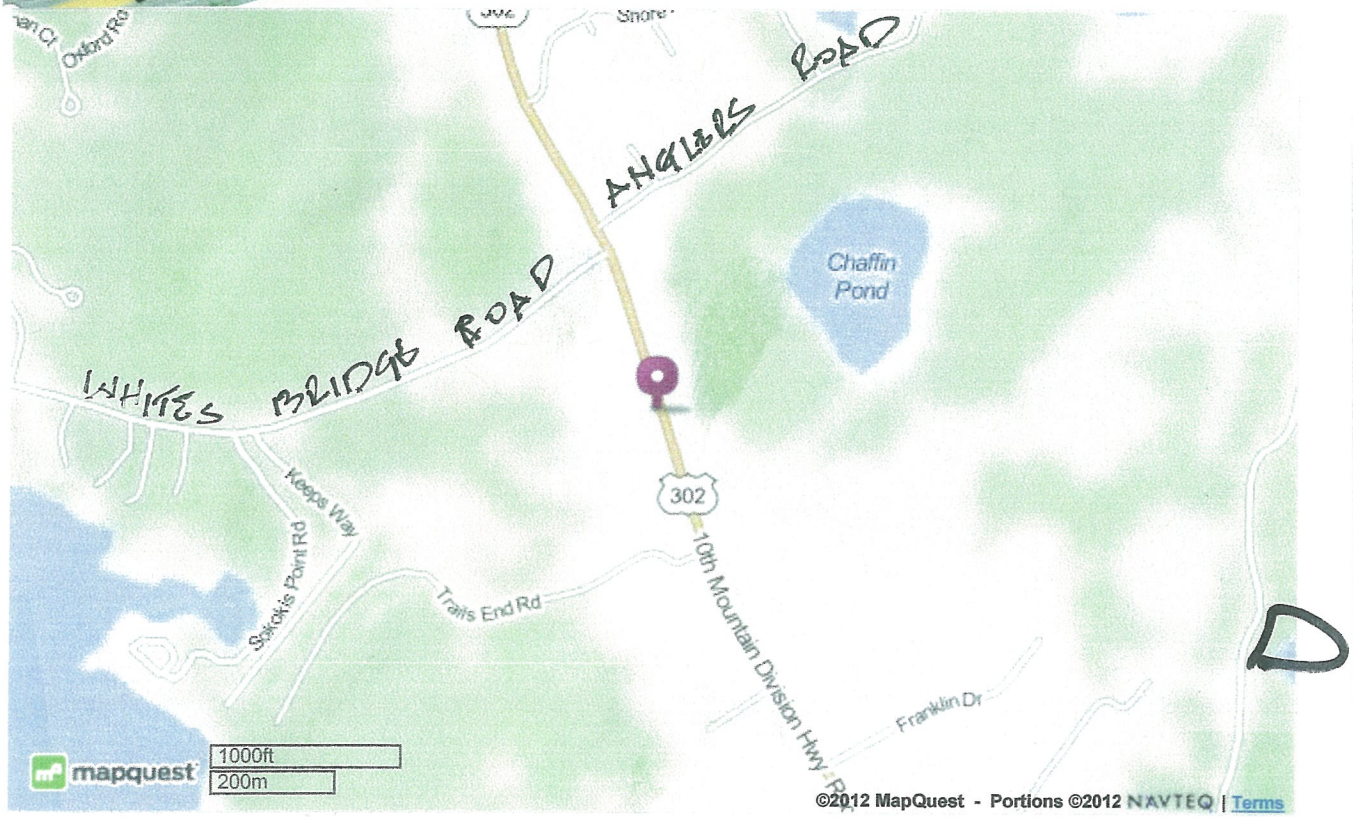
Beginning at a 5/8" rebar with cap #1231 set in the ground on the southwesterly boundary of land now or formerly Town of Windham (Grantor herein) as described in deed book 28567, page 297 recorded in Cumberland County Registry of Deeds (CCRD); said rebar also marking the southeasterly corner of land now or formerly St. Pierre as described in deed book 13027, page 325 CCRD and the northeasterly corner of land now or formerly Jamar, Inc. (Grantee herein) as described in deed book 18438, page 256 CCRD; thence from said point of beginning N 39°-37'-13" W along land of St. Pierre, 116.86 feet to a 5/8" rebar with cap #1231 at land now or formerly Glantz & Littlefield as described in deed book 8187, page 259 CCRD; thence N 01°-33'-58" W along land of Glantz & Littlefield, 206.03 feet to a 5/8" rebar at land now or formerly Windham Economic Development Corporation as described in deed book 27503, page 221 CCRD; thence N 57°-44'-17" E along land of Windham Economic Development Corporation, 815.56 feet; thence S 32°-15'-43" E across land of Grantor herein, 150.00 feet; thence S 57°-44'-17" W continuing across land of Grantor herein, 417.84 feet; thence S 20°-58'-03" E continuing across land of Grantor herein, 766.35 feet; thence S 50°-33'-17" W continuing across land of Grantor herein, 540.90 feet to land now or formerly Jamar, Inc. as described in deed book 26308, page 93 CCRD; thence N 42°-20'-08" W along land of Jamar, Inc., 50.06 feet to a 2-1/2" iron pipe at land now or formerly Jamar, Inc. as described in deed book 18438, page 256 CCRD; thence N 50°-33'-17" E along land of Jamar, Inc., 283.67 feet to a 2-1/2" iron pipe; thence N 39°-22'-57" W along land of Jamar, Inc., 595.91 feet to the point of beginning.

Parcel herein described contains 10.0 acres and is a portion of land described in deed book 28567, page 297 CCRD. Bearings herein are magnetic of the year 2004.

Metes and bounds contained herein are the result of a Boundary Survey for Jamar, Inc. by Survey, Inc. dated April 4, 2011.



LOCATION MAP



D

Town, City, Plantation	Street, Road Subdivision	Owner's Name
WINDHAM	ROUTE 302	MARTIN LIPPMAN

SOIL DESCRIPTION AND CLASSIFICATION (Location of Observation Holes Shown Above)

Observation Hole TP 1 ■ Test Pit ☐ Boring

_____" Depth of Organic Horizon Above Mineral Soil

DEPTH BELOW MINERAL SOIL SURFACE (inches)

Texture	Consistency	Color	Mottling
LOAMY SAND		BROWN	
	FRIABLE		
LOAMY SAND & SAND		YELLOWISH BROWN	
GRAVELLY COBBLY SANDY LOAM & LOAMY SAND	SOMEWHAT FIRM TO FIRM IN PLACE	MIXED LIGHT OLIVE BROWN	FEW DISTINCT
		OLIVE BROWN	COMMON DISTINCT

(LIMIT OF EXCAVATION @ 54")

Soil Classification		Slope	Limiting Factor	
5 Profile	C Condition	____ %	26"	■ Ground Water ☐ Restrictive Layer ☐ Bedrock ☐ Pit Depth

(STRIPPED 6 PROFILE)

Observation Hole TP 2 ■ Test Pit ☐ Boring

_____" Depth of Organic Horizon Above Mineral Soil

DEPTH BELOW MINERAL SOIL SURFACE (inches)

Texture	Consistency	Color	Mottling
LOAMY SAND		BROWN	
COBBLY LOAMY SAND	FRIABLE	YELLOWISH BROWN	
GRAVELLY COARSE SAND		MIXED LIGHT OLIVE BROWN	FEW DISTINCT
GRAVELLY SAND	SOMEWHAT FIRM	OLIVE BROWN	COMMON DISTINCT
	REFUSAL (LARGE STONES/BEDROCK)		

Soil Classification		Slope	Limiting Factor	
5 Profile	C Condition	____ %	24"	■ Ground Water ☐ Restrictive Layer ☐ Bedrock ☐ Pit Depth

(STRIPPED 5/6 PROFILE)

SOIL DESCRIPTION AND CLASSIFICATION (Location of Observation Holes Shown Above)

Observation Hole TP 3 ■ Test Pit ☐ Boring

_____" Depth of Organic Horizon Above Mineral Soil

DEPTH BELOW MINERAL SOIL SURFACE (inches)

Texture	Consistency	Color	Mottling
LOAMY SAND		DARK BROWN	
		YELLOWISH BROWN	
LOAMY SAND & SAND	FRIABLE	LIGHT YELLOWISH BROWN	
MEDIUM SAND		LIGHT OLIVE BROWN	
COARSE SAND			
MEDIUM SAND			FEW FAINT

(LIMIT OF EXCAVATION @ 62")

Soil Classification		Slope	Limiting Factor	
5 Profile	C Condition	____ %	42"	■ Ground Water ☐ Restrictive Layer ☐ Bedrock ☐ Pit Depth

Observation Hole _____ ■ Test Pit ☐ Boring

_____" Depth of Organic Horizon Above Mineral Soil

DEPTH BELOW MINERAL SOIL SURFACE (inches)

Texture	Consistency	Color	Mottling

Soil Classification		Slope	Limiting Factor	
Profile	Condition	____ %	"	☐ Ground Water ☐ Restrictive Layer ☐ Bedrock ☐ Pit Depth

Albert Frick — Site Evaluator / Soil Scientist Signature

163/66 — SE/CSS #

10/31/2007 — Date

ALBERT FRICK ASSOCIATES – 95A COUNTY ROAD GORHAM, MAINE 04038 – (207) 839-5563

LIST OF CONSULTANTS

Planner / Landscape Architect
Planning / Design Associates, 9 Alexander Drive, Windham, ME 04062 207-892-2640
plandesign@live.com

Consulting Engineer:
Macleod Structural Engineers PA. 90 Bridge St. #252, Westbrook, ME 207- 887-9050
bruce@macleodengineers.com

Civil Engineers
Sevee / Maher Engineers, Inc
dpd@smmaine.com 4 Blanchard Road, Cumberland Center, ME

Surveyor:
Survey Inc. P.O.Box 210, Windham, ME 04062 892-2556
info@surveyincorporated.com

Soils:
Albert Frick Assoc. 9 County road, Gorham, ME
albertfrick@albertfrick.com