



**WESTBROOK PLANNING BOARD
TUESDAY, MAY 19, 2020, 7:00 P.M.
TELECONFERENCE**

Zoom Link: <https://zoom.us/j/83335727154>

Dial-in Number (audio only): 1-646-558-8656

Webinar ID: 833-3572-7154

AGENDA

1. **Call to Order**
2. **Approval of Minutes**

NEW BUSINESS

3. **2020.02 – Site Plan, Subdivision, Village Review – 630 Main Street – Ryan Le – Public Hearing:** The applicant is proposing the demolition of an existing 2-unit residential structure and development of a 4-story mixed use building with 3-commercial units on the first floor and 12-residential units on the upper floors. Tax Map: 033 Lot: 015 Zone: City Center District, Village Review Overlay Zone.
4. **2020.04 – Site Plan Amendment – 84 Warren Ave – Delta Realty, LLC – Public Hearing:** The applicant is proposing a 23,100 sf steel building and associated parking on units K and L of an approved condominium plan. Tax Map: 047 Lot: 005 Zone: Gateway Commercial, Industrial Park District

WORKSHOP

5. **2020.07 – Subdivision/Site Plan – 527 Bridge Street – 1025 Ocean Ave, LLC:** The applicant is proposing a 17-unit subdivision comprising of an existing single-family home and 8-duplexes along a private driveway located at 527 Bridge Street. Tax Map: 048 Lot: 045 Zone: Residential Growth Area 2

S:\PLANNING\2020\05.19.2020\AGENDA 05.19.2020.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



Planning & Code Enforcement

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

DATE: May 15, 2020

TO: Planning Board
FROM: Jennie P. Franceschi, City Planner & Rebecca Spitella, Asst. City Planner
Cc: Plan Review Team

RE: May 19, 2020 Planning Board Meeting

-
1. **2020.02 – Site Plan, Subdivision, Village Review – 630 Main Street – Ryan Le**
 2. **2020.04 – Site Plan Amendment – 84 Warren Ave (Units K&L) – Delta Realty, LLC**
 3. **2020.07 – Subdivision/Site Plan – 527 Bridge Street – 1025 Ocean Ave, LLC (17 Unit Complex)**
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1. **2020.02 – Site Plan, Subdivision, Village Review – 630 Main Street – Ryan Le**

PUBLIC HEARING

Tax Map: 033 Lot: 015
Zone: City Center District, Village Review Overlay Zone

Project Description:

The applicant is proposing the demolition of an existing 2-unit residential structure and development of a 4-story mixed use building with 3-commercial office units on the first floor and 12-residential units on the upper 3 floors.

Project History:

January 21, 2020 – Village Review Overlay Committee
January 24, 2020 – Neighborhood Meeting
February 4, 2020 – Planning Board Workshop
May 19, 2020 – Public Hearing

Staff Comments:

1. Fees Due: Noticing – \$233.90 & Open Space - \$6,033
2. Cost Estimate – Revised per City Comments
3. Due to proximity of Southern corner of building to the boundary line, survey of the building limits is critical prior to construction to ensure all work is conducted on the subject parcel – Condition of Approval
4. Silt sacks in CBs in the street in the vicinity of the project. – Condition of Approval.
5. Relocate any landscaping that is shown to grown beyond the boundary of the property line. Condition of approval to verify at planting.
6. Public access easement will be required for the sidewalk on private property along Day St. Maintenance of sidewalk is the responsibility of the property owner. (Area of ROW behind curblin that is utilized for the sidewalk purposes will not be maintained by the City, but will be the responsibility of the owner of 630 Main St.) Condition of approval.
7. Wall pack lighting is not sufficient for use as pole light. Photometrics shows spillover on abutting property. Provide cutsheet with appropriate cut off for pole light as well as pole fixture detail.

8. Need to have landscaped area retained with edging and not sloped into sidewalk as per details shown on landscape plans. Detail provided for Corten edging on sheet 4 is not sufficient for construction.
9. Stormwater subcatchment Plan sheet provided with memo dated May 13, 2020 is not sufficient. Appropriate drainage plan to the satisfaction of Engineering required prior to ground disturbance – Condition of Approval.
10. Stanchion location for the transfer to UGE must not affect ADA sidewalk width. – Condition of approval.
11. Final Plans: 1 full Paper set & 1 full Mylar set (and 1 paper & 1 mylar of signature sheet) to be provided to the Planning office by noon on May 18th.

Motion:

The Site Plan/Subdivision/VROZ application for Ryan Le for the demolition of an existing residential building and construction of a four-story multi-use commercial office and 12-unit residential building located at 630 Main St Street Tax Map: 033 Lot: 015 Zone: City Center District, Village Review Overlay Zone is **(approved with conditions/ denied)** and the following findings of fact, conclusions and conditions as stated on pages 2 through 6 of this Staff Memo dated May 15, 2020 are adopted in support of that approval.

Site Plan – Finding of Fact

Standard	Finding
Utilization of the site	Adequate
Handicap Access	Site is ADA compliant and provides an accessible access route at both the front and rear entrance points and one accessible parking space. ADA parking signage is provided.
Appearance Assessment	The proposed structure provides a consistent façade along Main Street and Day Street. Parking is located to the rear of the building allowing the building to be located along the front property line to maintain uniformity with Main Street commercial district. Materials provided are in line with the structure to be demolished and the standards of the Downtown District. Lighting is proposed to maintain safety of residents and is shielded from abutting residential properties. Signage for commercial units are building mounted. Review by the Village Review Overlay Committee occurred on January 21, 2020. The structure is in conformance with Village Review Standards as outlined in Section 403 of the Land Use Ordinance.
Landscape Plan	Landscaping is proposed along the frontages of both Main Street and Day Street as well as internal to the site.
Odors	The operations should create no odor issues, outside of proper maintenance of trash disposal.
Noise	No adverse impact is known or anticipated
Technical and Financial Capacity	Applicant has provided a letter from Machias Savings Bank dated March 29, 2020 to demonstrate proof of Financial Capacity. The applicant has retained the services of BH2M which demonstrates technical capacity.
Solid Waste	Residential waste will be privately hauled. An enclosed dumpster is shown on the plan. Commercial waste may utilize same private dumpster system depending on waste type of commercial use.
Historic, Archaeological and Botanical Resources or Unique Features	None known
Hazardous Matter	None known
Vibrations	The proposed development should create no vibrations issues.
Parking & Loading Design and Site Circulation	The plan provides 18-parking spaces which exceeds the minimum parking requirement of 1-off street parking spot per residential unit.

	Parking is located to the rear of the building and is accessible from Day Street.
Adequacy of Road System	Adequate
Vehicular Access	Site ingress and egress is provided via Day Street at a location that has been reviewed by and is deemed acceptable by Public Services
Pedestrian and Other Modes of Transportation	A paved sidewalk along the Day Street frontage connecting to the existing sidewalk along Main Street is provided. The applicant provides ADA ramps to all building entrances.
Utility Capacity	Public utilities are accessible and located within the Main Street right-of-way. Utilities are not accessible within Day Street due to moratorium.
Stormwater Management, Groundwater Pollution	A rain garden is provided at the easterly corner of the site.
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** 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.

Subdivision - Finding of Fact

Standard	Finding
Pollution	Disposal of the sewage from the project will be via the City Public Sewer system. Ability to serve letter from Wastewater Services will be provided upon receipt

Sufficient Water	Water services are accessible within the Main Street right-of-way. Ability to serve letter from Portland Water District will be provided to the City upon receipt
Municipal Water Supply	Water services are accessible within the Main Street right-of-way. Ability to serve letter from Portland Water District will be provided to the City upon receipt
Erosion	The applicant has provided a plan to adequately address erosion control. On-site inspections will occur during construction to ensure compliance.
Traffic	The road systems have adequate capacity to accept the traffic generate by this project.
Sewage Disposal	Disposal of the sewage from the project will be via the City Public Sewer system. Ability to serve letter from Wastewater Services will be provided upon receipt
Municipal Solid Waste Disposal	Residential waste will be privately hauled. An enclosed dumpster is shown on the plan. Commercial waste may utilize same private dumpster system depending on waste type of commercial use.
Aesthetic, Cultural and Natural Values	Not applicable
Conformity with City Ordinances and Plans	Proposal is in conformance with City Ordinances & Comprehensive Plan.
Financial and Technical Capacity	Applicant has provided a letter from Machias Savings Bank dated March 29, 2020 to demonstrate proof of Financial Capacity. The applicant has retained the services of BH2M which demonstrates technical capacity.
Surface Waters; Outstanding River Segments	Not applicable
Ground Water	Ground water will not be adversely impacted by this project.
Flood Areas	The property is not located within a flood zone.
Freshwater Wetlands	Freshwater wetlands have been identified on site.
Farmland	No farmland has been identified on site.
River, Stream or Brook	The proposed subdivision is not located near or along a river, stream or brook.
Stormwater	A rain garden is provided at the easterly corner of the site.
Spaghetti Lots Prohibited	No lots within the proposed subdivision have shore frontage. N/A
Lake Phosphorus Concentration	The proposed subdivision is not located near or along a great pond.
Impact on Adjoining Municipality	The proposed subdivision does not cross municipal boundaries
Lands subject to Liquidation Harvesting	Not applicable

Conclusions:

1. The proposed subdivision **will not** result in undue water or air pollution
2. The proposed subdivision **has** sufficient water available for the reasonably foreseeable needs of the subdivision
3. The proposed subdivision **will not** cause an unreasonable burden on an existing water supply
4. The proposed subdivision **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 subdivision **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 subdivision **will** provide for adequate sewage waste disposal and **will not** cause an unreasonable burden on municipal services.

7. The proposed subdivision **will not** cause an unreasonable burden on the City's ability to dispose of solid waste.
8. The proposed subdivision **will not** have an undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites, significant wildlife habitat or rare and irreplaceable natural areas or any public rights for physical or visual access to the shoreline.
9. The proposed subdivision **conforms** with a duly adopted subdivision regulation or Ordinance, comprehensive plan, development plan or land use plan.
10. The subdivider **has** adequate financial and technical capacity to meet the standards of this section.
11. The proposed subdivision **will not** adversely affect the quality of any pond, lake, wetland, great pond or river, or unreasonably affect the shoreline of that body of water.
12. The proposed subdivision **will not**, alone or in conjunction with existing activities, adversely affect the quality or quantity of ground water.
13. The subdivision **is not** located in a flood-prone area, as determined by the Federal Emergency Management Agency's Flood Boundary and Floodway Maps and Flood Insurance Rate Maps.
14. All freshwater wetlands within the proposed subdivision **have** been identified.
15. All farmland within the proposed subdivision **has not** been identified. – Not applicable
16. Any river, stream or brook within or abutting the proposed subdivision **has** been identified.
17. The proposed subdivision **will** provide for adequate stormwater management.
18. Lots in the proposed subdivision **do not have** shore frontage on a river, stream, brook, great pond or coastal wetland as defined in 38 M.R.S.A. Section 480-B.
19. The long-term cumulative effects of the proposed subdivision **will not** unreasonably increase a great pond's phosphorus concentration during the construction phase and life of the proposed subdivision.
20. The proposed subdivision **will not** cause unreasonable traffic congestion or unsafe conditions with respect to the use of existing public ways in an adjoining municipality in which part of the subdivision is located.
21. Timber on the parcel being subdivided **has not** been harvested in violation of rules adopted pursuant to 12 M.R.S.A. Section 8869, subsection 14.

Conditions:

1. Approval is dependent upon, and limited to, the proposals and plans contained in the application dated April 1, 2020 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. Copy of Recorded subdivision plan must be provided to the Planning Office.
 - c. A pre-construction meeting must be held with City Staff and the site work contractor. Contact the Planning Office to coordinate.
 - d. Review of building elevations to be consistent with submitted documentation or testimony.
 - e. The applicant shall provide the digital data as required by Section 504.5.B.12 and 13. – verification with GIS coordinator.
 - f. Southerly building corner and property line shall be staked to ensure all work is completed on subject parcel.
 - g. Drainage plan provided to the satisfaction of Engineering Director.
 - h. Open Space Fees shall be made payable to the City of Westbrook in the amount of \$6,033.00. Funds shall be utilized in a manner that benefits the residents of the project, as recommended by the Recreation and Conservation Commission and approved by City Council.
 - i. 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. \$1,424.54

- j. 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. \$71,227.00
 - k. Coordinate with the E911 Coordinator on addressing of the building/units.
 - l. Best management practices shall be adhered to during all ground disturbance operations. All Street Catch basins in the vicinity of earthwork operations shall have silt sacks installed & maintained for the duration of the work.
 - m. Need a stanchion location detail for the transfer to UGE. Must not affect ADA sidewalk width.
 - n. Verify commercial space use stated in building permit is consistent with the use approved in site plan permit.
4. Prior to commencing any work in the City Right-of-Way, the applicant must obtain a road-opening permit from the Public Works Department.
 5. Prior to the first Occupancy Permit issuance:
 - a. 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, off-site improvements etc.)
 - b. All site improvements must be installed, unless a performance guarantee amount is held in the amount of the remaining improvements.
 - c. Public access easement provided to the City for the sidewalk on private property along Day St. Maintenance of entire width of sidewalk along Day St is the responsibility of the property owner.
 6. 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
 - b. Verify that landscaping shall be planted to stay within the boundary of the property line
 - c. Documentation of maintenance contractor for Stormwater Best Management Practices.
 7. Stanchion location for the transfer to UGE not to affect ADA sidewalk width.
 8. All affected concrete sidewalk panels due to utility cuts must be removed and replaced with a new concrete sidewalk panel.
 9. The applicant shall comply with the requirements of local and state authorities for life and safety requirements.
 10. The applicant shall comply with Chapter 37, the local Post Construction Stormwater Management Ordinance. A copy of the maintenance log for the previous year for the stormwater treatment features associated with this project needs to be provided to the Planning Office in accordance with Chapter 37 requirements.

2. 2020.04 – Site Plan Amendment – 84 Warren Ave – Delta Realty, LLC

PUBLIC HEARING

Tax Map: 047 Lot: 005 Units K&L
Zone: Gateway Commercial, Industrial Park District

Project Description

The applicant is proposing a 23,100 sf steel building and associated parking on units K and L of the Fairlane 500 Industrial Drive Commercial Condominium Association condominium plan. The use of the building will be Private Indoor Recreation and is proposed to be a Happy Wheels Roller Skating Rink.

Project History

- March 3, 2020 – Neighborhood Meeting
- March 3, 2020 – Planning Board Workshop
- May 19, 2020 – Public Hearing

Staff Comments

1. Signage on Warren Ave – would need to be part of the single Monument sign for the complex. A stand alone sign for Happy Wheels at Warren Ave would not be allowed.
2. As a conditional of approval:
 - a. We will need to be provided evidence of the implementation of the maintenance required for the stormwater features.
 - b. Condo Units K & L must be retained in common ownership for the approval to remain valid.
3. Overflow parking:
 - a. The plan provides adequate on-site parking to meet the minimum requirements of the Ordinance. Based on the demand seen at the previous Happy Wheels site, the applicant is proposing 16-off-site parking spaces located along the Fairlane 500 Industrial drive (driveway), to be utilized only during specific events. Overflow parking spaces and pedestrian pathways will be designated with cones. Spaces will not be striped or otherwise marked to prevent use when not expressly needed.
 - b. Off-site parking along the side of the driveway is permitted by the association
 - c. A turning template taking has been provided demonstrating emergency access can be maintained during events where parking along the driveway is utilized
 - d. Address pedestrian circulation for overflow parking to the Happy Wheels entrance.
4. Condo Plan
 - a. Provide table of permitted and existing impervious per unit.
5. Final Plans: 1 full Paper set & 1 full Mylar set to be provided to the Planning office by noon on May 18th.

Motion:

The Site Plan application for Delta Realty, LLC for a 23,100 sf steel building and associated parking on Units K and L as depicted on the approved condominium plan located at 84 Warren Ave Tax Map: 047 Lot: 005 Zone: Gateway Commercial District, Industrial Park District is **(approved with conditions/ denied)** and the following findings of fact, conclusions and conditions as stated on pages 7 through 10 of this Staff Memo dated May 15, 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	Plan provides for 5-accessible parking spaces with appropriate signage marked. Site is ADA compliant
Appearance Assessment	Access to the development is via an existing driveway at an appropriate location that does not present a safety hazard to the

	public. The development is located within an existing industrial park. Landscaping is provided along the westerly property line to differentiate the recreational and industrial uses. A lighting plan is included to provide safe pedestrian access from the parking area to the building entrance. Signage is provided via building mounted signage, with a singular pylon sign at the Warren Avenue entrance as well as internal directional signage throughout the site. The project meets the criteria of 1-5. Criteria 6 is not applicable as the site is not located within the Village Review Overlay District.
Landscape Plan	The plan provides increased vegetation along the westerly property line and one additional tree along the driveway between site entrance points.
Odors	The operations should create no odor issues, outside of proper maintenance of trash disposal.
Noise	The project is an indoor recreational use located within an Industrial park and units K and L where the development is located does not abut a residential zone. No adverse impact is known or anticipated.
Technical and Financial Capacity	Applicant has provided a letter from Norway Savings Bank dated April 6, 2020 to demonstrate proof of Financial Capacity. The applicant has retained the services of St Germain which demonstrates technical capacity.
Solid Waste	Solid waste will be privately hauled. An enclosed dumpster is located on the plan.
Historic, Archaeological and Botanical Resources or Unique Features	None known
Hazardous Matter	None known
Vibrations	The development should create no vibrations issues.
Parking & Loading Design and Site Circulation	The project provides 94-parking spaces located on-site, which meets the minimum requirement of the Ordinance. The plan provides for 16-off site parking spaces are located along the Fairlane 500 Industrial Drive driveway, intended to be used only during infrequent events that require additional overflow parking beyond the provided 94-spaces. Overflow parking will not be striped or otherwise marked to prevent use when not needed. During overflow parking events, cones will be provided to designate parking area and pedestrian pathways.
Adequacy of Road System	Adequate
Vehicular Access	Site ingress and egress is provided via the existing Fairlane 500 Industrial Drive driveway. The existing driveway provides connections to Warren Avenue and Chabot Street.
Pedestrian and Other Modes of Transportation	A raised pedestrian path is provided along the front and southerly side of the building. Cross walks are provided throughout the parking lot.
Utility Capacity	Utilities (water, electric & gas) are accessible to the site. Sewage is managed via septic system located on-site.
Stormwater Management, Groundwater Pollution	The new impervious cover is within the parameters of the existing 2012 SLODA approval. All runoff will be managed via the existing detention pond northerly of the development. No additional stormwater measures are required. Approved and existing impervious per condo unit is provided on the amended

	condominium plan, to be recorded in the registry of deeds.
Erosion and sedimentation Control	Adequate erosion and sedimentation control measures are provided on the plan sheet C-103.

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/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.

Conditions:

1. Approval is dependent upon, and limited to, the proposals and plans contained in the application dated April 3, 2020 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. The applicant shall provide the digital data as required by Section 504.5.B.12 and 13. – verification with GIS coordinator.
 - d. 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. **\$5,564.24**

- e. 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. \$278,212.04
 - f. Coordinate with the E911 Coordinator on addressing of the buildings.
 - g. Best management practices shall be adhered to during all ground disturbance operations.
 - h. Proof of Stormwater Maintenance work scheduled for stormwater features of the Fairlane 500 Industrial Drive Commercial Condominium Association to be completed in concert with the Happy Wheels site work.
4. Prior to the first Occupancy Permit issuance:
 - a. 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, directional signage, etc.)
 - b. Completion of the Stormwater Maintenance items for Fairlane 500 Industrial Drive Commercial Condominium Association.
 - 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. Condo Units K & L must be retained in common ownership for the approval to remain valid.
 7. The applicant shall comply with the requirements of local and state authorities for life and safety requirements.
 8. The 16-overflow parking spaces located along Fairlane 500 Industrial Drive are intended for infrequent use during events where demand for on-site parking is exceeded. Overflow parking shall not be striped. Traffic cones shall be placed to designate overflow parking and pedestrian paths to cross internal driveways during overflow events.
 9. The applicant shall comply with Chapter 37, the local Post Construction Stormwater Management Ordinance. A copy of the maintenance log for the previous year for the stormwater treatment features associated with this project needs to be provided to the Planning Office in accordance with Chapter 37 requirements.

3. 2020.07 – Subdivision/Site Plan – 527 Bridge Street – 1025 Ocean Ave, LLC

WORKSHOP

Tax Map: 048 Lot: 045
 Zone: Residential Growth Area 2

Project Description

The applicant proposed in their sketch plan application a 17-unit subdivision comprising of an existing single-family home and 8-duplexes along a private driveway. Since the original submission, the applicant has revised their dwelling unit numbers based on density and usable area standards as they are now proposing 15 units, which includes the existing single-family home on Bridge St.

Applicant is looking to cluster the units in the center of the site to keep impacts to the parcel to a minimum as well keeping the development set back from Bridge St. The applicant is proposing to distribute the site stormwater through low impact features along the driveway that will also serve as landscaping for the units. Further details and calculations will be provided in the final application packet. For the purposes of E911 addressing, the driveway will be named Fawn Woods Way and the buildings will be addressed accordingly.

In response to comments received from the public, staff provide the followings:

- 1) The application will provide a stormwater analysis in the final packet which would be in compliance with the ordinance standards of pre & post conditions.
- 2) As the number of units does not trigger an MDOT traffic movement permit (only 14 new units added), a traffic analysis is not required.
- 3) Sight distance at the driveway is being reviewed by the applicant.
- 4) A statement from a resident was made that the project area was “designated habitat for the New England Cottontail”. This statement is not correct. Per the maps, there was a sighting that is shown on the Beginning with Habitat Maps for a “Rare Animal” on the opposite (north) side of Bridge St (City Forest side of Bridge St.) The “circle of the sighting” does cross the street and expand over the area of the project parcel, however, the project area is not a designate high value habitat area for either the Cottontail or the “Rare Animal” that was seen, it is just a sighting location and the circle is drawn around the sight location. The more probable habitat area for this animal sighting would be in the City Forest/Rocky Hill area on that northerly side of Bridge St. In summary, per the Beginning with Habitat Maps, the project area is not shown to contain high value habitat areas, due to the existing level of development surrounding the parcel.

Included in the Planning Board packets are 26-emails/letters that were received by Staff in the time period between 4/29 – 5/15/2020. Below is a summary of concerns that were provided as of 12:30pm on Friday, May 15th.

Date	Communication	Name	Address	Summary of Comments
4/29/2020	email	Marc Duouin	548 Bridge	Variation in building design; traffic; wetlands on site; wildlife (specifically deer); general neighborhood opposition; requested site walk
5/4/2020	email	Charles Ellingwood	530 Bridge	Ownership of units; light pollution to house (located across the street from driveway); traffic
5/5/2020	email	Aaron Burns	35 Alberta	Drainage
5/5/2020	Phone call w/email follow-up	Penny Pulsoni		Requested list of abutters notified of workshop
5/6/2020	email	Faith Haggerty	Graham Rd	Traffic, dangerous for children walking to

				Congin/Community center
5/7/2020	email	Communication between Marc Drouin & Pat Coughlin	548 Bridge	Traffic impacts (traffic calming measures?); sidewalk extension along Bridge Street; vegetative buffer from abutting parcels; straight drive rather than curved to limit clearing impacts; drainage/runoff; driveway surface? (permeable v impervious); renderings of development from Bridge St.
5/7/2020	Phone call w/ JF	Charles Ellingwood	530 Bridge	Ownership of units; light pollution to house (located across the street from driveway); traffic
5/9/2020	letter sent via email	Royal & Sarah Hoyt	6 Alberta	Too large of a development; Privacy; traffic impacts
5/11/2020	email	Marian Dubre	29 Alberta	Traffic impacts; Drainage
5/11/2020	email w attached letters to developers & City Staff	Ann Laliberte	42 Lugin St	Tree clearing; destruction of habitat; land conservation; traffic impacts; drainage; general dislike of design; loss of privacy; increase in noise levels; property values; concern of virtual meeting
		Kevin Webster	51 Lugin St	
		Brad Straight	39 Lugin St	
5/12/2020	email; cc'd Mayor, Councilors, Staff	David Collins		Traffic impacts; Drainage; Utility Capacity; Timing of neighborhood meeting during work hours (4p); lack of contact from developers (Pat C. responded via email)
5/12/2020	In person conversation @ City Hall w/ RS	Kevin Webster	51 Lugin St	Tree clearing; destruction of habitat; land conservation; traffic impacts; drainage; general dislike of design; loss of privacy; increase in noise levels; property values; concern of virtual meeting
5/14/2020	email	Dave Carroll	30 Ennis St	Habitat; Blasting impacts; traffic
5/14/2020	email	Ann Laliberte	42 Lugin St	Habitat; Noise disturbance; Traffic; Drainage; Privacy concerns
5/14/2020	letter sent via email	Kevin Webster	51 Lugin St	Drainage; Habitat destruction; Traffic; Noise
5/14/2020	email	Jacob Jordan	Longley Rd	Impacts to private well located on property; noise; privacy; habitat
5/14/2020	email	Brad & Terry Straight	39 Lugin St	Traffic; drainage; noise; habitat; privacy; questions about elevations; wetlands
5/14/2020	letter sent via email	Kenneth & Diane Winton	517 Bridge	Privacy; drainage; traffic
5/14/2020	email	Rebecca King	30 Lugin St	traffic; noise; privacy; habitat
5/14/2020	email	Leo Gerrior	31 Alberta	Safety @ Lugin-Bridge intersection; Traffic along Alberta as cut-through
5/14/2020	email	Betty McIntyre	27 Lugin St	Habitat; property values; overcrowding; drainage; traffic
5/14/2020	letter sent via email	Roger Bernier & Penny Pulsoni	45 Lugin St	Drainage; Habitat; traffic; opposed to virtual meetings
5/15/2020	Email	Royce & Patricia Watson	89 Longley Rd	Drainage; Traffic; Damage from blasting; ownership; habitat

5/15/2020	Letter sent via email	Aaron Burns	35 Alberta Dr	Development does not meet the requirements of the Zone or Comprehensive Plan; Drainage; Traffic
5/15/2020	Email	Russell & Joann Nappi	71 Lugin St	Drainage; sewer capacity; habitat; privacy; noise; property values; traffic; light pollution
5/15/2020	Letter sent via email	Victor Ross & Kayla Dunphe	48 Lugin St	Noise; Loss of privacy buffer; Building right up to setback; Drainage; Traffic
5/15/2020	Email	Barbra Bianchi	170 Park Rd	Drainage, Wetland, Noise, Traffic, Wildlife
5/15/2020	Email	Maria Lundy	17 Graham Rd	Drainage; Density

Project History

May 12, 2020 – Neighborhood Meeting

May 19, 2020 – Planning Board Workshop

Staff Comments:

1. Confirm Net Residential Density
2. Project will likely require one additional hydrant. Location to be coordinated with FD
3. Trash removal – privately hauled. Confirm waste removal strategy with final application
4. Final mailbox location to be coordinated with USPS
5. Verify sight distances at intersection with Bridge Street meets minimum DOT standards
6. Show driveway radius on plan
7. Staff recommends extending gas services rather than the use of propane
8. More information needed on focal point as stormwater management. Piped system – show discharge point with final plan set. Clarify method of maintenance access to side and rear units if street is lined with bmps
9. Verify utilities with final application – show transformer pad locations
10. Show driveway for single family home on plan – required to be off the private driveway
11. Sewer on Bridge Street is 5-feet. Gravity connection may not be feasible – please investigate.
12. Provide a level of sidewalk internal to the site to connect to Bridge Street. Off-site connections to public infrastructure in both directions (to sidewalk end at 511 Bridge St and Lugin Street) required
13. Open Space requirement – 300sf per unit. Provide an open space plan with final application
14. Provide signage at Bridge Street – named driveway
15. Construction within the Bridge Street right-of-way limited to 9a – 3p. Any work requiring a land closure is restricted to night work
16. Provide color elevations with a variation in color palate
17. Neighborhood meeting required. Provide date, time and platform for meeting to Planning Office once finalized
18. Provide Homeowners Association & Bylaw documents
19. Document on Plans the existing house is a condominium unit.
20. State wetland impacts on final plan
21. Landscape Architect involvement in site layout is a criteria of the ordinance. Please document that component in your submission.

Board Action:

1. Provide feedback
2. Site Walk