



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, OCTOBER 2, 2018, 7:00 P.M.
WESTBROOK HIGH SCHOOL, ROOM 114**

AGENDA

PUBLIC HEARING

1. **2018.36 – Site Plan / Village Review – 16 Locust St – DWN Asset Management:** Discussion on a new duplex and parking area on an existing vacant lot. Tax Map:040 Lot:187B Zone: City Center District, Village Review Overlay Zone
2. **2018.37 – Ordinance / Zoning Map Amendment – Business Professional Office District:** Discussion on potential rezoning of the Business Professional Office District to increase conformity of the existing uses within the zone.

REGULAR MEETING

3. **Call to Order.**
4. **Approval of Minutes.**

UNFINISHED BUSINESS

5. **~~2017.56 – Subdivision/Site Plan Review – 500 Spring Street – Twin Falls – Westbrook Housing Group, LLC:~~** The applicant is proposing to develop 36 single family residential house lots and four commercial lots along Spring Street. Tax Map: 008 Lot:008 Zone: Residential Growth Area 1 **Item removed at the request of the applicant.**

NEW BUSINESS

6. **2018.36 – Site Plan / Village Review – 16 Locust St – DWN Asset Management:** Discussion on a new duplex and parking area on an existing vacant lot. Tax Map:040 Lot:187B Zone: City Center District, Village Review Overlay Zone
7. **2018.37 – Ordinance / Zoning Map Amendment – Business Professional Office District:** Discussion on potential rezoning of the Business Professional Office District to increase conformity of the existing uses within the zone.
8. **2018.38 – Subdivision Amendment – Five Star Industrial Park – Pike Industries Inc. –** The applicant is proposing merge parcels and adjust lot lines within the previously approved Five Star

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.

Industrial Park located along Eisenhower Drive. Tax Map: 005B Lots: 003 and Tax Map: 005 Lot: 011
Zone: Manufacturing District

9. ~~2018.39 – Conditional Use – 1 Karen Drive – One Karen Drive, LLC~~ The applicant is proposing a Church as a change of use within an existing structure. Tax Map: 002 Lot: 050 Zone: Industrial Park District **Item removed at the request of the applicant.**

WORKSHOP

10. **2018.40 – Conditional Use – 155 Warren Ave – Delta Realty LLC** – The applicant is proposing a medical marijuana cultivation facility as a change of use within an existing structure. Tax Map: 046 Lot: 003A Zone: Industrial Park District
11. **2018.41 – Site Plan– 380 Main Street – H.A. Mapes, Inc.** – The applicant is proposing to redevelop an existing gas station and office space to be a self-service gas station with convenience store. Tax Map: 040 Lot: 089 Zone: Residential Growth Area 1, Village Review Overlay Zone
12. **2018.34 – Amended Site Plan, Subdivision & Conditional Use – Rock Row (previously called “Dirigo Plaza”) – 58 & 80 Main Street – Waterstone Properties Group:** Jones & Beach, Inc. on behalf of Waterstone Properties Group, is proposing an amendment to a previously approved site plan for a 495,915 +/- square foot regional retail shopping center. The applicant is proposing an 8,000 seat amphitheater and parking area on the south parcel of the campus. Tax Map: 42B Lots: 9, 10, 11 & 14 Zone: Gateway Commercial.

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.



City of Westbrook

DEPARTMENT OF PLANNING & CODE ENFORCEMENT

2 York Street

Westbrook, Maine 04092 (207) 854-0638

Fax: 1-866-559-0642

DATE: September 28, 2018

TO: Planning Board

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

Cc: Plan Review Team

RE: October 2, 2018 Planning Board Meeting

-
1. **2018. 36 – Site Plan / Village Review – 16 Locust St – DWN Asset Management – Duplex**
 2. **2018. 37 – Ordinance / Zoning Map Amendment – Business Professional Office District – Outer Stroudwater Street Area**
 3. **2018. 38 – Subdivision Amendment – Five Star Industrial Park – Pike Industries Inc.**
 4. **2018. 40 – Conditional Use – 155 Warren Ave – Delta Realty LLC – Medical Marijuana Cultivation Facility**
 5. **2018.41 – Site Plan– 380 Main Street – H.A. Mapes, Inc. – Convenience Store/Gas Station**
 6. **2018.34 – Amended Site Plan, Subdivision & Conditional – Rock Row (previously called “Dirigo Plaza”) – 58 & 80 Main Street – Waterstone Properties Group – Proposed Theater Use**
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1. 2018. 36 – Site Plan / Village Review – 16 Locust St – DWN Asset Management – Duplex

Tax Map: 040 Lot: 187B

Zone: City Center District, Village Review Overlay Zone

PUBLIC HEARING

Project Description:

This project is a new duplex and parking area on an existing vacant lot. Typically a duplex would not require a Planning level review, however the reason this application is before the Board is because it is a new structure in the Village Review Overlay District and the overall area of new development exceeds 3,000 sq ft.

The applicant is proposing a traditional layout for the duplex, with entryways for both units off the front face and the siding is proposed to be vinyl. The materials of houses in the vicinity are clapboard and vinyl.

Project History:

August 30, 2018 – Neighborhood Meeting

September 4, 2018 – Planning Board Workshop

September 6, 2018 – Village Review Overlay Committee

October 2, 2018 – Public Hearing

Staff Comments:

1. The applicant met with the Village Review Overlay Committee and received the following recommendations:
 - In favor of the colors as proposed
 - Widen the front steps to give the appearance of a singular entry way
 - Remove wall separating the two front doors
 - Front steps should be white (either stain or composite)
 - Rather than two windows that mirror the second floor, change the configuration of the first floor windows to an appropriately scaled picture window with two smaller double/single hung windows to provide a more interesting front façade.
 - Provide side lights associated with the front entry way
 - Adding shutters to sides of structure
 - Pathway to the front entry way should be paved.

The applicant has submitted revised elevations for the Board's review that has responded to each of the Village Review comments

2. Locust Street – grind and resurface trench cuts due to the number/location of utility lines
3. Coordinate with USPS on mailbox location

Motion:

The Site Plan / Village Review application for DWN Asset Management to construct a new duplex and parking area located at 14 Locust St, Tax Map: 040 Lot: 187B Zone: City Center District and Village Review Overlay Zone. is **(approved with conditions/ denied)** and the following finding of fact, conclusions and conditions as stated on pages 2 through 4 of this Staff Memo dated September 28, 2018 are adopted in support of that approval.

Site Plan – Finding of Fact:

Utilization of the Site – *Adequate.*

Adequacy of Road System - *Adequate.*

Access to the Site – *Adequate.*

Internal Vehicular Circulation - *Adequate.*

Pedestrian and Other Modes of Transportation - *Adequate.*

Stormwater Management – *Adequate.*

Erosion Control - *Adequate.*

Utilities – *Adequate.*

Hazardous, Special and Radioactive Materials – *N/A*

Financial and Technical Capacity – *Adequate. The applicant has provided a letter of financial capacity from Sanford Institution for Savings dated September 19, 2018 . Applicant has retained the services of Delfonso Engineering which demonstrates technical capacity.*

Solid Waste – *Adequate.*

Historic, Archaeological and Botanical Resources – *Adequate*

Landscape Plan – *Adequate.*

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** to the 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 the 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.

Conditions:

1. Approval is dependent upon, and limited to, the proposals and plans contained in the application dated August 9, 2018 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. Ability to Serve letter from Portland Water District submitted to Planning Department
 - f. 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. This fee is required per Section 500.8 of the Land Use Ordinances in order to cover the costs of inspection of site improvements - \$379
 - g. 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. A performance guarantee in the amount of \$18,955 is required.

- h. Coordinate with the E911 Coordinator on addressing of the Units.
 - i. 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.
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 improvements by the City to ensure public health & safety is addressed and compliance with the approval.
 - b. All site improvements must be installed, unless a performance guarantee amount is held in the amount of the remaining improvements.
 6. Prior to release of the performance guarantee, the site will be in compliance with the approved plan and as-built plan provided in City approved format for the GIS system.
 7. The applicant shall comply with the requirements of local and state authorities for life and safety requirements.

2. 2018.37 – Ordinance/Zoning Map Amendment – Business Professional Office District – Outer Stroudwater Street Area

PUBLIC HEARING

Ordinance Description:

Discussion on a potential rezoning of the Business Professional Office District parcels to increase conformity with the existing uses within those current parcels and place parcels in zoning districts that more closely meet the intent of the ordinances. (See attached maps for proposal)

Ordinance History:

August 6, 2018: Referral from City Council
September 4, 2018: Planning Board Workshop
October 2, 2018: Public Hearing

Staff Comments:

The Business Professional Office District (BPOD) is on the East side of the community along Stroudwater St at the Portland City line.

In the original proposal for the BPOD district, there was a significantly larger land area included for the BPOD but the zoning district area was reduced due to property owner complaints/legal actions/and or Contract Zoning amendments. The result of that process left a small zoning district that currently does not support the intent of the district envisioned, nor does it have the usable land area to conduct the minimum district requirements (20-acre lot). More than half of the remaining area is owned by the Maine Turnpike Authority and has significant wetlands on that parcel rendering utilization of the property in the future to be minimal. The lots along Stroudwater Street are small and contain mostly uses that are otherwise non-conforming to the BPOD district. There is one fragmented BPOD lot located at 540 Stroudwater Street that is a single-family home that was never changed during the course of the zoning amendments in this area and further the BPOD district renders this parcel to be a non-conforming use.

Recently the Code Enforcement and the Economic Development Departments were approached by a property owner that wished to create a medical office in a structure in the BPOD area. Medical Office is not a permitted use in the BPOD which considering the area, did not seem to be an incompatible use with the neighborhood. It was at this juncture that the Codes Office surveyed the lots in the BPOD to determine what uses currently exist and which were conforming uses. Only one use in the area was deemed to be conforming. All other uses on these parcels were deemed to be non-conforming grandfathered uses.

Current properties in BPOD – current uses

1. Insurance office/Business office
2. Real estate office/Business office
3. Single family home
4. 2 - Auto sales/repair/towing
5. 2- Landscaping/Service business
6. 2-3 Contractors/Service Business
7. Medical Office
8. Apartment

The only conforming use in the Business Professional Office District zoning area is the “business office” (insurance office/real estate office), all other uses are nonconforming and therefore may not be altered or

expanded. The current zoning also prevents these properties from being utilized for uses that are compatible with what exists, such as a medical office.

In reviewing this information, and the limited area of the BPOD, the Administration moved forward a request to the City Council for a referral to the Planning Board to look at the zoning along Stroudwater Street and provide a recommendation back to the City Council on the best way to proceed at this juncture.

Before you tonight is a revised proposal based upon feedback from the Planning Board from the workshop to make map amendments to the Stroudwater Street area to better address current land uses as well as eliminate a zoning district that ultimately did not perform as intended. The attached maps show you the current zoning and the proposed rezoning which is described below:

- 1) **Rezone** the MTA parcel (009-000-008B) to Gateway Commercial District. (PURPLE ON MAP)
- 2) **Rezone** Parcels 009-000-007, 009-000-008, 009-000-009, 009-000-009A, 009-000-010, 009-000-011, 009-000-012 to Highway Services District. (BLUE COLOR ON MAP)
 - a. This would allow for Service Business & Medical Office Uses to be permitted and therefore ½ of all the uses would be permitted uses. Below is a comparison of the two districts uses.
 - b. Allowable uses in the Business Professional Office District:
 - i. Permitted Uses. The following uses are permitted in the Business/Professional Office District:

Business Office	Restaurant Class 2
Farm	Retail Class I (restricted to 2,000 S.F.)
Industry	Media Studio Class 1
Media Studio Class 2	Neighborhood Grocery
Municipal Facility	Hotel
Greenhouse or Florist	Accessory Use
Parking Facility	
 - ii. Conditional Use. There is one conditional use in the Business/Professional Office District:

Child Care Center

 - c. Allowable uses in the Highway Services District:
 - i. Permitted Uses. The following uses are permitted in the Highway Services District as a table border="0">| | |
| --- | --- |
| Accessory Use | Media Studio Class 1 & 2 |
| Business Office | Municipal Facility |
| Car Wash | Neighborhood Grocery |
| Child Care Center | Private Indoor Recreation Facility |
| Day Care Center | Restaurant Classes 1 & 2 |
| Education Facility | Retail Classes 1, 2, 3 |
| Greenhouse or Florist | Service Business |
| Medical Offices* | Veterinary Office or Kennel |

*(Ord. of 03-07-05)
 - ii. Conditional Use. The following uses are permitted in the Highway Services District as a conditional use under Section 204:

Industry Retail Class 4 Church	Club or Lodge
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- 3) **Rezone** 540 Stroudwater Street (009-000-004) to RGA2 which would make the existing home a conforming use again. (We have had a phone call with the property owners (Crandells) to inform them of this proposal for their property and the Crandells are in favor of the rezoning of their property to a residential district. (Yellow COLOR ON MAP)

Motion:

Motion to recommend the proposed contract zone for adoption by the City Council.

3. 2018. 38 – Subdivision Amendment – Five Star Industrial Park – Pike Industries Inc.

Tax Map: 005B Lot: 003
Tax Map: 005 Lot: 011
Zone: Manufacturing District

NEW BUSINESS

Project Description:

The applicant, Pike Industries, Inc. is proposing to reconfigure parcel lines for 3 abutting lots that it owns in the Eisenhower/Spring St area, two of which were part of a previously approved subdivision of the Five Star Industrial Park which is why this application is before the Planning Board. The two lots in the Five Star Industrial Park plan that are included in this request are Lots 1A and 8. The reconfiguration will take 3 lots and merge them into two lots as is shown on the 2nd Amended Subdivision plan submitted by Sebago Technics. Please see attached application packet for further details, original subdivision plan and new survey plan.

Due to the minor amendment proposed as part of this application, Staff has placed this item under regular business where the Board can provide a decision at this meeting.

Project History:

October 2, 2018: Planning Board

Staff Comments:

1. Please show the Shoreland Zoning designation over the stream.
2. Please state the Developed/Landscaped areas for the remaining land of the existing lot.

Motion:

The application for Pike Industries, Inc to amend the subdivision plan dated February 22, 1972 to reconfigure lot lines located within the Five Star Industrial Park, Tax Map: 005B Lot: 003 and Tax Map: 005 Lot 011 Zone: Manufacturing District is **(approved with conditions/ denied)** and the following finding of fact, conclusions and conditions as stated on pages 7 through 8 of this Staff Memo dated September 28, 2018 are adopted in support of that approval.

Subdivision – Finding of Fact:

Pollution and Sewer Disposal – *Adequate.*

Water - *Adequate.*

Soil Erosion - *Adequate.*

Traffic – *Adequate.*

Sewage - *Adequate.*

Solid Waste – *Adequate.*

Aesthetics

1. *Project to Site – Adequate.*

2. *Project to Surrounding Property – Adequate.*

3. *Landscape Design – Adequate.*

4. *Lighting – Adequate.*

5. *Signs – Adequate.*

Conformity with Local Plans and Ordinances – *Adequate.*

1. *The proposal is in conformance with the Comprehensive Plan.*

2. *Subdivision Plan meets requirements of the Land Use Ordinance*

Financial and Technical Capacity – *Adequate*.
River, Stream or Brook Impacts – *Adequate*.

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** to the 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 the 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.

Conditions:

1. Approval is dependent upon, and limited to, the proposals and plans contained in the application dated September 6, 2018 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 lots sold:
 - a. A copy of the registered amended subdivision plan needs to be provided to the Planning Office.
 - b. The applicant shall provide the digital data as required by Section 504.5.B.12 and 13. – verification with GIS coordinator.

4. 2018. 40 – Conditional Use – 155 Warren Ave – Delta Realty LLC – Medical Marijuana Cultivation Facility

Tax Map: 046 Lot: 003A
Zone: Industrial Park District

WORKSHOP

Project Description:

The applicant is proposing a medical marijuana cultivation facility as a change of use within an existing, vacant structure. In addition to cultivation, the laboratory will use extraction techniques (Ethanol based extraction and heat presses) and the kitchen will produce edible products. The facility will employ 3 employees. No exterior alterations are proposed on the site.

Project History:

September 27, 2018: Neighborhood Meeting
October 2, 2018: Planning Board Workshop

Staff Comments:

1. With the requirement of the 3000 max for a facility, the division of the internal building components needs to be made for 2 facilities. Divide off one growing facilities and assign the remaining pieces to either permit. Application moving forward will need to be separate permits.
2. Provide a separate permit application form for the second medical marijuana facility with name associated with this facility.
3. Septic System – need to show if the current system can support the use (Will need to use a pump system for sewer within unit.)
4. Neighborhood meeting required
 - a. Send out notices to all the abutters
 - b. Hold meeting before the Oct 2nd workshop – on site (Do not have to allow into structure)
 - c. Provide City with a copy of the notice mailed to all abutters within 500', sign in sheet from meeting, minutes from meeting.
5. Security system – final review of the system by Police dept (will need email from Police)
6. Provide Emergency contacts to Dispatch (Condition of Approval)
7. Sprinkler system/ Fire Suppression needed in Lab and in the hoods in the Kitchen
8. Electrical system will require upgrade – Allied Engineering will design upgrade.
9. Kitchen space will need to be walled off as its own area.
10. No retail sales permitted on site
11. Ventilation – Applicant stated air in facility would be put through 2 filter processes before venting outside. Venting to be directed externally to create the least impact.
12. Proof of Pesticide license is required to be provided to the CEO

Potential Board Actions for discussion:

1. Site Walk
2. Public Hearing

5. 2018. 41 – Site Plan– 380 Main Street – H.A. Mapes, Inc. – Convenience Store/Gas Station

Tax Map: 040 Lot: 089

Zone: Residential Growth Area 1, Village Review Overlay Zone

WORKSHOP

Project Description:

The applicant is proposing to redevelop an existing gas station and office space to be a self-service gas station with convenience store.

Project History:

September 29, 2018 – Neighborhood Meeting

October 2, 2018 – Planning Board Workshop

Staff Comments:

1. Power needs to be underground to the building
2. Run Ladder Truck turning template on the site.
3. Fire Suppression system needed for the gas pump area.
4. Building will need a fire alarm system
5. State Permitting for the new tanks
6. Employee Parking out back is in conflict with back doors and deliveries
7. Access in and out of the site- one way in and one way out – access closest to Lamb St needs to be the ingress.
8. Gas lateral connection to the site will require lane closures in Main St – will require Police detail.
9. The materials & colors – verify the elevations colors and the materials
10. State parking allowance on the plan including the spaces around gas pumps
11. VROZ meeting comments:
 - a. Would like the dormers to be true dormers; do not support fake dormers
 - b. Recommend the use of a metal awning for durability and color consistency
 - c. Would like to see landscaping in the form of hearty vegetation or grasses in the landscape island along Main Street
 - d. All accessible parking must be code compliant with an ADA stall and access aisle to the main entry way
 - e. Vinyl fencing (dumpster enclosure) is not permitted in the Village Review Overlay Zone – recommend chain link with privacy slats.
 - f. In support of the development. Thinks the design and color choices will fit well within the neighborhood.

Potential Board Actions for Discussion:

1. Site Walk
2. Public Hearing

6. **2018. 34 – Amended Site Plan, Subdivision & Conditional Use – Rock Row (previously called “Dirigo Plaza”) – 58 & 80 Main Street – Waterstone Properties Group – Proposed Theater Use**
 Tax Map 042B Lots 9, 10, 11 & 14
 Zone: Gateway Commercial District

WORKSHOP

Project Description:

The applicant is proposing an amendment to a previously approved site plan. The applicant is proposing an 8,000 seat amphitheater and parking area on the south parcel of the campus. This application and requested approval is specific to the South Campus ONLY.

Project History:

November 17, 2015	Workshop: Introduction of the development
March 1, 2016	Workshop: General overview of the project and focused on architecture and landscaping.
March 15, 2016	Workshop: Discussion on site circulation and layout
April 5, 2016	Workshop: Reviewed updates to architecturals, site layout, site amenities and provided information related to natural resources and utilities.
May 3, 2016	Workshop: Reviewed the stormwater report, landscaping and other related topics.
May 17, 2016	Joint Meeting with Portland: Recap of overall stormwater report and reviewed the Traffic report.
July 19, 2016	Public Hearing: Entire application discussion open to the public and Board. a) The Board granted a waiver from the parking standards from 1,753 spaces to 1,414 spaces b) The Board granted a waiver from Section 502.4 to permit all required subdivision plan information to be submitted in the plan set instead of on one subdivision.
September 20, 2016	Workshop: Recap of MDOT’s traffic mitigation permit.
October 18, 2016	Old Business: The Board voted unanimous in favor 7-0
January 3, 2017	Site Plan Amendment: Amendment to construction phasing plan
March 21, 2017	Site Plan Amendment: Amendment to construction phasing plan
June 6, 2017	Site Plan Amendment: Amendment to construction phasing plan
September 5, 2017	Site Plan Amendment: Amendment to construction phasing plan
July 17, 2018	Workshop: Introduction to a revised master plan for the site
August 21, 2018	Workshop – Site Plan Amendment; Phase 1
September 18, 2018	Public Hearing – Site Plan Amendment; Phase 1
October 2, 2018	Workshop: South Campus Amphitheater

Staff Comments:

- 1) Traffic control plan
 - a. The proposed set up of altering the lanes to be turning lanes
 - i. Initial thoughts would be neck the road down to just two lanes of traffic.
 - ii. Plans would need to be approved of by the PD, FD and Public Services.
 - iii. Additional lighting at the intersection of Larrabee and Saunders would be necessary.
 - iv. Would need to run this request by MDOT as Larrabee is an Arterial Road.
 - b. All vehicular traffic to the site would be via Westbrook Arterial access drive. (Knox Box)

- c. All parking lots are proposed along Saunders Dr.
- d. Possible mitigation measures required at the intersections of Larrabee/Westbrook Arterial and Larrabee/Main to manage overflow traffic
- e. A barrier gate on the ends of the access road from the site to Larrabee would be necessary to keep vehicular traffic off and solely for pedestrian access.
- f. Thoughts on staffing for Public safety would be 12 officers on site, 4 on the intersection at Larrabee, 1 command officer.
- g. 2 Additional dispatchers would be needed for an event
- h. An additional field car would be needed
- i. FD staffing is currently estimated at 7 FF/EMT
- j. A Unified command center onsite would need to be provided (to include white board, tables, chairs, radio system would be brought in by PD.)
- k. Due to the amount of staffing that was felt needed, Westbrook PD does not see how they would be able to staff events consistently as the amount of staffing needed total would be roughly ½ of the work force.
 - i. Could look at mutual aid from an adjacent community
 - ii. Cost of all PD/dispatch or mutual aid personnel would be cost borne by the Developer.
 - iii. PD would have the final say on how many officers are required
 - iv. Would have dates to prohibit events due to Major City Event (Together Days)

2) Structure

- a. Stage will need to be designed by a PE (stamped)
- b. Will need permits for tents.
- c. Fencing is needed around the entire venue and to separate the backstage area from public access.
- d. Jersey barriers will be needed along the access road side of the venue where the queue lines are to avoid an inadvertent car from running into a crowd of people.
- e. Will need a location for those detained by the Police on-site
- f. Surveillance video of on-site activities is required
- g. Only 1 way into the venue would be considered so that all attendees can be wanded.
- h. Evacuation Plan?
- i. Egress doors?
- j. State Fire Marshall review will be required
- k. The concession structures are self-contained units that are brought to the site.

3) Utilities

- a. Lighting of the Site is a major component, which would include the venue, the walkways, the parking lot adjacent to the venue, the driveway access to Larrabee, and to Arterial and along Saunders way to the parking areas and including parking lighting in the lots.
- b. Emergency lighting?
- c. Power to the site – how will that be provided? Would be assuming full service being pulled into the site to service the electrical needs. (Underground)
- d. Water source - Some Self contained within bathrooms, or concessions and a public water line will be brought into the site.

4) Noise

- a. Still a significant concern and it is unclear how the threshold of the ordinance can be met.
- b. Previous operations did not continue into the evening hours.

- 5) Public Safety needs
 - a. Ear pieces for all PD present
 - b. UTV/golf cart; including one that is compatible to address a medical emergency (i.e. stretcher)

- 6) General questions
 - a. There will be two stages (the main stage and a small single artist stage to the rear of the seating area.
 - b. Pyrotechnics- Flame rating of stage area. "Flame Spread" Would require state permits
 - i. Copy of permits to the FD and ability to view the test shots.
 - c. Lasers if used would require appropriate FAA license/permitting.
 - d. Would need to discuss with JB Brown property at end of Saunders Way as to how to keep traffic from flowing out of their property onto Forest St. (Gate nearest Forest St access – Knox Box)
 - e. Show autoturn for access ways around site.
 - f. A spill prevention plan would need to be provided
 - g. Bathroom counts would need to be reviewed by Codes.
 - h. \$250 Sketch Plan fee and Final application Fee required
 - i. Surface treatment under the chairs will be a peastone gravel.

(Public Safety has provided a summary which is included in this packet.)

Board Action

1. Provide feedback to the applicant on this project.
2. Public Hearing