

**WESTBROOK PLANNING BOARD
TUESDAY, JULY 21, 2020, 7:00 P.M.
LOCATION: In-Person Meeting**

Performing Art Center
Westbrook Middle School
471 Stroudwater Street, Westbrook

Enter Building from Street side (Performing Art Center Entrance)
Masks are required to enter building as well as proper physical distancing
Meeting room is capped at 50 attendees

MINUTES

Present: Rene Daniel (Chair) (At Large), Jason Frazier (Ward 2), Nancy Litrocapes (Alternate), Larry McWilliams (Alternate),

Absent: Ed Reidman, (Ward 5), Rebecca Dillon (Vice-Chair) (Ward 1), John Turcotte (At Large), Joseph Marden (Ward 3), Robyn Tannenbaum (Ward 4)

Staff: Jennie Franceschi, City Planner; Rebecca Spitella, Assistant Planner; David Finocchietti, Code Enforcement Officer

MINUTES MAY NOT BE TRANSCRIBED VERBATIM. SECTIONS MAY BE PARAPHRASED FOR CLARITY. A COMPLETE RECORDING MAY BE OBTAINED BY CONTACTING PLANNING AND CODE ENFORCEMENT at 207-854-0638 ext. 1220 and lgain@westbrook.me.us.

Rene Daniel called the meeting to order.

1. Call to Order

2. Approval of Minutes

Larry McWilliams move to accept minutes

2nd by Nancy Litrocapes

Minutes accepted 4-0

NEW BUSINESS

Rebecca Spitella read withdrawn item into the record to be heard on August 4, 2020 meeting:

- Item withdrawn at the request of the applicant. 2020.20—Site Plan Amendment, Shoreland Overlay Zone—5 Bradley Dr—Abbott Diagnostics:** The applicant is proposing a +/- 46,200 sf expansion to an existing building for manufacturing use and associated site improvements, improved access drive and an expanded 416-space parking area. Tax Map 005B Lot 034 Zone: Manufacturing District, Shoreland Overlay Zone—General Development; Resource Protection

2020.20 – Site Plan Amendment, Shoreland Overlay Zone – 5 Bradley Drive – Abbott Diagnostics

Application postponed to the August 4, 2020 meeting at the request of the applicant due to lack of completed Noise Study, finalized MDOT Traffic Movement Permit and MDEP stormwater review.

Larry McWilliams moved to go to workshop

2nd by Nancy Litrocapes

Motion carried 4-0

Rene Daniel explained workshop procedure

WORKSHOP

Rebecca Spitella introduced item:

- 2020.16 – Amendment to the Zoning Map & Proposed New Section 412 Lincoln Street Overlay District - 216 Lincoln Street – WORG, LLC – The applicant is requesting a zoning map change for a portion of two (2) lots located along Lincoln Street and the Presumpscot River, formerly Rivermeadow Golf Club, from Rural District to the Residential Growth Area 1. Included in this request, the applicant is also proposing a new overlay zone over these parcels, Lincoln Street Overlay District, to provide additional performance and design standards associated with any future development of the parcels located at 216 Lincoln Street. Tax Map: 037 Lot: 001 and Tax Map: 010 Lot: 002 Zone: Rural District, Residential Growth Area 1**

Written Public Comment provided in Planning Board Packet:

1

Rebecca Spitella

From: Joan Austin <jaustin91@yahoo.com>

Sent: Thursday, July 16, 2020 8:56 AM

To: Jennie Franceschi; Rebecca Spitella; Michael Shaughnessy

Subject: Rivermeadow Zoning Change

Dear Ms. Franceschi,

I am writing to urge you to reject the proposed request to change the Rivermeadow property from rural to residential zoning. I live on Lincoln Street and the zoning change requested by the developer would destroy the nature of the neighborhood. The new Overlay District request seemed like a minimal change from the original request and does little to protect this wonderful last remaining green space in this area.

I have a number of concerns:

First, this is a quiet area of single family and duplex homes. According to the proposal at the first workshop, one to three hundred additional units could be put on this property including four story apartment buildings. This is completely incompatible with the existing area. Any new housing should be strictly limited to housing similar to that already in the area. Although we are within a mile of downtown Westbrook, this property is on the wrong side of the river to be considered part of the downtown area. No apartment buildings should be allowed on this property.

Secondly, priority should be given to preserving the River, wildlife and green space. If any development is allowed on this property it should be densely built single family homes or condos connected to city sewer and water systems. Opening this area to unrestricted building is a big mistake and must be avoided. The proposed easements along the River are much too small. The vast majority of the property should be preserved as open space, which would be a much larger benefit to the community than more housing. There has been a lot of new housing built in Westbrook recently and the Rock Row plan provides much more. I think another large development is unwise at this time.

Thirdly, too much new housing will create enormous problems with traffic in the area. Although Lincoln Street is very quiet, there are long lines at both Bridge and Cumberland Streets during rush hour traffic and the two-lane bridges (just recently replaced) cannot accommodate a lot more cars. Lincoln Street is in very poor condition and has no sidewalks.

The neighborhood enjoys having open space available for walking and it is an important habitat for birds and wildlife.

If any zoning changes are made, I think it should be to contract zoning, which I believe requires developers to propose very specific plans that cannot be changed without approval by the Board. We need to be very careful about what is permitted in the area to preserve the neighborhood and this important green space. Moving too fast and carelessly with zoning on this property could result in irreparable damage to the area, the River and the quality of life for the whole community.

Please do not allow an unrestricted zoning change to this large piece of property.

Thank you,

2

Joan Austin

159 Lincoln St #9

Sent from Yahoo Mail for iPad

1

Rebecca Spitella

From: Pamela Clark <maevenblack@gmail.com>

Sent: Friday, July 17, 2020 10:28 AM

To: Jennie Franceschi

Cc: Rebecca Spitella

Subject: Opposition to Zone Change - 216 Lincoln Street

Good morning,

My name is Pamela Clark and I own and live in the Riverfront Lofts Condos on Lincoln Street. Once again, I would like to express **my opposition** to the Proposed Zoning Change for 216 Lincoln Street formerly the Rivermeadow Golf Club.

The new proposal is essentially the same. I still feel that such a drastic change in the Zoning of our neighborhood is a breach of faith. We have purchased homes here, started families here, retired here because of its unique qualities. A neighborhood close to downtown yet still a quiet, low traffic, safe place to settle. We chose to live here because of its special character and history, and I believe the city should honor the covenant that is the current Zoning.

Although the crux of the matter is Rezoning and its effect on our neighborhood, equally disturbing is making such a change to suit a single developer. In the new proposal, with or without the overlay, nothing is committed to conservation. What about the cost of road and sidewalk improvements for us, the taxpayer? What about the impact of adding **hundreds** of cars a day on Lincoln and Bridge Streets? What about the impact on our critical natural resources, the Presumpscot River and surrounding shoreline and green space?

As a resident and property owner in the Lincoln Street neighborhood, I want **no change** in Zoning of 216 Lincoln Street the former Rivermeadow Golf Club.

Thank you for your time.

Best regards,

Pamela Clark

30 Lincoln St #220

Westbrook, ME 04092

207-415-4257

1

Rebecca Spitella

From: Cori Crovo <corinnecrovo@gmail.com>

Sent: Thursday, July 16, 2020 7:57 PM

To: Jennie Franceschi

Subject: RE: Lincoln Street Development

Hello City Planning,

I was recently informed about the potential plans for a development at 216 Lincoln Street. My understanding is that the developer currently does not own the property and that re-zoning would be required prior to the approval of this development. There are several concerns that I can think of with this plan. First, Lincoln and Mayberry streets are narrow and there is a large bend at the juncture of these roads that imposes some difficulty when turning into the 216 property. I have witnessed several pedestrians almost be struck at this corner, as well as along Lincoln Street, as there are many walkers and bikers that enjoy this area. I can imagine that adding anywhere from 500-1,000+ vehicle passes on the road per day would significantly increase this danger. Additionally, roads leading to the neighborhood would not support such a large increase in traffic. The rush hour traffic across Bridge St and through downtown is already backed up, and again this would be significantly worse with this development. Also, there is no mention of what type of resident the developer is intending to have in these units. Westbrook is in need of affordable housing. Is this developer's intentions for supporting the community with providing this, or are they attempting to make big money off the town and residents by charging ridiculous prices for these units? Lastly, this current state of the land is natural and beautiful.

The land has just begun to recover from the pesticide abuse of the former golf course. A visit to this property any day of the week results in wildlife encounters ranging from various species of birds to foxes and deer. Mushrooms and wild blueberries abound in the wooded areas. Follow one of the old cart trails and you will find yourself on the shores of the Presumpscot River. If 240 units are allowed, all of that will be gone. There is no possible way for respect for the environment and a large housing development to coexist.

I sincerely hope you take these few, but important points into account. 216 Lincoln Street is a special piece of this town and has potential to be so much more in the right hands. If it were my choice, there is no way I would allow a wanna-be rich developer plan such an assault on our community.

Best regards,

Corinne Crovo

1

Rebecca Spitella

From: Erin Curren <erin@erincurren.com>

Sent: Tuesday, July 14, 2020 11:59 AM

To: Jennie Franceschi; Rebecca Spitella

Subject: Comments for Planning Board Meeting July 21

July 14, 2020

Subject: Comments for Amendment to the Zoning Map 216 Lincoln

Street, Westbrook, ME

To Workshop Members,

I live at 30 Lincoln St, Riverfront Lofts, and my husband and I are regular walkers on Lincoln Street and the trail along both sides of the Presumpscot River. I would like to see the trail preserved and put under the supervision of the Portland Trails Association. The river and its banks are a tremendous resource for water use, as a natural walking space, and home to a diversity of wildlife. I cherish the natural spaces. I see that 4' is allotted for trail use with 15' easement (1) and wonder whether that little space will completely decimate the tree and plant life that has grown in the area, making it a barren expanse for walkers and river recreators. **I would like consideration given to expanding the allotted area for trail use and conservation** so that the natural habitat may be protected for wildlife and human enjoyment. I am aware that this zoning change request may be a step to make the property more suitable for housing development. Westbrook is in dire need of affordable rentals or affordable starter homes. To this end, I see that 10% of the new development would be workforce housing.

I would like consideration given to increasing that percentage to 25% at minimum. I am very much in favor of affordable housing and dense development with communal open space rather than each lot having an X amount of acreage.

Lastly, if residential units are built, **I would strongly ask that the speed limit on Lincoln Street be decreased from 30 mph to 20 mph and that sidewalks be installed on Lincoln Street** to facilitate and encourage pedestrian traffic to downtown.

Thank you for your time and your consideration of these important matters.

Sincerely,

Erin Curren

30 Lincoln Street #113

Westbrook, ME 04092

Email: erin@erincurren.com

Cell: 207-680-8083

(1) <https://www.westbrookmaine.com/DocumentCenter/View/2551/>

202016---216-Lincoln-St-Rezone_Lincoln-St-Overlay-Districtpdf

1

Rebecca Spitella

From: Emily Cushman <ecushman04@gmail.com>

Sent: Friday, July 17, 2020 11:57 AM

To: Rebecca Spitella

Subject: Fwd: Comments for the Planning Board - 216 Lincoln St - Amendment to Zoning Map

Hi Rebecca,

I wanted to send this to you as well since Jennie is out of the office.

Thanks,

Emily Cushman

Sent from my iPhone

Begin forwarded message:

From: Emily Cushman <ecushman04@gmail.com>

Date: July 17, 2020 at 11:50:02 AM EDT

To: jfranceschi@westbrook.me.us

Subject: Comments for the Planning Board - 216 Lincoln St - Amendment to Zoning Map

Hi Jennie,

Below are my comments for the Planning Board about the proposed zoning change for Lincoln St.

As a resident of Lincoln Street, I have many concerns surrounding this proposed zoning change. This area is home to many different Wildlife species. The zoning change proposed for this change would be detrimental to the wildlife in the area. I have seen deer, many species of birds, and frogs (to name a few) in this proposed zone change area. It is so close to the River and once this land is built up the animals will be gone. I have even seen a Bald Eagle flying over the Presumpscot River while Kayaking in this area. Continuing to build on these areas that are so close to rivers and streams will eventually impact the ecosystem. There are other areas that could be a nice fit for a large residential neighborhood, but I do not believe building in an area so close to the Presumpscot River is the right move for the city. It is important to have open green spaces where animals can live and people can enjoy nature.

Thank you,

Emily Cushman

[121 Lincoln St.](#)

Sent from my iPad

1

Rebecca Spitella

From: Gretchen Frank <gretchenfr@gmail.com>

Sent: Friday, July 17, 2020 11:53 AM

To: Jennie Franceschi; Rebecca Spitella; matthew.irving@gmail.com

Subject: Concerns over request for rezone on Lincoln St

I am once again writing to voice my concerns over the proposal by Gorrill Palmer to rezone the parcel of land on Lincoln St from rural development to RGA1. The updated proposal still does not address the concerns put forth by the surrounding residents about almost doubling the size of the current

neighborhood and the ensuing traffic and congestion that would come along with that. Also there has been no mention of the impact on the wildlife and the river that runs adjacent to the property. The city's current zoning covenant needs to be honored by the city and the property needs to be left with its current designation. To do otherwise would be a breach of faith by the city toward those of us who purchased property here because of its current designation. The property owner knew what the designation was when the property was purchased and the attempt to change that designation will be detrimental to the surrounding neighborhood. Thank you.

Gretchen Frank
Riverfront lofts owner and resident
Sent from my iPhone

July 16, 2020

Jennie Franceschi
Director of Planning & Code Enforcement
2 York St.
Westbrook, Me. 04092
Cc: Rebecca Spitella

Subject: Planning Board Rezone Application for Tax Map 37, Lot #1 & Tax Map 10, Lot #2

Dear Jennie:

I am not in favor of the zoning map change that is being brought before the Planning Board regarding the above mentioned property.

If this is approved, I feel that it will impact the neighborhood, negatively, in many ways. I think that we should leave the zoning, as is, and not give in to a large developer, who does not care about the integrity of the neighborhood and the huge increase in traffic for this quiet residential area.

Warm Regards:

Claire Garvey
28 Kinmond Way
Westbrook, Me. 04092

1

Rebecca Spitella

From: Arthur Gilbert <agilbertmehoops@aol.com>

Sent: Thursday, July 16, 2020 9:26 PM

To: Rebecca Spitella

Subject: Lincoln street amendment to the zoning map

Ms. Spitella,

I am not sure what else I can add to the statement I provided earlier to the 1st planning board meeting regarding this proposed development. Unfortunately, my internet has been down all week and just came online tonight. I was able to check out the amendment revision online, but I did not entirely understand all the provisions and am unable to ask questions in a timely manner.

My concerns remain and I question as to why and/or if the entire lot actually needs to be rezoned. The more restrictive Rural zoning was placed there for a reason and the situation with the river, density, and flood plain issues perhaps it would be best for it to remain as such. Thanks for allowing my input.

Arthur Gilbert

51 Emery Street

1

Rebecca Spitella

From: Laurie Hacklander <lauriehacklander@gmail.com>

Sent: Friday, July 17, 2020 6:35 AM

To: Jennie Franceschi; Rebecca Spitella

Subject: Lincoln Street proposal

Ms. Jennie Franceschi, Director of Westbrook City Planning
Ms. Rebecca Spitella, Asst. Director of Westbrook City Planning
To the Westbrook Planning Board,

I am writing about the proposed re-zoning and development project at 216 Lincoln Street by Gorrill Palmer Consultants. Please think about a much bolder and far-sighted approach for this natural treasure. Just a couple stone throws away is the newly planned sports rink with the goals to improve the boat ramp and clear a view to the Presumpscot River. Extend this recreational area to include these parcels thus preserving acres of nature and recreation for decades to come. As I wrote in my email to the Planning Board on May 27, 2020, "Westbrook is unique among the towns surrounding Portland to have this 90-acre green space to be preserved for generations. As an example, Minneapolis proudly touts the many parks and green space throughout that city. Those former city planners many generations prior had the forethought to provide natural spaces for its citizens for years to come. After WW2, demand grew for recreational and open spaces."

Almost two months since I wrote that email, we are no better off because of this coronavirus pandemic as we are still restricted in our activities and social and family gatherings. This open space for dog walking, skateboarding, and walking while enjoying the sights of herons, eagles and

wildlife right in the country - in the city - is a gift.

Thank you for the opportunity to express my comments to the Planning Board and thank you for your stewardship of Westbrook's vibrant future.

Sincerely,

Laurie Hacklander

85 Lincoln Street

Westbrook

1

Rebecca Spitella

From: Ashleigh Hill <hill.ashleigh@gmail.com>

Sent: Monday, July 13, 2020 6:26 AM

To: Jennie Franceschi

Cc: Rebecca Spitella

Subject: 216 Lincoln Street

As an owner at 30 Lincoln Street I do not wish to see any change to the zoning at Lincoln Street including the area proposed for the two lots you are meeting about on July 21.

Thank you,

Ashleigh Hill

Westbrook Planning Board

RE: 216 Lincoln Street - Amendment to the Zoning Map

Members of the Planning Board, as a lifelong resident of Westbrook, I am concerned about the zone changes and the proposed project on Lincoln Street by WORG, LLC. Here are my thoughts on the proposed project.

I live within 500 feet of the proposed project and I am strongly against it. Residence who have lived in the area for generations live in that area for what it is and has been. If we wanted to live in the downtown district we would have invested and lived there. For a multiple of reason this is wrong and will destroy this great piece of land near the river and downtown forever.

It would be a tragedy to let a zone change happen every time a developer wants to do a major project. Prospective home buyers would be deterred from choosing Westbrook never knowing if a zone change is coming because it is so easy.

I do have background experience in developing projects. I was the leader and instrumental in designing and building two projects in this area of Westbrook, Fitzgerald Woods on Ethel Avenue and Presumpscot Estates on Stillwater Drive. Both of these residential housing projects provided housing on a smaller scale that fit within the surrounding neighborhoods allowing for affordable home ownership.

I have met with various city officials to show a different viable option for the 216 Lincoln Street which coincides with the surrounding neighbors and neighborhoods requiring NO CHANGES to the zoning map. I understand and respect your process of due diligence, but the proposed project on behalf of WORG, LLC is not the right fit for the surroundings. I would be happy to discuss further.

I would encourage this board to dig deep, be conscientious leaders and make responsible decisions on this large parcel of land within our city.

Thank you for your time.

Sincerely,

Anthony Latini

170 Pierce St.

Westbrook, ME. 04092

1

Rebecca Spitella

From: Kevin Boo Leavitt <kleavittjr@gmail.com>

Sent: Monday, July 13, 2020 9:35 AM

To: Jennie Franceschi

Subject: Re: Lincoln Street Zone Change

To Whom it May Concern,

As a resident and taxpayer who resides on Osaka Street, within yards of the lots requesting zone changes 216 Lincoln Street, I have concerns. The proposed zone changes will undoubtedly change the neighborhood, it is traffic, and level of noise.

Having lived through the destruction of the Munjoy Hill, due to a municipalities inability to control developers and communicate to impacted residents; I strongly suggest and request that Tax Map: 037 Lot:001 and Tax Map: 010 Lot: 002 remain or become rural.

A request to change a part of town, so drastically, should not be granted unless the impacted residents know exactly what they are inviting into their neighborhood. Once you give developers what they want, you can never put that genie back in the bottle.

Regards,

Kevin Leavitt

On Tue, Jun 9, 2020 at 12:51 PM Jennie Franceschi <jfranceschi@westbrook.me.us> wrote:

Thank you for your comments.

We have included them in our record and they will be printed and sent to the Board in their packets for their

consideration.

Take Care,

Jennie P. Franceschi, P.E.

Director of Planning and Code Enforcement

City of Westbrook

207-854-0638 office X 1223

2

From: Linda Gain <LGain@westbrook.me.us>
Sent: Tuesday, June 09, 2020 8:10 AM
To: Jennie Franceschi <jfranceschi@westbrook.me.us>; Rebecca Spitella <RSpitella@westbrook.me.us>
Cc: kleavittjr@gmail.com
Subject: FW: Lincoln Street Zone Change

Jennie and Rebecca, please see the comment for the Lincoln Street Zone Change below.
Please save for the next Planning Board discussion on the item.
Thanks,
Linda Gain

From: Kevin Boo Leavitt <kleavittjr@gmail.com>
Sent: Tuesday, June 9, 2020 7:58 AM
To: Linda Gain <LGain@westbrook.me.us>
Subject: Lincoln Street Zone Change
Good morning,

My e mail in regards to the zoning changes for Lincoln Street were returned as undelivered. Not sure what happened there.

If it is not too late, as a homeowner located at 7 Osaka Street, I would like to voice concern about the proposed zoning change. The proposed zone change would make it harder for neighbors to give feedback on future development projects that may be proposed for the Lincoln Street property. Developers should be kept on a short lease.

Thank you for your time.

Regards,
Kevin Leavitt
7 Osaka Street Westbrook Maine
kleavittjr@gmail.com
(207) 329-4245

Rebecca Spitella

From: Mike Lynch <ghanadmo@gmail.com>
Sent: Friday, July 17, 2020 11:20 AM
To: Jennie Franceschi; Rebecca Spitella
Cc: Lynn Lynch
Subject: Comments for July 21 Planning Meeting From Mike Lynch
Jennie and Rebecca,

The last planning board meeting on this topic was informative and very helpful. The applicant provided lots of good background information and explained the process steps well. I am planning to attend this next meeting on July 21 2020, and I am hoping to learn as much during this next meeting. I am including several questions in this note which I would like to make sure get answered during this meeting. Thanks for keeping this process transparent and informative.

Questions

1. At the last meeting, the applicant did a good job of explaining the process for approval which included a corps of engineers' wetland studies, and DOT impact studies. **Has there been any movement on these or other actions needed before approval?**

2. It is possible I misunderstood the process. I thought all these other studies would be completed before a decision regarding zoning changes could/would be made. **Are these other studies needed prior to rezoning decisions, or is it prior to the final proposal decision?**

3. We seem to have gotten into the "legal weeds" regarding zoning laws. Initially, the discussion was about simply changing the zoning. Now the applicant is proposing overlay zoning, and during the last meeting contract zoning was also mentioned. One (or some other) zoning proposal may be a good solution but I would like to hear much more about what are the advantages and disadvantages of each. **What exactly is contract zoning? Why did the planning board administrators seem negative regarding consideration of contract zoning during the last meeting? Why did so many of the board members mention it during their comments at the end of the meeting? What groups would be helped (or hurt) by considering contract zoning?**

4. **What exactly is overlay zoning? What groups would be helped or hurt by considering overlay zoning? Why would the applicant propose an overlay zoning request instead of a contract zoning approval?**

5. I have read that assigning zones to areas of a town is almost like having an informal contract with the town citizens. People who move into an area and invest their savings to purchase a home know what will be happening around them in the future. They know that a mall or manufacturing plant will not be built in their neighborhood. Their investment has some protections. But I am not sure this assumption is correct. **How often is property "rezoned" within the state, and particularly how often has it been done in Westbrook?**

6. The economic development manager seems to be supportive of this proposal stating that it would provide needed low cost apartments for local workers and that is a key factor in achieving economic growth. The town just approved 50 new apartments in the parking lot next to the CVS. There are more than 200 new apartments on Spring Street. Rock Row also has plans to build apartments. There are two or three new apartment buildings opening on Cumberland St. If you walk the streets on either side of the river it seems like more than half of the homes have been converted into multi unit dwellings by investors. Sadly SAPPI just announced more workforce reductions. Future redevelopment of SAPPI might also include more apartments. **Can the economic development manager (or someone else) tell us what is the number (or percentage) of apartments needed in Westbrook to meet our economic development goals? What is the current ratio of owner occupied homes compared to rental units today? Is there a stated ideal goal for this ratio?**

7. At the last meeting, the applicant shared a "possible plan concept" of what could be done with the property. I recall the applicant seemed to indicate that this concept should not be considered a

proposal, but more like a tool to help the board understand possible directions. **Has there been any more formal work done on this concept? As we move forward in rezoning discussions should we start to view this concept as more of a formal plan?**

Thanks much for helping to answer these questions during the next meeting.

Mike

Mike Lynch
Currently Retired & OLLI Instructor at USM, & Traveling
715 410 1133

Rebecca Spitella

From: O’Gara Beth <bethrn80@gmail.com>

Sent: Friday, July 17, 2020 7:09 AM

To: Rebecca Spitella

Subject: Lincoln street

I am compelled to write in opposition to a zoning change to accommodate the developer. I have concerns for the effects on wetlands, habitat, traffic, schools. Thank you.

Sent from my iPhone

1

Rebecca Spitella

From: Paisley Richard <paisley.richard14@gmail.com>

Sent: Friday, July 17, 2020 12:26 PM

To: Jennie Franceschi; Rebecca Spitella

Subject: Lincoln Street Development Action

Dear Jennie Franceschi and Rebecca Spitella,

My name is Paisley Richard and I am a resident of Westbrook and a daily user of the former River Meadow Golf Club on Lincoln Street.

It has recently come to my attention that there is a proposal to change the zoning on Lincoln street in order to allow the development of 240 new units on that land. To me, this would be a detriment to our community as well as the health of our river, land, flora and fauna of the area.

As a daily user of this land, I have first-hand knowledge of the incredible wealth of natural plants and animals that inhabit this area, from endangered lady slippers to hawks, mushrooms, and deer. To change this zoning to allow the development of housing units would not only damage the ecosystem, it would also take away precious land in Westbrook. Having accessible land close to

the center of town is one of the many desirable aspects to residing in Westbrook and will only add value to our fast growing community.

I urge you to uphold the current zoning of this area, if not for the land but for our community and the residents of Lincoln street.

Thank you,

Paisley Richard
Sent from my iPhone
Katelyn Simpson
22 Osaka Street,
Westbrook Maine 04092

July 16, 2020

Jennie Franceschi- Director of Planning and Code Enforcement
Rebecca Spitella- Assistant City Planner
Planning Department,

City Of Westbrook
2 York Street
Westbrook, Maine 04092

Dear Ms. Franceschi and Ms. Spitella,

I am writing in regard to the Lincoln Street Development proposal. As a property owner on Osaka Street I am opposed to this development for a multitude of reasons. My husband and I chose to purchase a home in Westbrook because it maintained a smaller town feel while providing amenities of its own downtown area with close proximity to Portland and South Portland. We understood that economic development was being pursued for the City of Westbrook and we were and continue to be excited about the prospect of the city growing and offering more to its residents.

The downtown area is continuing to develop and understandably, the area beyond downtown will also, eventually, need to make changes to support this growth. However, we are not there yet. The downtown area does not have the infrastructure or business to support a development as proposed on Lincoln Street and the area surrounding Lincoln Street definitely does not have the infrastructure to support this development. Lincoln Street is a quiet area that has grown home to many young families, during peak traffic times there is already a considerable increase in traffic onto Bridge Street filtering through downtown. My current commute from Osaka Street during these peak hours can take up to 10 minutes in a car to reach the traffic light on Main Street. The addition of 200 plus homes will increase the burden on the already broken infrastructure and continue to aggravate current residence that can no longer easily access the amenities of the city that drew us here. Given this increase there has not been a clear understanding of a plan to upgrade roads, sidewalks including crosswalks, bridges, and parking locations which would be necessary to accommodate such an increase in residents.

As we increase traffic flow through downtown and the areas around Westbrook, non-residents will continue to find ways to circumvent the downtown area and will not take pause to dine, shop, or spend valuable money at local businesses. Adding to the already congested feel will not create a welcoming community where business will thrive. Westbrook is not at the point where we can continue to develop residential housing. We need think about a sustainable growth plan that supports economic development while promoting Westbrook as a positive community to live in and raise your family in.

Currently, we do not have businesses that can or will be able to provide employment for the residents of Westbrook, therefore this new population will be traveling outside of Westbrook to seek employment and the likelihood that they will find businesses and recreation to support outside of the city is also increased. The 200 plus families will not be spending their time in the downtown area that hasn't been able to keep up with the population growth.

The amount of money the city will need to raise, through taxes, to support the updates needed to accommodate a development of this size will definitely cause current residents to consider moving away from Westbrook. We currently have large businesses, such as Maine Health, conducting business with huge tax breaks leaving the residents with the burden of supporting the city. Taxes have continued to increase since I purchased my property on Osaka Street and I haven't seen the positive impact on the community to date. I continue to see open drug and alcohol use from Brown Street through downtown and publicly on the River Walk. We haven't been able to positively invest our time and money into the current concerns of our community—how can we think about adding 200 plus families to this mix?

What resources do we have left to support this increase in population when we are underserving the needs of the community currently?

The development on Lincoln Street is a rushed effort with hopes of an immediate gain. This growth is not sustainable and does not adhere to the principles that Westbrook has been founded on and continues to promote. The residents near this development are not happy and are not on board with this proposal. Failure by the city to hear this and understand our concerns is exactly the mentality that will prohibit Westbrook from moving forward as a positive, economically developed and sustainable city.

Sincerely,

Katelyn Simpson

1

Rebecca Spitella

From: Jennifer Starkey <jenniferanne82@outlook.com>

Sent: Friday, July 17, 2020 11:40 AM

To: Jennie Franceschi; Rebecca Spitella

Subject: Lincoln Street Development

To Whom This May Concern,

I am writing to express my opposition for the proposed development. My husband and I purchased our house in Westbrook on Chestnut St because it is a quiet neighborhood with no surrounding developments. I have been a Westbrook native for 10 years now and we plan on being here until our children graduate from high school. Our neighborhood is a great place for children to grow up and has little to no traffic, so we know the kids are safe when they are outside. The proposed development will increase traffic and foot traffic through our neighborhood, I am not onboard with this. And I wish my elderly neighbors had been notified of this to put many have lived in the neighborhood for several years.

We also pay enough in taxes to send my children to the schools in the area that are already overcrowded and at maximum capacity. All of these proposed units will overcrowd the schools even more. The middle school had to be expanded to add additional classrooms and Saccarappa was just completed and they are already discussing the placement of students as the Saco Street development goes in. The additional amount on the taxpayers to fix to roads and other infrastructure. It takes us long enough to navigate the traffic as it currently is without adding another 500+ commuters to the mix.

The town does not need to develop every single piece of land to increase revenue to the town. It does not really increase revenue in the way it appears to taxpayers, as taxes go up to accommodate the changes so do the individual taxes of homeowners. Start thinking of the residents who already live here. Start thinking about how this addition of housing developments are driving the price of rent up to not be affordable for the average family. Not to mention the high price of purchasing a home. We do not want to live in the huge city; therefore, we choose to live on the outskirts to remain close to our jobs and children's schools/childcares.

We have 5 children in the community, you could see we are pretty vested here and staying for many years. It is wrong to potentially push families out and make their children start in another school so some company from out of state can make a huge profit off this development. So, no this does not benefit Westbrook and the families who already live here. It actually drives many of them out. I have seen what the Spring Street development has already done to the schools and commuters and that is not even complete. If you want to start approving things, look at affordable housing for Maine families, not those looking to move from out of state. Especially in a time when many are out of work due to the Governor's restrictions.

Thank you for your time,

Jennifer Starkey

44 Chestnut St.

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Rebecca Spitella

From: Joshua Starkey <disneydad2006@gmail.com>

Sent: Thursday, July 16, 2020 11:39 AM

To: Rebecca Spitella

Subject: Lincoln Street development

Hello I live off of Chestnut Street, I am palled to be reading about the proposal of changing the ordinances, zoning and other items in Westbrook to allow 240 residences onto Lincoln Street, When the current is 70, I bought in Westbrook because I didn't want to live in Portland, if you guys allow this stuff to happen we might as will call Westbrook the new Portland because the traffic coming around the mill is going to be horrendous, it is already awful on normal days trying to get anywhere during rush hour can you imagine adding 500 potential cars to the traffic all heading potentially the same way, the city will ruin Westbrook, Raising my taxes my to suit somebody else and force me and my family who enjoy where we live in a quiet neighborhood to have to sell and move to a town that cares about the people

Josh

Dream as if you'll live forever but live as if you'll die today!

~James Dean~

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Rebecca Spitella

From: Anna Wrobel <etachait18@gmail.com>

Sent: Sunday, June 28, 2020 12:41 PM

To: Jennie Franceschi; Rebecca Spitella; Linda Gain; Michael Foley; David Morse; Victor Chau; Michael Shaughnessy; Anna Turcotte; Gary Rairdon; Elliot Storey; Claude Rwaganje

Subject: zone change blues

Attachments: westbrook.pdf

Dear Planners, City Council and Mayor -

This is respectfully submitted as I recognize how hard it is to govern and plan at any and every level of government. The following is simply a statement of feeling after something precious has been lost or seriously compromised.

Attached is a letter regarding the disappointment many experience, both in the neighborhood and elsewhere in Westbrook, that the city dropped the ball on an exceptional natural treasure within our midst. It is also a plea that perhaps some compromise may be found as to the disposition and development of the property at issue, with the understanding that the private market has the upper hand on this one.

Wishing all good health and calm in these tough times.

Be well,

Anna Wrobel / 24 Mayberry Road

From: Anna Wrobel – Westbrook Resident

To: Westbrook City Council, Planning Department, Mayor

Re: the Rezoning of the Once Riverview Golf Course

The Westbrook Planning Department assures us that the river will be protected when the new owners develop this large, natural property on Lincoln Street and Mayberry Road, for which is sought a zone change from Rural to RGA1. I thank the Planning Department for their vigilance in this ecological matter.

We are told if the zone remains Rural, the developer could build giant homes, each a resource hog, on huge individual plots stretching across the breadth of a striking landscape. If RGA1 is accepted, the *hope* is that denser vertical housing near downtown infrastructure will free up acreage for green space to be preserved. Hope is good. Guarantees would be better.

The Planning Board strives to mitigate issues related to property development. I was fortunate to be on the Planning Board for six years and learned a great deal, including the legal limits on municipal ability to set conditions on land use. Towns have limited say about forests and farmlands ceded to development – beautifying or not.

Of course, state and city codes make demands of their own, but how the asphalt will roll out over another piece of fertile land and mature woodland, is not yet known. We hear of POTENTIAL public access to river trails. I am wary of the repeated use of “potential.”

We need ASSURED public access, but can Westbrook legally claim that?

We have here a rare undeveloped tract that had for years been a golf course. The rural zoning of a river plain was not likely created for a golf course. The soil has been fed by eons of river silt, the surrounding area, now homes, having once been farms. New England villages were settled with farms and mills along the rivers, close to town centers and local markets.

Going forth from this virus-imposed breach, what do we do for our kids' sakes? What to keep?

What to modify? What to discard? Yet here we go degrading arable land in the heart of a sweet little city. Imagine the majestic pine forest as public parkland. There are asphalt grey zones that could be rehabilitated for dwellings. We very much need affordable housing, and there are more creative options than bulldozing an easily accessible natural treasure so near to the city center.

Erasing farmland near cities and towns was the postwar paradigm for spreading millions of Americans over vast reaches via highways and suburbs. And this is what city planners are sincerely trying to prevent. But sprawl will occur, too, in spite of the good intentions of the Planning Department, which has no legal authority to bargain one for the other.

Our children's future may look something like the traditional past where local economies include farms, mills and town centers, all in contiguous areas. Even New York City was closely ringed by family farms well into the 20th century, and now permits commercial farming *within* the city.

Smaller cities will eventually integrate agriculture, wildlife, green energy, manufactures, retail, professional services, recreation and culture all within walkable towns. Consider the healing effect such integration might have on our painful rural-urban divide.

It appears too late for town government to explore the means (grants, etc) for purchase of the land before market sale. It's not likely that any scenario but the present one was ever imagined.

A lovely river plain and white pine forest within WALKING DISTANCE of downtown would be unique pastoral assets for a small and singular city, a magnet for residents and visitors.

Forested river trails; in-town farm and market; an area solar field. All within a quick stroll to diverse dining at downtown restaurants. A model for more localized economic development.

Recall that town slogan, "Westbrook on the move?" We seem to move backwards with the tired business of covering over large chunks of meadow and forest. Perhaps some Maine town will use this critical time to creatively employ the natural wonders within its midst. Take a walk along Lincoln and Mayberry to witness the unique natural landscape so near mills and fairly dense housing. When walking there now I witness, too, the lost possibilities. What a pity.

Rene Daniel introduced the presenter.

Al Palmer – Gorrill Palmer presented aspects for the proposed zoning map change for a portion of two (2) lots located along Lincoln Street and the Presumpscot River, formerly Rivermeadow Golf Club.

Westbrook Planning Board Workshop

River Meadow Mixed Residential Development

Presented by:
Gorrill Palmer

Presentation Date:
July 21, 2020

Outline of Presentation

- Introduction
- Project Overview
- Process
- Recap of June 2, 2020 Workshop
- Alternate Development Plan (No Rezone)
- Overlay Zone Proposal
- Questions and Answers

Introductions

- Landowner – Fore, LLC
 - Adam Family
- Developers
 - WORG, LLC (Alan Wolf and Brian Goldberg)
- Consultants
 - Gorrill Palmer – Civil Engineering
 - Flycatcher, LLC – Natural Resources
 - Surveyor
 - Landscape Architect

Project Overview

- Parcels
 - Tax Map 10, Lot 2
 - Tax Map 27, Lot 1
- Location
 - Intersection of Lincoln Street and Mayberry Road
- Current Development
 - Former golf course
- Proposed Development
 - Mixed residential development consisting of single family, duplex and multi-family units
 - Mix of market rate and workforce / affordable quality housing (WAQ)

Process

- Local
 - Zoning Request
 - Subdivision & Site Plan
- State
 - Maine DEP – Site Location of Development Act
 - Maine DEP – Natural Resource Protection Act
 - Maine DOT – Traffic Movement Permit
- Federal
 - US Army Corps of Engineers - Wetlands

Process - Local

- Zoning Request
 - Workshop with Planning Board – June 2, 2020
 - Workshop with Planning Board – July 21, 2020
 - Public Hearing(s) with Planning Board
 - Planning Board Action

- City Council 1st Reading
- City Council 2nd Reading + Public Hearing(s)
- City Council Action
- Subdivision and Site Plan
- Sketch Plan Meeting(s)
- Preliminary Plan & Public Hearing(s)
- Final Plan & Public Hearing(s)
- Planning Board Action

Recap of June 2, 2020 Workshop

- Existing Zoning
 - Currently split between RD and RGA 1 Zone
 - Adjacent RGA 1 Zone is approximately 370 acres
 - Proposed RGA 1 Zone (above SZ) is 40 acres
- Existing Planning Considerations
 - RGA 1 Zone, which allows greater density, is adjacent to Bell, Emery and Mayberry Streets.
 - RD Zone, which requires lowest density, is furthest from these neighbors
 - Potential for lots within RD Zone to extend into the limited commercial shoreland zone

Recap of June 2, 2020 Workshop

- Proposed Zoning
 - Land currently zoned RD to be rezoned to RGA 1
- Proposed Planning Considerations
 - Allows lower density development, both in terms of use and space and bulk, adjacent to the Mayberry, Bell and Emery Street neighbors
 - Allows for a transitional zone, including uses, size and configuration of structures, and space and bulk
 - Allows highest density development furthest from the Mayberry, Bell and Emery Street neighbors
 - Allows greater flexibility for planning, siting, configuring and maximizing open space

Recap of June 2, 2020 Workshop

- Public Feedback
 - 56 Emails, letters, other forms of communications, approx. 16 speakers during meeting
- Themes
 - Traffic Impacts
 - Pedestrian Accommodations
 - Open Space / Green Space / Passive Recreation
 - Presumpscot River
 - Environmental Impacts, including Wildlife
 - Affordable Housing
 - Others
- Manner to Address Themes in Process

Recap of June 2, 2020 Workshop

- Board Feedback
 - General discussion regarding zone change versus contract zone
 - Formalizing public access along river
 - Connectivity of open space (Sebago to Sea)
 - Number of units under current zoning versus proposed rezone
 - Infrastructure capacity including utilities and traffic
 - Workforce housing
 - Straight rezone does not provide sufficient assurances that desired opportunities would be included in future development plan

Alternate Development Plan

- Number of Units
 - After meeting reviewed zoning provisions with respect to lot split by zoning districts and primary lot
 - Requested interpretation from Code Office
 - Section 202.14.A defines primary district which governs the use of the lot
 - Section 202.14.B specifies way to determine max footprint factor, gross density factor and landscape factor
 - Requested interpretation that as Residential Density Factor is not defined under B, it would be considered as a “Use” and defined by Primary Zone
 - Code confirmed interpretation

Alternate Development Plan

- Alternate Development Plan
 - Developer purchases portion of property
 - Purchase entire area zoned RGA 1 (approx. 9.5 acres)
 - Purchases portion of area zoned RD (approx. 9 acres)
 - RGA 1 is the primary zone
 - Multi-family dwellings are permitted and can extend up to 30 feet into RD Zone.
 - Density based on 1 Unit / 5,000 sf.
 - Net Residential Density approximately 140 to 150 units over the 18.5 acres
 - Remaining RD land would support 20 to 22 additional units

- Alternate Development Plan

Plan Shown of screen

Overlay District Concept

- Challenge

- How to provide assurances that desirable components of Development Plan are incorporated into Project post zoning change?
- Solution
- In addition to original RGA 1 Rezone Request add an Overlay District over entire site that includes specific performance standards:
 - Public Access
 - Planning and Design Standards
 - Workforce / Quality Affordable Housing (WAQ)

• Overlay District Performance Standards

- Public Access
- Public Access: The developer shall provide public access along the frontage of the Presumpscot River as well as provide a trail connection from the river to the Sebago to Sea Trail. Such public access shall be subject to the review and approval by the Planning Board during site/subdivision review and shall be in addition to the Open Space requirements as set forth in Section 502.8A.
- Proponents will continue to engage PRLT relative to disposition of shoreland area if rezoned approved

Overlay District Performance Standards

- Transitional Residential Development
 - A residential subdivision within the Lincoln Street Overlay District shall provide a transition between the residential uses of single-family, two-family, and multiple-family dwelling. Development shall meet the following standards:
 - Development immediately adjacent to the easterly property line abutting properties 010-001 and 010-001A shall consist of single family dwellings only.
 - In general, development shall provide an increase in density and bulk of structures, including the size, configuration and massing of structures from East to West.
 - The highest density development shall be the furthest from Mayberry Road.
- *Overlay District Performance Standards
Showed Map on Screen*
- *Overlay District Performance Standards
Showed example of RGA 1 Development on Screen*

Overlay District Performance Standards

Overlay District Performance Standards

- Workforce/Affordable Quality Housing
 - Workforce/Affordable Quality (WAQ) Housing Component: At least ten percent (10%) of the units in the project shall at least meet the definition of a WAQ housing unit for rent or for sale. The criteria associated with this performance standard includes:
 - WAQ housing unit for rent means a dwelling unit for which:
 - The rent is affordable to a household earning 100% or less than of Area Median Income (AMI) as defined by the United States Department of Housing and Urban Development (HUD)
 - The unit is rented to a household earning 100% or less of AMI; and
 - The requirements of (a) and (b) above are limited by deed restriction or other legally binding agreement for a minimum term of 30 years.

Overlay District Performance Standards

- Workforce/Affordable Quality Housing
 - WAQ housing unit for sale means a dwelling unit for which:
 - The purchase price is affordable to a household earning 120% or less of AMI;
 - The unit is sold to a household earning 120% or less of AMI; and
 - The requirements of (a) and (b) above are limited by deed restriction or other legally binding agreement for a minimum term of 30 years.
 - Affordable means that the percentage of income a household is charged in rent and other housing expenses or must pay in monthly mortgage payments (including mortgage insurance, property insurance and real estate taxes), does not exceed 30% of a household's income.

Overlay District Performance Standards

- Workforce/Affordable Quality Housing
 - WAQ units are encouraged to be integrated with the rest of the development, should use a common access, and should provide no indications from common areas that these units are WAQ housing units.
 - WAQ units need not be the same size as other units in the development but the number of bedrooms in such units shall be no less than 10 percent of the total number of bedrooms in the development.
 - WAQ housing units for sale, if converted to WAQ housing units for rent, shall become subject to the income limits and other requirements of such units.
 - In the event the development is completed in phases, affordable units shall be provided in proportion to the development of market rate units unless otherwise approved by the Planning Board.

Questions and Answers

- Process - State
- Maine DEP – Site Location of Development Act
- Maine DEP – Natural Resource Protection Act
 - Public Informational Meeting
 - Notice of Intent to File Application
 - Opportunity to comment to Maine DEP
- Maine DOT – Traffic Movement Permit
 - Scoping Meeting Request
 - Notice of Scoping Meeting
 - Scoping Meeting – at a City Facility
 - Opportunity to comment to Maine DOT

Process – Federal

- US Army Corporation of Engineers
 - Application filed co-currently with NRPA
 - Opportunity to comment to A.C.O.E

Zoning Considerations

- Existing Zoning
 - Shoreland Zoning along River will not be changed as a result of this request
 - Land above River currently split between RD Zone and RGA 1 Zone
 - RGA 1 Zone extends to North and East of the site
 - Current RGA 1 Zone is approximately 370 acres
 - Proposed RGA 1 Zone (above Shoreland Zone) is approximately 40 acres

Zoning Considerations – Planning Opportunities (Existing)

- Current RGA 1 Zone is adjacent to Mayberry and Emery Street Neighbors
- Current RGA 1 Zone requires higher density development, both in terms of uses as well as space and bulk, adjacent to Mayberry and Emery Street Neighbors
- Current RD Zone requires lower density development furthest from these neighbors.
- Potential for lots with RD Zone to extend into limited commercial

Zoning Considerations – Planning Opportunities (Proposed)

- Allows lower density development, both in terms of use and space and bulk, adjacent to the Mayberry and Emery Street neighbors

- Allows for a transitional zone, including uses, size and configuration of structures, and space and bulk
- Allows highest density development furthest from the Mayberry and Emery Street neighbors
- Allows greater flexibility with respect to planning, siting, configuring and maximizing open space
- Connection to public sewer within RGA1 would be less impactful to river quality as opposed to allowed septic systems in RD Zone

Potential Development Plan

- Potential Development Plan
 - Due Diligence Level Evaluation
 - Plan will evolve through process:
 - Input from Neighbors
 - Input from Staff
 - Input from Planning Board
 - Input from City Council
 - Input from State and Federal Regulators
 - Additional Field Investigations (Survey, Soils, Wetlands)
 - Plan is intended to provide one example of the potential of the property to be developed

Public Feedback Themes

- Public Comments
 - 56 Emails, letters or other forms of communications
- Themes
 - Traffic Impacts
 - Pedestrian Accommodations
 - Open Space / Green Space / Passive Recreation
 - Presumpscot River
 - Environmental Impacts, including Wildlife
 - Affordable Housing
 - Others

Public Feedback - Traffic

- Development under the existing zoning would not require a Maine DOT Traffic Movement Permit (TMP)
- Full development under the proposed zoning will require a Maine DOT TMP

- The TMP Process will include a Scoping meeting held in the City to discuss the extent and scope of the Study
- The City will be an active participant in the TMP Process
- The Subdivision / Site Plan Review Process will include a full evaluation of traffic impacts as well as road conditions

Public Feedback – Pedestrian

- A critical feature of this site is the proximity to the Downtown
- The live, work, play, shop, eat paradigm mandates pedestrian connections within the development to the Sebago to Sea Trail, the Presumpscot River as well as to the Downtown
- Extensive coordination with the City and other Stakeholders, such as PRLT will be required to provide these amenities
- These features will be a major planning and design component of the project as part of the Subdivision Site Plan Process

Public Feedback – Open / Green Space

- The RD requirement of 1 unit per 40,000 sf results in the need to have private open space on individual lots
- The flexibility associated with the rezone to RGA 1 will enhance the ability for open / green space to be a major public component of the development plan
- The ability to compress the development footprint under RGA 1 zoning (both horizontally and vertically) significantly increases the area available for open space
- Applicant has engaged the PRLT in preliminary conversations regarding the shoreland zoned area and will be continuing and advancing those discussions.

Public Feedback – Presumpscot River

- The Presumpscot Regional Land Trust is a significant stakeholder for consultations with respect to the treatment and disposition of the land within the Shoreland Zone (what improvements may be made and who is the holder)
- Currently there is no established easement along the River.
- A critical component of the Development Plan will include access along and to the River.

- The Shoreland Zone will not be modified as part of the rezone request
- All protections afforded under the Shoreland Zone will continue after any rezone

- **Public Feedback – Env. & Wildlife Impacts**

- Wetlands will be mapped per State and Federal Rules
- Maine Inland Fisheries & Wildlife will be consulted as part of the State Wetland Application process
- Federal Wildlife Service will be consulted as part of the Army Corps of Engineers Wetland Application process
- Project design will be required by State and Federal Rules to minimize impacts to the extent practicable
- Stormwater design must comply with MDEP Chapter 500 focusing on water quality best management practices incorporated into the landscape
- Low impact development and green infrastructure techniques will be evaluated for inclusion into project to protect water quality and prevent degradation

Public Feedback – Affordable Housing

- Large lots (area and frontage) associated with the RD Zone effectively precludes the ability to develop workforce housing due to the necessary infrastructure
- The ability to provide compact neighborhoods in the RGA 1 zone allows for inclusion of both market rate and workforce housing throughout the development
- A mixed residential development including single family, duplex and multi-family units also allows for a well distributed component of market rate housing
- The ability to provide housing within walking distance of the downtown will contribute to vibrancy as well as providing alternative transportation modes to support workforce housing

Public Feedback – Other

- The RD Zone promotes the development of “public” infrastructure thereby resulting in greater impacts to municipal services.

- The RGA 1 Zone promotes the development of “private” infrastructure minimizing impacts to municipal services.
- A mixed residential development including single family, duplex and multi-family units will provide for a diverse population that historically results in less impact to schools than a conventional single-family development
- The Subdivision / Site Plan process allows the City to assess impacts to municipal services and determine appropriate mitigation when required

Questions and Answers

- Based on feedback from Board, Public and Staff at June 2 Workshop, Applicant proposes an additional layer of regulatory standards in the form of Overlay District, which improves the project
- Assuming the Board believes that we have taken sufficient steps to address the initial feedback on the project, we would request that they schedule a Public Hearing to advance the project to the next step
- Thank you for considering this request and we look forward to continuing to work with the Board, Staff and Public

Rene Daniel Staff comments

Jennie Franceschi the applicant is requesting a zoning map change for a portion of two (2) lots located along Lincoln Street and the Presumpscot River, formerly Rivermeadow Golf Club, from Rural District to the Residential Growth Area 1. Included in this request, the applicant is also proposing a new overlay zone over these parcels, Lincoln Street Overlay District, to provide additional performance and design standards associated with any future development of the parcels located at 216 Lincoln Street.

Project History

June 2, 2020 – Planning Board Workshop

July 21, 2020 – Planning Board Workshop

The applicant is requesting to rezone the parcels located at Tax Map 010/Lot 2 and Tax Map 37/Lot 1, previously the River Meadow Golf Club, that are currently in the Rural District Zone to the Residential Growth District 1 which is the zoning district across the street from the street from the parcels. A portion of these parcels is already zoned RGA1, and this proposal would provide a mirrored zoning district on both sides of Lincoln St and Mayberry Road, where the parcels obtain their frontage.

Substantial feedback from the public both prior to and during the June 2nd workshop was received, primarily which expressed concerns regarding the following issues: 1. Protection of habitat and natural lands adjacent to the Presumpscot; 2. Access to/along the Presumpscot; 3. Traffic and density on Lincoln Street; 4. Water quality/general impacts to the resource; 5. Affordable Housing 6. Lack of a surety from developers leaves the potential for this or another developer to not follow through with the vision as it is being presented to the Board during the request for a zone change.

During the workshop, general comments from the Planning Board included that, while the Board appreciated the plan for formalizing public access, connectivity of open space and a transitional residential design, the Board mirrored concerns that a zone change without a way to assure those components coming to fruition, does not provide sufficient assurances that a future development will be held to the statements made during this process if there is no Ordinance requirement to do so.

In response, the applicant is proposing an Overlay District to provide additional performance and design standards, above what any project is held to in the City, to memorial these commitments. The overlay zone accomplishes the following objectives:

Open Space:

Currently the site is privately owned and does not have formal trails or public access. The proposed overlay zone requires future development of the land to provide public access to the riverfront as well as connectivity with the Sebago to Sea Trail. This is an opportunity for the City to work with developers to identify areas of high priority on the site (i.e. area along the river) most appropriate to conserve and formalize a trail system accessible to the public. This provision is in addition to the open space requirements of the subdivision review process.

Transitional Residential Development:

Currently, the applicant could create a multifamily development in the 10 acres of RGA1 land area along Mayberry Rd as well as develop a city street system looping through the entire parcel to create a maximized development pattern of single family and duplex lots through the 37 acres of RD area beyond the Shoreland Zoning area. Also, the current zoning would require all multi-family components to be located in the land area located adjacent to Mayberry St and abutting the single-family homes along Bell St.

The proposed overlay zone would require a transitional development design where the single-family homes are continued along the existing single-family neighborhoods and gradually transition to two-family and multi-family homes. The overlay as proposed would require the largest multi-family units to be located furthest from Lincoln St and Mayberry Rd, while still outside of the shoreland overlay zone, thus continuing to provide protection to the resource while also buffering the existing neighborhoods.

Building Design:

As part of this overlay, additional design standards are included to provide variation of the structures to ensure the look of a neighborhood using at least 3 variations for abutting structures of the 6 design elements stated.

Workforce Housing:

The proposed overlay defines workforce housing and requires a minimum of 10% of the proposed units meet this standard. This model is taken from the Ordinances of neighboring municipalities and has been provided to the City Solicitor for review.

In your packets, Staff has provided the narrative from the applicant included with the initial submission (letter dated July 13, 2020), as well as a narrative outlining a resubmission that was provided by the applicant following Staff feedback. The proposed language in front of you has incorporated Staff comments. Additionally, all comments provided to the Planning Department as of 12:30pm on Friday, July 17th are included in your packets.

Staff are supportive of the proposed overlay district to provide a level of certainty that the high-level parameters that the Board raised are incorporated in a future project. The standards provided are in excess of standards required of any other district standards, but clearly are important to memorialize for the future.

Board Action:

- Provide feedback to the Applicant
 - Board can provide feedback on ways to improve the application or amend the application.
 - Schedule a public hearing

For the Boards reference, we have included in this memo our comments from the first 6-2-2020 workshop:

Staff Comments

The applicant's requesting to rezone the parcels located at Tax Map 010/Lot 2 and Tax Map 37/Lot 1, previously the River Meadow Golf Club, that are currently in the Rural District Zone to the Residential Growth District 1 which is the zoning district across the street from the street from the parcels. A portion of these parcels is already zoned RGA1, and this proposal would provide a mirrored zoning district on both sides of Lincoln St and Mayberry Road, where the parcels obtain their frontage.

This proposal will solicit significant feedback and comments from the community which is entirely expected and appropriate. Staff would ask the Board to review the Zoning Map online to see the areas clearly, review the boundaries to the project and see the various developments patterns that surround this land.

To start, without a rezoning, these parcels are afforded the ability to develop under current zoning regulation. The applicant could create a multifamily development in the 10 acres of RGA1 land area along Mayberry Rd as well as develop a city street system looping through the entire parcel to create a maximized development pattern of single family and duplex lots through the 37 acres of RD area beyond the Shoreland Zoning area. This type of development is resource intensive (roadway construction & lack of open space areas due to land requirements per parcel and no multifamily units allowed), is more costly to the community (plowing, road maintenance, trash services) and creates more expensive lots costs due to extent of infrastructure costs per unit.

Staffs comments should not be construed that we are supporting the applicant in this matter, but rather that Staff find the proposal is in keeping with proper land use planning when you review the areas around the heart of our community. Staff provide the following comments for the Board's consideration as we navigate through the process of reviewing the proposal before you and the questions raised by the community during this process.

- 1) The proposed amendment demonstrates proper planning principles for not only Westbrook but the region. Current studies are underway by the Greater Portland Council of Government on reviewing land use patterns and ways to promote residential development in areas where it makes the most sense from land utilization, resources, access to services, reducing sprawl and fiscally beneficial to community.
 - a. Lower cost per unit provides more affordable housing opportunities.
 - b. Reduced road Right of Way networks reduces costs per resident to the community due to private trash pickup and private road maintenance.
 - c. Lack of ROW frontage provides density bonus to the development which translates into lower cost to the residents within the development.
- 2) Location is within proximity of public utilities. As the City continues to grow, it is consistent with the Comprehensive Plan to facilitate growth in areas accessible by public infrastructure and with access to street connectivity to avoid sprawl in the northerly rural areas of the City.
- 3) Creativity in design and layout provides for improved neighborhoods options. (By affording more residential use options and increased density, additional amenities as well as improved neighborhood layout can be achieved that traditional subdivision layouts cannot achieve due to current zoning & cost constraints.) A rezone of the parcel to RGA1 expands the location where higher density is permitted which could allow for a better transition of housing types from single-family homes next to the Mayberry, Emery and Lincoln Street to two-unit and multi-family dwellings to meld with the established neighborhoods.
- 4) The parcels are within walking distance proximity to transit.
- 5) The parcels are within a proximity to downtown which would enhance and attract more opportunities to our downtown by bringing more residents into this vicinity which is needed for a thriving downtown.

- 6) Looking at the zoning map and aerials of development surrounding this parcel, these parcels are connected more to the heart of the community vs the Rural District. There is an end to this district expansion with the Presumpscot Estates project to the north of the project site. This process would not be a gateway for continuation past this point but rather a natural end to transition to the next district.
- 7) The proposal provides a location for residential development thus reducing the push and pressure of development into the more rural areas of the community.
- 8) A project afforded the RGA1 zoning district could reduce pollutants into the waterway by providing public sewer vs utilization of individual septic systems for a residential development in the Rural District. There is no density incentive with Rural District standards to bring in public sewer as the smallest lot allowed per district standards is smallest allowed per state law with a septic system. To provide the infrastructure (public water and sewer), a project requires a level of density support those costs thus the request for the RGA1 zoning district.
- 9) Allowance for better land utilization with denser development and land preservations vs RD land intensive zoning layout, which can result in poor land utilization in such an important location in our community. To not use our lands to the highest and best use based on the availability of services adjacent to those lands, is poor land utilization and is the contributor to sprawl in our neighboring communities.
- 10) A project of a certain scale can address public infrastructure deficiencies as part of off-site improvements.

Concerns Raised by Public in emails sent thus far:

- 1) River/Wildlife protection
 - a. There is a significant Shoreland Zoning district that runs over the land. In the last update of the SZ ordinance & map the state required our line of the resource (edge of the river) to be significantly pushed back in this area of the Presumpscot River due to wetlands that are associated with the river. The line in some locations pushed back 500' into the parcel. In this one action, a significant portion of Riverfront land was placed in for all intent and purpose, preservation.
 - b. The district line for the shoreland zone over this property is Limited Commercial, which has a 100' setback line from the "edge of the resource" which is not the line of the river but rather the green hatching on the zoning map. The placement of this area into RD was done before the advent of Shoreland Zoning which did provide a "level" of protection, however with the most recent SZ rewrite, the state increased the protections on this parcel significantly where the setback line was moved back and additional 250-500' in some locations along this parcel, thus placing the wetlands associated with the river into protection and ensuring this area to be left in a more natural state. (To provide this information in terms of acreage - total area of parcel is approximately 90 acres, total area in SZ/Floodplain approximately 43 acres, at least 43 acres have this higher level of

protection due to shoreland zoning, with potentially more acreage internal to the parcel being wetlands that would be deducted from density allowance.)

- c. Proposal does not remove any Shoreland Zoning regulations that are in place to protect the natural resource, such as significant limitations on development within the district, setback from the resource and restrictions on clearing of existing vegetation located within 250-feet of the river. Due to the regulations and limitations of the Shoreland Zone, the most feasible location for development is upland of the Shoreland Zoning area, where the majority of the site is already cleared from the previous golf club use.
- 2) Access to Riverfront – public amenity/conservation
 - a. Currently the site is privately owned and does not have formal trails or public access. This is an opportunity for the City to work with developers to identify areas of high priority on the site (i.e. area along the river) most appropriate to conserve and formalize a trail system accessible to the public.
 - b. In previous discussions with the development team, it was relayed that working with the Presumpscot Regional Land Trust as well as the Recreation and Conservation Commission is essential to providing trail access along the River for not only the residents of the project but also the greater community. This trail could be improved as part of a greater project to include public access. Incorporated with this, would be a plan of conservation of the sensitive areas along the River that support the natural environment in this area. As stated above, the Shoreland zoning area over the parcel along with the expanded “edge of the resource” puts a significant portion of these parcels into protected status that would keep development well away from the River’s Edge and protect critical habitat area along the river while affording public access to a future trail system along the River.
 - i. Applicant had rough ideas on trail systems along River as well as creating connections to the Sebago to the Sea trail system which runs on the Rail land.
 - ii. An additional idea posed by the applicant which would fall out of any review process with a formal open space plan when a project comes forward, could be an additional kayak boat launch with potential for storage rack rentals.
 - 3) Traffic
 - a. Impacts to traffic, and related off-site improvements (ex: sidewalks on Mayberry St and Lincoln St), are a noted concern and will be reviewed during a site/subdivision process with the Planning Board
 - b. As with any project, the requirements of the ordinance will need to be reviewed and if impacts from a project are determined as part of a traffic study, then the project would be responsible for implementing those off-site improvements to the existing City street system.
 - c. Scale of project would determine level of off-site improvements but could vary from:
 - i. Sidewalk installations along City Streets where there are none currently to connect to existing system.

- ii. Improvements at intersecting streets
- 4) Stormwater
 - a. The impacts of impervious cover in the watershed will be evaluated at a project level, and depending on size of project, it may require MDEP review for either a Stormwater or the Site Location of Development depending on size. These regulations are placed to protect the resources in the watershed of any project.
- 5) Density
 - a. Additional housing units would be afforded to this parcel, however the allowable density is the same density permitted across the street. The zoning district of RGA1 is across the street and is not introducing a district that is dissimilar from what already exists.
 - b. Lot sizes in the existing developments of Osaka & Bremen are smaller lots than what would be permitted across Lincoln St on this parcel. The Osaka Lots are 5000 sf lots of historical subdivisions, where minimum RGA1 lot size is 7,500.
 - c. The acreage that is shown to be changed to RGA1 would not all be available for density as the wetland areas would all need to be removed as unusable lands.

For an example of a creative development pattern afforded by this proposal, Staff requested the applicant provide the Planning Board with a conceptual design demonstrating an example of a development within the RGA1 District. This is being utilized as a demonstration exercise only and does not necessarily take into consideration final net residential density, topography or other requirements of the Ordinance/Subdivision review and is not binding on the application. However, the layout as shown speaks to the transitional housing layout discussed above by providing the RGA1 district to place higher density further away from the established neighborhoods as well as the ability to conserve a significant portion of the land for preservation and passive recreation.

If the requested Zoning Map amendment is approved, the applicant will then work with a design team to then bring forward a proposed development layout which the details would then be provided to the Planning Board for their review.

In summary, the proposal provides:

- Compatible residential options for development patterns that would be in keeping with zoning in this neighborhood,
 - o Expanding the RGA1 District Line allows for the space to provide better transition of housing types from single-family homes next to the Mayberry, Emery and Lincoln Street to two-unit and then to multi-family dwellings to meld with the established neighborhoods.
- Consistency with regional planning initiatives, and
- Improved opportunities for amenities for the community through better land utilization.

- More opportunities for open/green space by allowing density vertically within a multifamily structure vs expanding horizontally on the land.
- Potential for Conservation and passive recreation of a substantial portion of the property
- Potential for Public access thorough the parcel working with partnering agencies and the City.

Dan Stevenson - Economic Development Director for the City of Westbrook

1. Charged with team to support Residential not just commercial
2. Applicant can propose additional units without zone change
3. Investments and improvements – sidewalks, sewer
4. Density in housing does support taxes
5. Density is a good thing, walkability and near City services
6. This proposal responsive
7. Pledging 10% to affordable housing
8. Chris LaRoche can speak to that
9. Growth downtown and Rock Row – housing demand is up
10. Grow from the inside out is responsible
11. Comp Plan working well – not one project should make full blown Comp review
12. I verified school enrollment with the School Administrators
13. Explained School System – total enrollment
14. School enrolment is not experiencing an increase
15. Important Public Information – declining enrollments is not a desirable community
16. Westbrook is doing fine in school enrollments
17. The Economic Development Department supports this development

Rene Daniel comment on an e-mail we received asking what process a company goes through prior to the Planning Board.

Question studies throughout area for housing stock – no developers would not come forward where there is no need.

Example - Cumberland Woods project is already fully rented– there is that much of a need for housing.

Rene Daniel questions asked at the end of the Public Comment

Public Comment Opened

Matt Brunner 26 Stillwater Drive I have so many notes, I have an essay now and will name it lipstick on a pig.

No disrespect guys, I know you put in a lot of great work but we keep talking about building a neighborhood, one already exists there and this project will destroy it.

1. I will respond to some of the stuff I saw on the slide before my other comments I made originally. Clearly worded in the City Charter that rural development is supposed to be protected.

2. You are charged with holding that charter
3. With all due respect to Jennie no matter how you read into it now, that is the charter we have now
4. The Comprehensive Plan we have now is the one we have
5. The one we want to work towards will be a City wide effort. It does not exist yet, so we have to go with the one we have
6. Common knowledge that there has been a lot of offers on this property over the years and none have come before the City with the best plan and that is why it is still there, empty, not an easy piece of land to develop
7. That is why they used the Scare slide with the 12 units
8. You keep talking about public access, trails are there that give us public access
9. The Adams have let people enjoy the land as a park now
10. You are taking that away from the neighborhood and away from the entire City
11. I live next to this parcel, through the woods and the trails are used constantly private land or not, public access or not they are used constantly
12. You keep talking about developing this land, you will be destroying the land
13. Shoreland cannot be developed
14. Again, How do you create a neighborhood – why do we need to create a neighborhood when one exists there already
15. Quality workforce housing, 10% of the small one will be 12 housing units
16. Average median income is 61,00 to 76,000 dollars
17. I do not mean any disrespect to the developers, I know they are doing what they can to make money, this is the worst decision for that neighborhood
18. Rene you will make a mistake to vote this forward
19. The first time zoom meeting we had more people against this project
20. You talk about the infrastructure, we know what the water system looks like.
21. You are going to add 500 more cars to that road
22. Infrastructure needs upgrade already, this project will destroy the infrastructure
23. School enrollment down because of developments like this
24. Maybe families do not want to be here anymore
25. I do not know if schools are allowed to give school information out. I am not sure where that information came from. Maybe from another study.

Now my comments, the other comments were from the slides shown.

I am a neighbor to this parcel and the woods mean a lot to me. I have put a significant investment into this City knowing that was already protected land in the City Charter.

This project will have a significant impact on me and a lot of people near this parcel. This will not improve anyone's property values, it will not improve anyone's way of life. Hiding the multi-units from the road is not going to improve anyone's life.

No offense, this entire plan is a front to the City, the neighborhood, the charter, the Comprehensive Plan.

This is not a land owner plan, I have to think that there is an in force a purchase and sale agreement? If not, this meeting is kind of useless. I have to imagine that has to exist

Again, it has been on Facebook that there is a plan to do the lightest development on the land and make this family financially whole and put the rest of the land in Conservation.

Now talk about this land and downtown. What good City doesn't have a jewel of open space Downtown? Riverbank Park, if you have someone playing Frisbee and someone playing soccer you are out of room. Riverbank is not the downtown park, this parcel would be a great location for a great park.

No offense, I think the Planning Department and the Economic Developer does a good job but no one bats a thousand this would not just be a swing and a miss, this would be betting on the other team and a loss. This is a bad development.

Thank you for your time

Mike Lynch 159 Lincoln Street I need to make sure I understand a couple of things. One of my question was the different types of zoning. The last time we met you talked about a Contract Zone, now you are talking about an Overlay Zone. I am not sure if a Contract Zone and an Overlay Zone are one in the same thing. I need to know that.

The definition of Overlay Zone I think I got, it is tied to the property and provide a certain amount of protection. I still would like to know what is a Contract Zone.

The other question I have is how often are zones changed? I believe when someone purchases property, there home, they know what the zones are around them and to a certain extent there is a contract between the Purchaser and City. They understand that there will not be a manufacturing plant across the road or something else like that. My question is how often is re-zoning done either in the State, or more importantly in Westbrook? Is re-zoning done all the time or a few times and what is the criteria?

Al, I think I understand the project now, I was confused about a total proposal and just for the Zone. Just to be clear last time you showed a very preliminary proposal and it was something like 240 or 260 total units, single, duplex and multi-family in that range. My question is approximately 250 units that this proposal or this re-zoning is all about.

Lastly when you spoke about the 9 ½ acres vs. the 9 acres and you referenced section 202.14 A & B. The example you gave was if the RGA Zone currently is 9 ½ acres and someone was to buy another parcel adjacent like 9 acres one of the two sections said the majority was the one that would have control, therefore you could get approximately have 160 units.

So my question now is it has 80 acres zoned RD, 10 acres RGA, is the section you were referring to say we keep it the way it was, am I correct that all 90 units would be rural development as rural development is bigger and then the codes for rural development would be superseded.

Mike (last name not heard) 30 Lincoln Street I think the items I have are being considered and I want to go through them for clarification. The whole zone now is basically 2 story residential

and I hope anything built on this parcel will maintain that level. Keeping the two story residential standard I feel is important.

Folks have touched on sidewalks and I think that is important, Lincoln Street is already a very busy street and adding these units will increase the traffic.

Public access has been talked about quite a bit and access to river is important. Looking at the river there is a lot more people on the river because of how the river has dropped due to the construction the dam work. I think direct access to the river would be beneficial.

The other question I have is the Marijuana Dispensary that is on the property now and how that is being handled.

Thank you

Michelle Mayberry 2 Bell Street and I think my property will be the most impacted. I do not understand the overlay and what that is all about. You showed multi-units and does the overlay protect that from happening? My other question which would come later in the development is the water flow. Right now when it rains the water flows down across my property to the Golf Course and then to the river. That is my concern, where is all the water going to go? Hopefully not in my basement.

Christine Latini 170 Pierce Street , First - A huge praise for the department and board for being adaptive the past few months and I truly thank you for holding this public meeting, it is imperative that non virtual public comments be allowed for the good faith, will and democracy of Westbrook. The past several months have been challenging to say the least. It was painful to listen and watch board meetings where residents were absent, sometimes cut off or not able to be heard at all due to technical difficulties with the virtual platforms. I understand that the budget process had to resume and be held virtually, however I do not believe that the planning board needed to hold a virtual public meeting for the purpose of this zone change. In the state of emergency Maine was under, we should not be altering, changing or even talking about changes to our comprehensive plan or zoning during such a time. When those who control the right to determine what shall be done, and in person public opinion is blocked; democracy is unworkable.

Second - This board should encourage the health of our existing neighborhoods and ensure that new neighborhoods have the same cohesive nature while being sensitive to the City's visual and cultural character. Our comprehensive plan and land use ordinances are the governing document for this goal and should not be manipulated at will. This very aggressive plan for 216 Lincoln Street does not encourage any of that at all. Allowing the proposed zone change to this property would lead to a decrease in value of the neighboring properties, create negative spillovers on the surrounding neighborhood and the Workforce housing sounds like Rent Control an extremely slippery slope which leads to decay of the dwellings maintenance because landlords can't recoup their investment. Housing ownership offers the opportunity to build wealth and tends to lead to those being invested in the local community. The rental market is very well represented in the neighborhood with the 72 rental units this board approved 1/2 mile away at 426 Cumberland St. This is not the time nor a good use of land for the planning board to change our governing

documents and recommend this project to the city council. Thank you for your time and the opportunity to speak, I appreciate it.

Rene Daniel anyone else?

None noted

Public Comment closed

Rene Daniel is there a property sale agreement?

Al Palmer there is an option to purchase that runs through October 15, 2020

Rene Daniel Contract Zone vs Overlay – Jennie can you address that?

Jennie Franceschi the two uses we have in our Ordinance for zoning when you are trying to do something that is not within the traditional zone for the underlying district is either the contract zone or we have an overlay districts.

The Contract Zone device is typically used when the underlying zone of a particular parcel does not fit in well. When the density is not utilized and it sits there as a white elephant. We have used contract zoning for massive re-development projects for industrial parks. In this instance a Contract Zone is not the correct device to use as you have a zoning district where the standards work for the parcel.

An Overlay Zone is what we have used when we put additional parameters on a parcel and it is additional performance standards. You have the underlying zoning district that you must comply with and then an overlay can be placed over the parcel that provides additional standards that is above and beyond what other districts are required to do. In this particular instance we are making this parcel have higher standards for development than the one next door to it in the same zoning district. That is why with discussions with the applicant the Overlay was chosen instead of the Contract Zone.

Rene Daniel the next question is how often is re-zoning done?

Jennie Franceschi zoning changes are typically driven by property owners or can be driven by the City as part of an overall rezoning of an area of the community. If you look at the Zoning maps that go back to 1951, you can see the changes in zoning over the course of time.

Looking at purchases of homes and what the surrounding zoning districts are, does not mandate the zoning in perpetuity. It can be changed within a public process. As far as the frequency of zone changes it is variable. I have been with the City for four years and have had several applications come forward with zoning amendments.

Again. Zoning is fluid and changes over the course of time, it is not something that is stagnant and does not bend. It is something that we do as an ever-changing community. Zoning districts will never remain the same in perpetuity.

Rene Daniel how many houses could you have with the present zone?

Al Palmer that is a multi-part answer. If an applicant came in, just to develop the RGA1 Zone land, that would support 60 to 70 units. If someone came in to just develop the RD Zone land that would support 30 to 35 units.

If an applicant purchased the RGA 1 Zone and approximately 9 acres of the adjacent RD Zone that would support between 140 and 150 units.

The other portion of his question was that there is 80 Acres of RD land doesn't that become the primary. It depends on the proposal in front of the Board. If an applicant comes in with a 19 acre project, the RGA 1 is the primary district. That is how the project would be reviewed. It would be whatever proposal is in front of the Board.

Rene Daniel review 202.14 A vs B? answered already – The next question is - Their own property will they be grandfathered to the use or will they need to make changes?

Jennie Franceschi the existing uses on the parcel, would the existing uses remain on the parcel?

Al Palmer at this time could still indeterminate, it is not impacted by the proposed zone change. It can still operate as it is today. If the zone change is approved, the owner may have discussions with the tenants. The current use on the site, may or may not be part of the ultimate development plan. That would be addressed as part of the Site Plan process.

Rene Daniel the next question I heard was is an overlay zone a more protective zone and I think you already answered that.

Drainage? I know it is in the next stage but at this point it has not been addressed. If you can do a general answer to the drainage as it flows down Mayberry past Bell towards the river.

Al Palmer I would like to back up and answer her previous concern. Under the current zoning a multi-family could be constructed next to your property. Under the overlay language as currently written that would not be allowed it would only be a single family residence.

Relative to the drainage as the Chair mentioned, that will be addressed as part of the site plan process. All existing flows going through our receiving site will have to incorporate that into the design so it does not result in any back-ups above us and we convey it within the Municipal standards, the DEP standards and the Army Corp of Engineers standards. There will be an exhaustive drainage review done and designed to accommodate the existing flows as well as how we handle the additional flows created by the project both from a quality and quantity standpoint before they are discharged to the river. There is a mandate that we can cause no harm upstream or downstream.

Rene Daniel any other questions that I missed?

Al Palmer Ms. Latini asked a question is the affordable housing the equivalent of rent control. The home ownership is the path to building wealth. The provisions that have been provided for workforce housing and affordable housing is not the equivalent of rent control. There are specific parameters by which units can be sold or rented. They so allow for home ownership which would be a path to building wealth, There are requirements relative to is you then sell that unit

you have to sell it within the parameters established in the overlay district for that subsequent buyer. Bottom line you cannot have rampant growth in sales prices that do not mirror growth in the median income. You have an established process of units that can be rented or sold, and it protects the rate of growth in the pricing of those units for the next 30 years.

Rene Daniel Board comments or discussion?

Larry McWilliams to Al Palmer – when you mentioned the 9 acres on the RGA1 Zone that is there now, and if there was a 9 acre of the Rural District parcel sold you would be able to put 12, 12 unit buildings on that RGA1 existing land now. Which shows three 4 story units that does not show comparison to any of housing that is in that area. That was just a proposal but this district change to the Rural District and it is something like that would that be something that if they would chop that land up, try to put in 12 three story units that will not fit the aspect of the neighborhood that is already existing now.

Al Palmer it would be less compatible with the existing neighborhood but under your current zoning it is an allowed use.

Larry McWilliams that is subject to the Board's review.

Al Palmer it would be subject to Subdivision and Site Plan review.

Nancy Litrocapes it looks like you have done a lot of work since the last meeting and what the community has asked for. I appreciate that. The workforce housing, I am happy to see that added in. I think for providing opportunities for people to live in environments that may not be otherwise accessible to them just raises everybody to a higher standard. I think that is good to add to the City. I would be surprised if we had no impact to schools' long term by the development that we have. We do need housing and trying to get a sense of what we have available, it is very limited, and it moves very quickly. Without question we need to offer more places to live for our community.

There is so much to absorb from this and probably will have more specific questions, I need to wait and be ready for the next stage. Thank you for your presentation.

Jason Frazier question for Staff. With the multifamily in the overlay would there be a minimum multifamily setback to the single-family units or the duplexes?

Jennie Franceschi we have not established a minimum setback as the Ordinance is evolving. Right not the layout that has been shown through sketch plans is to have that be a transitional single family to duplex to smaller multis and obviously the larger would be further away. I do not believe the specific distance has been provided but Al could provide a little more detail on that.

Jason Frazier esthetically if there is a buffer. No one wants a four-story apartment complex in their back yard. For Al, on your mock-up would the multifamily have a private drive or would it be a shared road with the single family and duplexes.

Al Palmer as Jennie stated we have just started looking at different concepts. As you can imagine there are a number of different alternatives that would be vetted before we come back.

A lot of it will be driven by what we see as the market demand is as we progress. We would have a master plan and the details will be worked out as part of the master plan.

Jason Frazier from the previous plan, knowing that was a sketch, are you still going to use the transition from single to duplex to multi. Are you still thinking to present the plan that was shown the last time?

Al Palmer yes

Jason Frazier so the higher density that will have more vehicles will be going by the single-family houses.

Al Palmer is would be separate access to the multifamily. The multifamily would have a private drive access separate from the public street access.

Jason Frazier thank you I look forward to seeing your next proposal.

Rene Daniel I need to thank all the Staff and to all residents here and watching from home. Thank you for your concerns as you want the best things for the City of Westbrook which will not please everyone but will keep everyone focused on what is the best for this City.

I am proud of the residents who are here to attend this meeting and make comments and to ask questions because of your love of the City. Thank you very much.

I will entertain a motion to adjourn.

Al Palmer Mr. Chair, may I ask a question? Our goal tonight was to see if we had advanced the concept enough and that we addressed the Boards concerns from the prior workshop satisfactorily so we can proceed to a public hearing?

Rene Daniel in a workshop cannot not make motions that you can do in a Planning Board meeting. The City of Westbrook permits me to schedule a public hearing when Jennie calls me to let me know that all the steps have been met so we can move forward.

Al Palmer thank you

Rene Daniel do I have a motion to adjourn?

Nancy Litrocapes move to adjourn

2nd by Jason Frazier

Rene Daniel any discussion

None noted

The motion carries 4 - 0

ADJOURN

THANK YOU, respectfully submitted by Linda Gain lgain@westbrook.me.us