



**WESTBROOK PLANNING BOARD
TUESDAY, JANUARY 7, 2020, 7:00 P.M.
WESTBROOK HIGH SCHOOL, ROOM 114**

**AGENDA
REGULAR MEETING**

1. **Call to Order**
2. **Approval of Minutes**
3. **Chairman's Report**
4. **Election of Officers**

NEW BUSINESS

5. **2019.34 – Site Plan, Conditional Use – 34 Spring Street – Bath Savings Institution – Public Hearing:** – The applicant is proposing a 3,187 sf building, parking area and associated off-site improvements to accommodate a bank class 1 use. Tax Map: 033 Lot: 115 Zone: City Center District

S:\PLANNING\2020\01.07.2020\AGENDA 01.07.2020.DOCX Deliberation of agenda items, including workshops, that have not been commenced by the Planning Board as of 10:00p.m. may be rescheduled to the next regularly scheduled meeting.



Planning & Code Enforcement

2 York Street
Westbrook, Maine 04092
Phone: 207-854-0638
Fax: 866-559-0642

PLANNING & CODE ENFORCEMENT

DATE: January 3, 2020

TO: Planning Board

FROM: Jennie P. Franceschi, City Planner & Rebecca Spitella, Asst. City Planner

Cc: Plan Review Team

RE: January 7, 2020 Planning Board Meeting

1. 2019.34 – Site Plan, Conditional Use – 34 Spring Street – Bath Savings Institution

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PUBLIC HEARING

Tax Map: 033 Lot: 115
Zone: City Center District

Project Description:

The applicant is proposing a +/- 3,189 sf building, parking area and associated off-site improvements to accommodate a Bank Class 1 Use.

Project History:

October 24, 2019 – Neighborhood Meeting
November 5, 2019 – Planning Board Workshop
January 7, 2020 – Public Hearing

Staff Comments:

1. Final app fee - \$250 outstanding. Noticing fees – \$350.70
2. Construction on Spring St. Any work requiring lane closures restricted to night work. Daytime work restricted to 9a-3p provided one lane traffic in each direction is maintained. Please provide PD with a minimum 2-weeks notice for detail (required for lane closures) – Condition of Approval
3. Relocate do not enter sign to be in line with direction of traffic – extend island and place sign near/around flagpole
4. Square pavement joints in ROW
5. Sewer clean out at 45-degree bend
6. Remove/realign four trees that conflict with sewer easement
7. Provide turning truck template
8. Revised cost estimate showing only costs associated with site work
9. Provide Clean outs in filter bed piping system
10. One ground mounted sign permitted per lot – revise plan to remove one of the two proposed signs. Sign base along WCD appears to be in the filter bed
11. Sign may not be greater than 18 square feet in size – current measurements exceed this limit

12. Provide a structure to catch silts prior the corner swale that drains into the City system (ex: concrete forebay or comparable)
13. Plan note on C-102 describing the stormwater treatment area, including square footage of captured impervious and developed areas
14. Coordination needed for merged addressing and Map/Lot identifiers for merged lots – Condition of Approval
15. Color of the light poles to be approved by City Staff
16. Signature block and conditions of approval on final edited plans.

Motion:

The Site Plan, Conditional Use application for Bath Savings Institution for a 3,189+/- sf building, parking area and associated site improvements located at 34 Spring Street Tax Map: 033 Lots: 115 Zone: City Center District is **(approved with conditions/ denied)** and the following findings of fact, conclusions and conditions as stated on pages 2 through 5 of this Staff Memo dated January 3, 2020 are adopted in support of that approval.

Site Plan – Finding of Fact

Standard	Finding
Utilization of the site	Plan meets the intent of the Ordinance
Handicap Access	The site is ADA complaint and provides two accessible parking spaces and passage ways to the building.
Appearance Assessment	The proposed structure is in scale with the surrounding properties. Landscape design is varied and concentrated in areas to provide screening and site beautification along the public rights of way. A photometric plan is provided to demonstrate no adverse impacts to abutting properties are created by the development. One ground mounted sign is provided at the intersection of the William Clarke Drive and Spring Street rights-of-way. Building mounted signage will be reviewed under a separate permit. The project meets the criteria of 1-5. Criteria 6 is not applicable as the project is not located within the Village Review Overlay Zone.
Landscape Plan	A landscape plan has been provided showing enhanced landscaping surrounding the structure and along the William Clark Drive and Spring Street rights-of-way. Additional landscaping is provided along the easterly property line to buffer the commercial development from residential abutters. Landscaping has been designed so as to not conflict with the public storm drain and sewer easements that are located on the property.
Odors	The operations should create no odor issues, outside of proper maintenance of trash disposal
Noise	No adverse impact known or anticipated.
Technical and Financial Capacity	The applicant has provided a letter dated December 9, 2019 to demonstrate proof of financial capacity. The applicant has retained the services of Sevee & Maher Engineers which demonstrates technical capacity.
Solid Waste	Private waste removal will be provided.
Historic, Archaeological and Botanical Resources or Unique Features	None known
Hazardous Matter	None known
Vibrations	The operations should create no vibration issues.

Parking & Loading Design and Site Circulation	The project provides 21 off-street parking spaces for the bank use. The parking and drive-through teller lanes are screened from the abutting properties through both a fence and landscape design. Signage and pavement markings are provided to ensure safe site circulation through one-way traffic patterns.
Adequacy of Road System	Adequate. The traffic analysis provided by Sewell demonstrates the ability of the road system to accept the traffic generated by this project with the off-site improvements proposed.
Vehicular Access	Access to the site is provided from Spring Street at a location that is acceptable by Public Services.
Pedestrian and Other Modes of Transportation	Crosswalks and pedestrian paths provide a safe connection with the project and the existing sidewalk along William Clark Drive. An additional sidewalk is provided within the Spring Street right-of-way to continue the existing public sidewalk system along the frontage of the property.
Utility Capacity	Existing utility services are located in Spring Street and have adequate capacity to serve the use.
Stormwater Management, Groundwater Pollution	Stormwater management is provided in the plans. The project will capture and treat approximately 6,800 sf of impervious area and 16,200 sf of developed area. Treatment is provided through two ponds along William Clark Drive prior to entering the public system through an existing catch basin.
Erosion and sedimentation Control	Adequate erosion and sedimentation control measures are provided on the plan.

Conclusions

1. The proposed site plan **will not** result in undue water or air pollution.
2. The proposed site plan **has** sufficient water available for the reasonably foreseeable needs of the site plan.
3. The proposed site plan **will not** cause an unreasonable burden on an existing water supply.
4. 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.
5. The proposed site plan **will not** cause unreasonable highway or public road congestion or unsafe conditions with respect to the use of the highways or public roads existing or proposed.
6. The proposed site plan **will** provide for adequate sewage waste disposal.
7. The proposed site plan **will not** cause an unreasonable burden on the municipality's ability to dispose of solid waste.
8. The proposed site plan **will not** have an undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites, significant wildlife habitat identified by the Department of Inland Fisheries and Wildlife or the municipality, or rare and irreplaceable natural areas or any public rights for physical or visual access to the shoreline.
9. The proposed site plan **conforms** with a duly adopted site plan regulation or ordinance, comprehensive plan, development plan, or land use plan.
10. The developer **has** adequate financial and technical capacity to meet standards of this section.
11. The proposed site plan **is not** situated entirely or partially within the watershed of any pond or lake or within 250 feet of any wetland, great pond or river as defined in Title 38, Chapter 3, subchapter I, article 2-B M.R.S.A.
12. The proposed site plan **will not** alone or in conjunction with existing activities, adversely affect the quality or quantity of ground water.
13. The proposed site **is not** situated entirely or partially within a floodplain.
14. All freshwater wetlands **have** been shown on the site plan.
15. Any river, stream, or brook within or abutting the site plan **has** been identified on any maps submitted as part of the application.
16. The proposed site plan **will** provide for adequate storm water management.

17. The proposed plan **will not** negatively impact the ability of the City to provide public safety services.

Conditional Use – Finding of Fact

Standard	Finding
Landscape Environment and Enhancement	A landscape plan has been provided showing enhanced landscaping surrounding the structure and along the William Clark Drive and Spring Street rights-of-way. Additional landscaping is provided along the easterly property line to buffer the commercial development from residential abutters. Landscaping has been designed so as to not conflict with the public storm drain and sewer easements that are located on the property. The southwesterly portion of the lot will remain undisturbed from existing conditions.
Surface Water Drainage	Stormwater management is provided in the plans. The project will capture and treat approximately 6,800 sf of impervious area and 16,200 sf of developed area. Treatment is provided through two ponds along William Clark Drive prior to entering the public system through an existing catch basin. Surface drainage from the southerly portion of the site will outlet to undisturbed soils.
Water, Air, Soil Pollution	The proposal meets the intent of the Ordinance.
Soil Integrity	The proposal meets the intent of the Ordinance.
Natural Environment	The proposal meets the intent of the Ordinance.
Nuisance Factor	The hours of operation will be consistent with the commercial hours of a bank. The operation should create no odor issues. Waste removal will be internal to the structure.
Special Features	The proposal meets the intent of the Ordinance.
Vehicular Access	Access to the site is provided from Spring Street at a location that is acceptable by Public Services.
Parking and Circulation	The project provides 21 off-street parking spaces for the bank use (includes 2 Handicap Spaces). The parking and drive-through teller lanes are screened from the abutting properties through both a fence and landscape design. Signage and pavement markings are provided to ensure safe site circulation through one-way traffic patterns. Crosswalks and pedestrian paths provide a safe connection with the project and the existing sidewalk along William Clark Drive. An additional sidewalk is provided within the Spring Street right-of-way to continue the existing public sidewalk system along the frontage of the property.
Public Services	Existing utility services are located in Spring Street and have adequate capacity to serve the use. Minimal impact to City services are anticipated by this proposal.

Conclusions

1. The landscape **is** preserved in its natural state insofar as practicable and **is** designed so as to stabilize the slopes and buffer the site, where necessary.
2. Surface water drainage **does not** have an adverse effect on surrounding properties, downstream water quality, soil stability or the storm drainage system.
3. The development **will not** cause unreasonable water, air or soil pollution
4. The development **will not** cause unreasonable soil erosion or reduction in the capacity of the soil to hold water.
5. The development **does not** have an unreasonably adverse effect on a historic site or irreplaceable natural areas
6. The development **does not** cause unreasonable noise, odors, dust, gas, fumes, smoke, light, or other annoying or dangerous emissions.

7. Exposed storage areas, machinery installation, service and loading areas and similar facilities **are** set back, screened, or buffered so as to minimize any possible adverse effect on the surrounding uses.
8. The site layout **does** provide for safe vehicular access and egress, including that for emergency vehicles.
9. The layout of vehicular and pedestrian traffic patterns **does** provide for safe interior circulation, separation of pedestrian and vehicular traffic and storage of plowed snow. Parking **does** comply with the parking requirements set forth in the Ordinance.
10. The development **does not** impose an unreasonable burden on the water supply and sewage disposal systems, fire or police services, public ways, schools, recreational facilities and other public services or facilities.

Conditions

1. Approval is dependent upon, and limited to, the proposals and plans contained in the application dated December 9, 2019 and supporting documents and oral representations submitted and affirmed by the applicant, and conditions, if any, imposed by the Planning Board, and any variation from such plans, proposals and supporting documents and representations are subject to review and approval by the City Planner or the Planning Board.
2. Consistent with Section 504.3, the Code Enforcement Officer shall not issue any permits until a site plan has been approved by the Planning Board and a Mylar signed by the Planning Board. Mylars must be submitted to the City within 90 days of Planning Board approval or the approval shall be null and void.
3. Prior to any site disturbance or building permits being issued for the project:
 - a. All Staff comments must be addressed.
 - b. Review of building elevations to be consistent with submitted documentation or testimony.
 - c. A pre-construction meeting must be held with City Staff and the site work contractor. Contact the Planning Office to coordinate.
 - d. The applicant shall provide the digital data as required by Section 504.5.B.12 and 13. – verification with GIS coordinator.
 - e. An inspection fee shall be made payable to the City of Westbrook for inspection of site improvements made by the Code Enforcement Officer and/or other appropriate City staff. 2% Inspection fee - \$5,352.10
 - f. The applicant shall file a performance guarantee with the City of Westbrook. The amount of the guarantee shall be agreed upon in advance with the City of Westbrook and shall be of an amount to ensure completion of all on- and off-site improvements necessary to support the proposed project. Cost estimate provided: \$267,605
 - g. Coordinate with the E911 Coordinator on merging of addresses and map/lot identifiers for the lots.
 - h. Best management practices shall be adhered to during all ground disturbance operations.
 - i. List of Construction Emergency Contacts needs to be provided to the Planning Dept for Dispatch.
4. Prior to the first Occupancy Permit issuance:
 - a. Radio testing will be conducted during the course of construction to ensure adequate ability of public safety personnel to communicate into the building.
 - b. A site inspection of the required improvements by the City to ensure public health & safety is addressed and compliance with the approval. (This includes all paving, striping, sidewalks, etc.)
 - c. All site improvements must be installed, unless a performance guarantee amount is held in the amount of the remaining improvements.
5. Prior to release of the performance guarantee:
 - a. The site will be in compliance with the approved plan and as-built plan provided in City approved format for the GIS system
6. The applicant shall comply with the requirements of local and state authorities for life and safety requirements.
7. Any work within the Spring Street or William Clark Drive rights-of-way that involves alterations to the traffic pattern is limited to 9a – 3p, provided two-way traffic is maintained. Nightwork is required for any work within the Spring Street or William Clark Drive rights-of-way that requires lane closures, unless otherwise approved of by the Police and Engineering Departments.