



City of Westbrook

DEPARTMENT OF PLANNING & CODE ENFORCEMENT

2 York Street

Westbrook, Maine 04092

(207) 854-0638

Fax: 1-866-559-0642

**WESTBROOK PLANNING BOARD
TUESDAY, MAY 15, 2018, 7:00 P.M.
WESTBROOK HIGH SCHOOL, ROOM 114**

AGENDA

PUBLIC HEARING

- 1. 2018.08 - Land Use Ordinance Amendment – Chapter VIII Penalty Provisions - New Section 805 – Stop Work Order** – The proposed ordinance codifies the process the Codes Office utilize to address site non-compliance.
- 2. 2018.09 - Land Use Ordinance Amendment – Chapter II Section 201 Definitions - Service Business** – An amendment to clarify the definition of Service Business.
- 3. 2018.10 - Land Use Ordinance Amendment – New Private Way Ordinance:** The proposed ordinance establishes standards and a review process for New Private Ways within the City.

REGULAR MEETING

- 4. Call to Order.**
- 5. Approval of Minutes.**
- 6. 2018.08 - Land Use Ordinance Amendment – Chapter VIII Penalty Provisions - New Section 805 – Stop Work Order** – The proposed ordinance codifies the process the Codes Office utilize to address site non-compliance.
- 7. 2018.09 - Land Use Ordinance Amendment – Chapter II Section 201 Definitions - Service Business** – An amendment to clarify the definition of Service Business.
- 8. 2018.10 - Land Use Ordinance Amendment – New Private Way Ordinance:** The proposed ordinance establishes standards and a review process for New Private Ways within the City.

WORKSHOP

- 9. 2018.20 – Site Plan Amendment – 920 Main Street– Mast Landing Brewery:** The applicant is proposing to demolish a single-family dwelling to allow for an expansion of an existing outdoor tasting room associated with Mast Landing Brewery. Tax Map: 32 Lot: 38 Zone: Contract Zone 10; City Center District

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



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Fax: 1-866-559-0642

DATE: May 11, 2018

TO: Planning Board

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

Cc: Plan Review Team

RE: May 15, 2018 Planning Board Meeting

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1. **2018.08 - Land Use Ordinance Amendment – Chapter VIII Penalty Provisions - New Section 805 – Stop Work Order**
 2. **2018.09 - Land Use Ordinance Amendment – Chapter II Section 201 Definitions - Service Business**
 3. **2018.10 - Land Use Ordinance Amendment – New Private Way Ordinance**
 4. **2018.20 – Site Plan Amendment – 920 Main Street – Mast Landing Brewery**
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1. **2018.08 - Land Use Ordinance Amendment – Chapter VIII Penalty Provisions - New Section 805 – Stop Work Order**

PUBLIC HEARING

Ordinance Description:

This language is to clarify the process by which the Codes Office would administer Stop Work Orders as they pertain to work outside of a structure. The CEO has language in building codes that applies to work within the structure, but Staff felt we needed to look at adding language to address deficiencies in site work around a structure that could warrant Stop Work Order action.

Project History:

March 6, 2018 – Planning Board Workshop

May 15, 2018 – Public Hearing

Staff Comments:

1. Staff and Legal have reviewed the proposed language and support the amendment
2. Staff has noticed the item in the newspaper as a public hearing.

Board Action:

- Consider public comments provided during public hearing
- Provide any further feedback on this ordinance

Motion:

Motion to recommend the proposed ordinance amendment for adoption by the City Council.

2. 2018.09 - Land Use Ordinance Amendment – Chapter II Section 201 Definitions - Service Business

PUBLIC HEARING

Ordinance Description:

To reduce the confusion in the definition of a Service Business. The examples stated in the definition, although meant to provide examples of Service Businesses, end up causing confusion to the public on what a service business can be. The proposed amendment attempts to address this by eliminating the examples.

Project History:

March 6, 2018 – Planning Board Workshop
May 15, 2018 – Public Hearing

Staff Comments:

1. Staff has added language to specifically state service business does not include automobile repair services, which is an independently defined use within the ordinance.
2. Staff and Legal have reviewed the proposed language and support the amendment
3. Staff has noticed the item in the newspaper as a public hearing.

Board Action:

- Consider public comments provided during public hearing
- Provide any further feedback on this ordinance

Motion:

Motion to recommend the proposed ordinance amendment for adoption by the City Council.

3. 2018. 10 - Land Use Ordinance Amendment – New Private Way Ordinance

PUBLIC HEARING

Ordinance Description:

Currently the ordinance does not provide a clear process for private ways. When an applicant comes into the office, they do not have the clear direction that other processes do so that the applicant is adequately prepared and understands all the requirements of the process.

Project History:

March 6, 2018 – Planning Board Workshop

May 15, 2018 – Public Hearing

Staff Comments:

1. Staff and Legal have reviewed and are in support of the proposed language
2. Staff has noticed the item in the newspaper as a public hearing.
3. Due to issues with regulation applicability, the open space/in-lieu-of fee requirement has been removed from the draft language.
4. Comments were received by Board members and were reviewed by legal and added.
5. The format of the language was rearranged to provide better flow and process of the language.

Board Action:

- Consider public comments provided during public hearing
- Provide any further feedback on this ordinance

Motion:

Motion to recommend the proposed ordinance amendment for adoption by the City Council.

4. 2018.20 – Site Plan Amendment – 920 Main Street– Mast Landing Brewery

Tax Map: 32 Lot: 38

Zone: Contract Zone 10; City Center District

WORKSHOP

Project Description:

The applicant is proposing to demolish a single-family dwelling to allow for an expansion of an existing outdoor tasting room associated with Mast Landing Brewery. Tax Map: 32 Lot: 38 Zone: Contract Zone 10; City Center District

Project History:

May 7, 2018 – Neighborhood meeting

May 15, 2018 – Planning Board Workshop

Staff Comments:

1. Fees (Final application, abutter & newspaper notice) due at final submission
2. The entrance must meet DOT standards and be approved by Public Services.
3. The outdoor area requires two points of emergency egress; the plan is only showing one point of egress (two openings, however they both are located along Mechanic Street and are not in remote locations). One egress location must be located closer to the principle building with access provided to Mechanic Street.
4. Village Review Committee is in support of the demolition; however, the review committee would like to see a more detailed plan outlining final site conditions prior to final review by the Planning Board.
5. Please provide cut sheets for the size/type of fence proposed
6. A landscaping plan is required with the final application. (Final site treatments need to be stated – grass cover, pavement, pavers, etc.)
7. Staff is not in support of the curb cut, due to in not conforming with MDOT and City Standards. Staff recommends a mountable curb and reinforced (concrete) sidewalk to allow access to for the food truck without the addition of a curb cut. The applicant will need to obtain a waiver from the City Engineer permitting them to drive over a City sidewalk, which is otherwise prohibited by City Ordinance. In addition, Staff recommends a condition of approval (plan note?) stating this waiver only applies to food truck vendors associated with Mast Landing Brewing and no other use of the access would be permitted.
8. A detailed lighting plan is required with the final submission
9. Applicant should clarify hours of operation and frequency of trips for the food truck. At a maximum, the foot truck may not have operating hours outside of the parameters of Mast Landing. Staff recommends this be included as a condition of approval.
10. The exhaust from the food truck should not be in the direction of the residential building.
11. Topography of the area needs to be shown to ensure that drainage is not directed toward the abutting properties.

Potential Board Actions for discussion:

1. Site Walk – Staff can provide a virtual site tour at the meeting to show the site via Street View in Google.
2. Public Hearing – Provided all the items are addressed, the project could be heard at the June 5th meeting.