

**WESTBROOK PLANNING BOARD
TUESDAY, JANUARY 7, 2020, 7:00 P.M.
MINUTES**

REGULAR MEETING

Present: Ed Reidman, (Chair) (Ward 5), Rene Daniel (Vice-Chair) (At Large), Rebecca Dillon (Ward 1), Jason Frazier (Ward 2), Joseph Marden (Ward 3), John Turcotte (At Large), Nancy Litrocapes (Alternate), Larry McWilliams (Alternate)

Absent: Robyn Tannenbaum (Ward 4)

Staff: Jennie Franceschi: Rebecca Spitella; David Finocchietti

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.

Ed Reidman called the meeting to order.

1. Call to Order

2. Approval of Minutes

Rene Daniel move to approve December 3rd, 2019 Planning Board minutes as presented.

2nd by Rebecca Dillon - Motion approved (7-0) (Nancy Litrocapes voting)

3. Chairman's Report

During 2019 the Planning Board reviewed a total of 80 items with the following breakdown of plan sets affiliated with each item until completed: (1) Amended Subdivisions, (12) Conditional Uses, (2) Extension Requests, (26) Ordinance Amendments, (34) Public Hearings, (6) Shoreland Zoning, (40) Site Plans, (16) Subdivisions, (7) Village Reviews, (27) Workshops, (6) Zoning Map Amendments, (2) Amended Site Plans

Below is a list of activities of the Planning Board during 2019:

- 4. 2018.46 – Site Plan, Subdivision & Conditional Use - 212 Brown St – Clark Painting, Inc – Public Hearing 01/15/19**
- 5. 2018. 49 – Ordinance Amendment – Business Professional Office District - Public Hearing: 01/15/19**
- 6. 2018.50 – Ordinance Amendment – Village Review Overlay Zone Public Hearing: 01/15/19**
- 7. 2018.51 – Ordinance Amendment – Sign Ordinance Public Hearing: 01/15/19**
- 8. 2018.52 – Ordinance Amendment – Artisan Food and Beverage Public Hearing: 01/15/19**
- 9. 2018.53 – Ordinance Amendment – Veterinary Office and Kennel Public Hearing: 01/15/19**
- 10. 2018.54 – Ordinance Amendment – Gateway Commercial District Public Hearing: 01/15/19**
- 11. 2018.55 – Ordinance Amendment – Administrative Changes Public Hearing: 01/15/19**
- 12. 2018.56 – Site Plan – 1 Ledgeview Drive – Regional Transportation Program Workshop 01/15/19**
- 13. 2018.57 – Site Plan – 369 County Road - Central Maine Power Workshop: 01/15/19**

14. 2018.58 – Site Plan – 594 County Road - Pine Tree Waste, Inc. Workshop: 01/15/19
15. 2018.59 – Subdivision Plan – 138 Hardy Road – Michael Pedneault Workshop: 01/15/19
16. 2018.60 – Ordinance Amendment – Rock Row Contract Zone – 58 & 80 Main Street – Waterstone Properties Group Workshop: 01/15/19
17. 2018.56 – Site Plan – 1 Ledgeview Drive – Regional Transportation Program Public Hearing: 03/05/19
18. 2018.57 – Site Plan – 369 County Road - Central Maine Power Public Hearing: 03/05/19
19. 2019.06 – Site Plan/Shoreland Zoning – 921 Main Street – Sappi North America, Inc Public Hearing: 03/05/19
20. 2019.01 – Site Plan/ Village Review Overlay Zone/Shoreland Zoning – 3 Vallee Square – Vallee Square Holding, LLC Workshop 03/05/19
21. 2019.02 – Site Plan – 590 Bridgton Road – Coastal Road Repair Workshop: 03/05/19
22. 2019.03 – Site Plan – 15 Saunders Way – J.B. Brown & Sons Workshop: 03/05/19
- ~~23. 2018.48 – Site Plan, Subdivision & Conditional Use – Cumberland Woods – Graiver Family Holdings, LLC – Item removed at the request of the applicant 03/05/19~~
24. 2019.04 – Ordinance/Zoning Map Amendment – Industrial Zone Workshop: 03/05/19
25. 2019.05 – Ordinance Amendment – Chapter V Subdivision and Site Plan Review Workshop: 03/05/19
26. 2018.60 – Ordinance Amendment – Rock Row Contract Zone #12 – 58 & 80 Main Street – Waterstone Properties Group Public Hearing: 03/19/19
27. 2019.03 – Site Plan – 15 Saunders Way – J.B. Brown & Sons Public Hearing: 04/02/19
28. 2018.59 – Subdivision Plan – 138 Hardy Road – Michael Pedneault Public Hearing: 04/02/19
29. 2019.01 – Site Plan/ Village Review Overlay Zone/Shoreland Zoning – 3 Vallee Square – Vallee Square Holding, LLC Public Hearing: 04/02/19
30. 2019.04 – Ordinance/Zoning Map Amendment – Industrial Zone Public Hearing: 04/02/19
31. 2019.07 – Subdivision/Site Plan – 477 Saco St – STJ, Inc Workshop: 04/02/19
32. 2019.05 – Ordinance Amendment – Chapter V Subdivision and Site Plan Review Workshop: 04/02/19
33. 2018.48 – Site Plan, Subdivision & Conditional Use - Cumberland Woods – Graiver Family Holdings, LLC Public Hearing 05/07/19
34. 2019.05 – Ordinance Amendment – Chapter V Subdivision and Site Plan Review Public Hearing: 05/07/19
35. ITEM ON THE TABLE - 2018.59 – Subdivision Plan – 138 Hardy Road – Michael Pedneault Unfinished Business: 05/07/19
36. 2019.08 – Site Plan, Subdivision, Village Review – 50 Pleasant Street – RMC Properties LLC Workshop: 05/07/19
37. 2019.10 – Site Plan – 2 Eisenhower Drive – 2 Eisenhower Drive, LLC Workshop: 05/07/19
38. 2019.08 – Site Plan, Subdivision, Village Review – 50 Pleasant Street – RMC Properties LLC Public Hearing: 06/04/19

39. 2019.10 – Site Plan – 2 Eisenhower Drive – 2 Eisenhower Drive, LLC Public Hearing: 06/04/19
40. 2016.45 – Final Site Plan – Saccarappa School Expansion – 110 Huntress Avenue Pubic Hearing: 06/04/19
41. ITEM ON THE TABLE - 2018.59 – Subdivision Plan – 138 Hardy Road – Michael Pedneault unfinished Business 06/04/19
42. 2018.48 – Site Plan, Subdivision & Conditional Use - Cumberland Woods – Graiver Family Holdings, LLC Unfinished Business - 06/04/19
43. 2017.05 – Conditional Use & Shoreland Zoning - 907 Main Street (Theater Use) – Transformation Project: 06/04/19
44. 2017.18 – Conditional Use & Shoreland Zoning – 907 Main Street (CBRF Use) – Transformation Project: 06/04/19
45. 2019.12 - 380 Main Street – Zoning Map Amendment – H.A. Mapes, Inc Workshop: 06/04/19
46. 2019.13 - 511 Bridge Street – Site Plan & Conditional Use – Chase Custom Homes & Finance, Inc. Workshop: 06/04/19
47. 2019.12 - 380 Main Street – Zoning Map Amendment – H.A. Mapes, Inc Public Hearing: 07/02/19
48. 2018.48 – Site Plan, Subdivision & Conditional Use - Cumberland Woods – Graiver Family Holdings, LLC Public Hearing 07/02/19
49. 2018.27 – Site Plan - 36 Patrick Drive – Bethel Christian Center 07/02/19
50. 2019.19 – Site Plan, Subdivision, Village Review - 660 Main Street – MTR Development, LLC Workshop 07/02/19
51. 2019.20 – Site Plan - 959 Spring Street – A and C Builders, LLC Workshop 07/02/19
52. 2019.21 – Ordinance Amendment – Chapter II Section 203 Nonconforming Use Provisions Workshop: 07/02/19
53. 2019.07 – Subdivision/Site Plan – 477 Saco St – STJ, Inc Public Hearing: 08/06/19
54. 2018.24 – Site Plan/Subdivision/Conditional Use – Larrabee Heights II – Westbrook Housing – Extension Request: 08/06/19
55. 2017.11 – Final Site Plan Amendment – 127 Saco Street – Kelly Development: 08/06/19
56. 2019.21 – Ordinance Amendment – Chapter II Section 203 Nonconforming Use Provisions Workshop: 08/06/19
57. 2019.22 – Ordinance Amendment – Chapter IV Section 403 Village Review Overlay Zone. Section 404 Sign Regulations Workshop: 08/06/19
58. 2019.21 – Ordinance Amendment – Chapter II Section 203 Nonconforming Use Provisions: 09/03/19
59. 2019.22 – Ordinance Amendment – Chapter IV Section 403 Village Review Overlay Zone. Section 404 Sign Regulations: 09/03/19
60. 2019.24 – Site Plan – 85 Bradley Drive – Clear H2O Workshop 09/03/19
61. 2019.26 – REFERRAL FROM CITY COUNCIL - Land Use Ordinance Amendment –Retail Class 4 Workshop: 09/03/19

62. 2019.21 – Ordinance Amendment – Chapter II Section 201 Definitions; 202 General Provisions; 203 Nonconforming Use Provisions Unfinished Business: 10/01/19
63. 2019.22 – Ordinance Amendment – Chapter IV Section 403 Village Review Overlay Zone; Section 404 Sign Regulations Unfinished Business: 10/01/19
64. 2019.07 – Subdivision/Site Plan – 477 Saco St – STJ, Inc Unfinished Business: 10/01/19
65. 2018.35 – Site Plan Amendment - 65 Bradley – Alderbrook, LLC: 10/01/19
66. 2019.30 – Shoreland Zoning – Mill Brook Preserve – Presumpscot Regional Land Trust: 10/01/19
67. 2019.19 – Site Plan, Subdivision, Village Review - 660 Main Street – MTR Development, LLC – 10/01/19
68. 2019.13 - 511 Bridge Street – Site Plan & Conditional Use – Chase Custom Homes & Finance, Inc.: 10/01/19
69. 2018.34 – Amended Subdivision – Rock Row - 58 & 80 Main Street – Waterstone Properties Group: 10/01/19
70. 2019.31 – Site Plan – 150 Main Street – Cumberland County Federal Credit Union Workshop: A discussion on the proposed redevelopment of an existing building and construction of associated site improvements to accommodate a Bank Class 1 use. Tax Map: 042B Lot: 042E Zone: Gateway Commercial 10/01/19
71. 2019.32 – Site Plan – 267 Conant Street – MGM Builder, Inc Workshop: 10/01/19
72. 2019.02 – Site Plan – 590 Bridgton Road – Coastal Road Repair – Public Hearing: 11/05/19
73. 2019.20 – Site Plan - 959 Spring Street – A and C Builders, LLC – Public 11/05/19
74. 2019.31 – Site Plan-Conditional Use – 150 Main Street – Cumberland County Federal Credit Union – Public Hearing: 11/05/19
75. 2019.33 – Site Plan, Conditional Use – 100 Larrabee Road – Maine Community Bancorp Workshop 11/05/19
76. 2019.34 – Site Plan – 34 Spring Street – Bath Savings Institution Workshop 11/05/19
77. 2019.35 – Site Plan – 185 Warren Avenue – Delta Realty, LLC Workshop 11/05/19
78. 2019.26 – REFERRAL FROM CITY COUNCIL - Land Use Ordinance Amendment –Retail Class 4 Overlay District Workshop: 11/05/19
79. 2019.36 – REFERRAL FROM CITY COUNCIL – Land Use Ordinance Amendment and Zoning Map Amendment – 301 City Center District, 403 Village Review Overlay Zone, 407 Downtown Housing Overlay District Workshop: 11/05/19
80. 2019.33 – Site Plan, Conditional Use – 100 Larrabee Road – Maine Community Bancorp – Public Hearing: 12/03/19
81. 2019.20 – Site Plan - 959 Spring Street – A and C Builders, LLC – Public Hearing: 12/03/19
82. 2019.26 – REFERRAL FROM CITY COUNCIL - Land Use Ordinance Amendment –Retail Class 4 Overlay District – Public Hearing: 12/03/19
83. 2019.36 – REFERRAL FROM CITY COUNCIL – Land Use Ordinance Amendment and Zoning Map Amendment – 301 City Center District, 403 Village Review Overlay Zone, 407 Downtown Housing Overlay District – Public Hearing: 12/03/19

Sincerely,

Edward Reidman,
Westbrook Planning Board

Cc: Mayor Michael Foley
Members of the City Council
City Administrator; Jerre Bryant
Planning Board
Planning & Code Department

Rene Daniel move to send the 2019 Annual Planning Board Report to City Council as written.

2nd by Rebecca Dillon - Motion approved (7-0) (Nancy Litrocapes voting)

84. Election of Officers

Open nominations for Planning Board Chair

Ed Reidman: I nominate Rene Daniel for Planning Board Chair

Close nominations for Planning Board Chair

2nd by Rebecca Dillon - Nomination carried (7-0) (Nancy Litrocapes & Larry McWilliams voting, Rene Daniel abstained)

Open nominations of Planning Board Vice - Chair

Rene Daniel I nominate Rebecca Dillon for Planning Board Vice-Chair

Close nominations for Planning Board Vice-Chair

2nd by Nancy Litrocapes - Nomination carried (7-0) (Nancy Litrocapes & Larry McWilliams voting, Rebecca Dillon abstained)

NEW BUSINESS

Rebecca Spitella introduced item:

85. 2019.34 – Site Plan, Conditional Use – 34 Spring Street – Bath Savings Institution – Public Hearing: – The applicant is proposing a 3,187-sf building, parking area and associated off-site improvements to accommodate a bank class 1 use. Tax Map: 033 Lot: 115 Zone: City Center District

Project Description:

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

Project History:

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

Staff Comments:

1. Final app fee - \$250 outstanding. Noticing fees – \$350.70
2. Construction on Spring St. Any work requiring lane closures restricted to night work. Daytime work restricted to 9a-3p provided one lane traffic in each direction is maintained. Please provide PD with a minimum 2-weeks' notice for detail (required for lane closures) – Condition of Approval
3. Relocate do not enter sign to be in line with direction of traffic – extend island and place sign near/around flagpole
4. Square pavement joints in ROW
5. Sewer clean out at 45-degree bend
6. Remove/realign four trees that conflict with sewer easement
7. Provide turning truck template
8. Revised cost estimate showing only costs associated with site work
9. Provide Clean outs in filter bed piping system
10. One ground mounted sign permitted per lot – revise plan to remove one of the two proposed signs. Sign base along WCD appears to be in the filter bed
11. Sign may not be greater than 18 square feet in size – current measurements exceed this limit
12. Provide a structure to catch silts prior the corner swale that drains into the City system (ex: concrete forebay or comparable)
13. Plan note on C-102 describing the stormwater treatment area, including square footage of captured impervious and developed areas
14. Coordination needed for merged addressing and Map/Lot identifiers for merged lots – Condition of Approval
15. Color of the light poles to be approved by City Staff
16. Signature block and conditions of approval on final edited plans.

David Latuilippe C. J. Developers, the plan has not changed since the last time we presented about two months ago. We met with the neighbors and are placing a fence on our side near the buffer and a live fence on their side. Everything else is pretty much the same.

One thing we talked about at the last meeting the Traffic Engineer was still evaluating a left turn pocket vs. the slip lane. It did not meet the warrants for a left turn lane, which was good news so we were able to do within the right of way is to put a slip lane so cars will be able to go around any left turn traffic and

what was surprising because by moving the curb cut further up Spring Street we are increasing the que length lane coming down Spring Street. Believe it or not there is a slight improvement of traffic, which does not happen to often but were pleased with the results.

We have a lush landscape plan and nothing else has really changed.

A great comment about your staff, our application was due several days before the holiday season. We submitted it and expected to get comments right before this meeting due to the holiday. We received an e-mail the next day, can you come in two days from now, we went in, they had a handful of small minor comments and made changes in the meeting. Hats off to your Staff. They made the process, smooth and clean and the project is better for their responsive and their communication.

Thank you, it does make a difference.

Ed Reidman if you can wait, we will see if there are any questions for you. Staff, do you have any comments?

Jennie Franceschi before you in the Memo tonight you can see a series of comments and the applicant has responded to the comments and we are satisfied to the applicant's responses. There are only two adjustments that we would like you to make in the Conditions of Approvals, there are some numbers that we need to adjust. Condition number **3 item E the inspection correct number is \$5,772.10 and under Item F Performance Guarantee amount, the estimate number is \$288,605.00 dollars.** Other than that, the motion is on page two with Conditions as follows.

Public Hearing open

Ed Reidman comments from Board?

No comments

Ed Reidman Public comments?

No Comments

Public Hearing closed

Ed Reidman add Sevee & Maher response to Staff comments as part of the record.



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January 2, 2019

Rebecca Spitella Assistant City
Planner City of Westbrook
2 York Street
Westbrook, Maine 04092
Email: rspitella@westbrook.me.us

Subject: City of Westbrook Planning Board Application
Bath Savings Institution – Westbrook Branch Location 34
Spring Street, Westbrook, Maine
Response to City Comments

Dear: Rebecca

On behalf of Bath Savings Institution (BSI), Sevee & Maher Engineers, Inc. (SME) is pleased to submit this comment response letter and a digital version of the updated drawings for the Bath Savings Institution Westbrook Branch Location at 34 Spring Street in Westbrook. The drawings have been revised in response to comments received from staff review provide via email on December 23, 2019. SME is providing this letter as a written response to the comments to address them prior to the January 7th Planning Board meeting.

DIRECTOR OF PLANNING/CODE ENFORCEMENT

- 1. Final app fee - \$250 outstanding. Noticing fees – amount will be provided prior to public hearing**

SME Response: The fee has been forwarded to the Town by BSI.

- 2. Construction on Spring St. Any work requiring lane closures restricted to night work. Daytime work restricted to 9a-3p provided one lane traffic in each direction is maintained. Please provide PD with a minimum 2-weeks' notice for detail (required for lane closures) – Condition of Approval**

SME Response: The Applicant will work within the requirements of the Condition of Approval, and clearly communicate this requirement to the earthwork contractor selected to complete construction of the building.

- 3. Relocate do not enter sign to be in line with direction of traffic – extend island and place sign near/around flagpole.**

SME Response: The island has been revised slightly to add a Do Not Enter sign in line with traffic entering the parking lot. The improvements are shown on Site Layout Plan, C-102.

- 4. Square joint in ROW**

SME Response: The replacement pavement joint has been squared off in the Right of Way. Improvements are shown on Site Layout Plan C-102.

5. Sewer clean out at 45-degree bend

SME Response: The sewer cleanout has been added at the 45-degree bend. Improvements are shown on the Site Utility Plan C-103 and Sections and Details C-301.

6. Remove/realign trees that conflict with sewer easement

SME Response: The two proposed trees in the sewer easement will be relocated to be outside of the sewer easement. Improvements are shown on Landscape Plan L-1

7. Provide turning template

SME Response: The turning template for a fire truck has been provided as Figure 2. The truck is able to pull in front of the building and turn using the parking area intersections.

8. Revised cost estimate showing only costs associated with site work

SME Response: We have revised the cost estimate to show the cost associated with the site work only and it is attached to this letter.

9. Clean outs in filter bed

SME Response: A 4" CPP cleanout is provided at the end of underdrain as shown on the Site Grading and Drainage Plan, C-104.

10. One ground mounted sign permitted per lot – revise plan to remove one of the two proposed signs. Sign base along WCD appears to be in the filter bed

SME Response: The plans have been updated to include a single sign location near the intersection of Spring Street and William Clarke Drive.

11. Ground mounted sign may not be greater than 18 square feet in size – current measurements exceed this limit

SME Response: The sign shown on the original submission is only sized at 4'-10" x 3'-8", which equals 17.7 square feet, and is less than the 18 square foot requirement.

12. Provide a structure to catch silts prior the corner swale that drains into the City system (ex: concrete forebay or comparable)

SME Response: A Rain Guardian Turret is provided to catch silts before it flows into the corner swale that drains into the City system. Improvements are outline in Site Layout Plan C-102 and Sections and Details C-304.

13. Plan note on C-102 describing the stormwater treatment area, including square footage of captured impervious and developed areas

SME Response: We added a note on Site Layout Plan C-102 describing the area treated by the underdrained soil filter.

14. Coordination needed for merged addressing and Map/Lot identifiers for merged lots – Condition of Approval

SME Response: Bath Savings Institution will work with the City to coordinate merged addressing and Map/Lot identifiers for the merged lots.

15. Clarity needed on color of the light poles

SME Response: The color of the light poles will be dark brown or black.

16. Signature block and conditions of approval on final edited plans

SME Response: The signature block and conditions of approval will be added to the Site Layout Plan C-102 of the plan set once received by the City.

The plan set and supporting materials have been resubmitted digitally to Planning Staff and can be provided in hard copy at the request of the Board. We will bring a final, stamped drawing set for Planning Board signatures on January 7th. If you have any questions, comments, or need additional information to review the project, please do not hesitate to contact me.

Sincerely,

SEVEE & MAHER ENGINEERS, INC.



Daniel P. Diffin, P.E., LEED AP BD+C Vice President

Ed Reidman any comments from the Board?

Rene Daniel I look at the plans and the trees you are going to plant, how large are they going to be?

David Latuilippe 6 to 8 feet

Rene Daniel how long to grow to maturity.

David Latuilippe I am not an arborist, but about 10 years.

Rene Daniel pleased to see the choice of daylilies and Stella Dora. Thank you for the landscaping and am glad to see you adding landscaping along William Clarke Drive.

Ed Reidman any other comments? There is a motion on page two if the memo.

No Comments

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

Site Plan – Finding of Fact

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

Vibrations	The operations should create no vibration issues.
Parking & Loading Design and Site Circulation	The project provides 21 off-street parking spaces for the bank use. The parking and drive-through teller lanes are screened from the abutting properties through both a fence and landscape design. Signage and pavement markings are provided to ensure safe site circulation through one-way traffic patterns.
Adequacy of Road System	Adequate. The traffic analysis provided by Sewell demonstrates the ability of the road system to accept the traffic generated by this project with the off-site improvements proposed.
Vehicular Access	Access to the site is provided from Spring Street at a location that is acceptable by Public Services.
Pedestrian and Other Modes of Transportation	Crosswalks and pedestrian paths provide a safe connection with the project and the existing sidewalk along William Clark Drive. An additional sidewalk is provided within the Spring Street right-of-way to continue the existing public sidewalk system along the frontage of the property.
Utility Capacity	Existing utility services are located in Spring Street and have adequate capacity to serve the use.
Stormwater Management, Groundwater Pollution	Stormwater management is provided in the plans. The project will capture and treat approximately 6,800 sf of impervious area and 16,200 sf of developed area. Treatment is provided through two ponds along William Clark Drive prior to entering the public system through an existing catch basin.
Erosion and sedimentation Control	Adequate erosion and sedimentation control measures are provided on the plan.

Conclusions

1. The proposed site plan **will not** result in undue water or air pollution.
2. The proposed site plan **has** sufficient water available for the reasonably foreseeable needs of the site plan.
3. The proposed site plan **will not** cause an unreasonable burden on an existing water supply.
4. The proposed site plan **will not** cause unreasonable soil erosion or a reduction in the land's capacity to hold water so that a dangerous or unhealthy condition results.
5. The proposed site plan **will not** cause unreasonable highway or public road congestion or unsafe conditions with respect to the use of the highways or public roads existing or proposed.
6. The proposed site plan **will** provide for adequate sewage waste disposal.
7. The proposed site plan **will not** cause an unreasonable burden on the municipality's ability to dispose of solid waste.
8. The proposed site plan **will not** have an undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites, significant wildlife habitat identified by the Department of Inland Fisheries and Wildlife or the municipality, or rare and irreplaceable natural areas or any public rights for physical or visual access to the shoreline.
9. The proposed site plan **conforms** with a duly adopted site plan regulation or ordinance,

comprehensive plan, development plan, or land use plan.

10. The developer **has** adequate financial and technical capacity to meet standards of this section.
11. The proposed site plan **is not** situated entirely or partially within the watershed of any pond or lake or within 250 feet of any wetland, great pond or river as defined in Title 38, Chapter 3, subchapter I, article 2-B M.R.S.A.
12. The proposed site plan **will not** alone or in conjunction with existing activities, adversely affect the quality or quantity of ground water.
13. The proposed site **is not** situated entirely or partially within a floodplain.
14. All freshwater wetlands **have** been shown on the site plan.
15. Any river, stream, or brook within or abutting the site plan **has** been identified on any maps submitted as part of the application.
16. The proposed site plan **will** provide for adequate storm water management.
17. The proposed plan **will not** negatively impact the ability of the City to provide public safety services.

Conditional Use – Finding of Fact

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

	<p>through both a fence and landscape design. Signage and pavement markings are provided to ensure safe site circulation through one-way traffic patterns.</p> <p>Crosswalks and pedestrian paths provide a safe connection with the project and the existing sidewalk along William Clark Drive. An additional sidewalk is provided within the Spring Street right-of-way to continue the existing public sidewalk system along the frontage of the property.</p>
Public Services	Existing utility services are located in Spring Street and have adequate capacity to serve the use. Minimal impact to City services are anticipated by this proposal.

Conclusions

1. The landscape **is** preserved in its natural state insofar as practicable and **is** designed so as to stabilize the slopes and buffer the site, where necessary.
2. Surface water drainage **does not** have an adverse effect on surrounding properties, downstream water quality, soil stability or the storm drainage system.
3. The development **will not** cause unreasonable water, air or soil pollution
4. The development **will not** cause unreasonable soil erosion or reduction in the capacity of the soil to hold water.
5. The development **does not** have an unreasonably adverse effect on a historic site or irreplaceable natural areas
6. The development **does not** cause unreasonable noise, odors, dust, gas, fumes, smoke, light, or other annoying or dangerous emissions.
7. Exposed storage areas, machinery installation, service and loading areas and similar facilities **are** set back, screened, or buffered so as to minimize any possible adverse effect on the surrounding uses.
8. The site layout **does** provide for safe vehicular access and egress, including that for emergency vehicles.
9. The layout of vehicular and pedestrian traffic patterns **does** provide for safe interior circulation, separation of pedestrian and vehicular traffic and storage of plowed snow. Parking **does** comply with the parking requirements set forth in the Ordinance.
10. The development **does not** impose an unreasonable burden on the water supply and sewage disposal systems, fire or police services, public ways, schools, recreational facilities and other public services or facilities.

Conditions

11. Approval is dependent upon, and limited to, the proposals and plans contained in the application dated December 9, 2019 and supporting documents and oral representations submitted and affirmed by the applicant, and conditions, if any, imposed by the Planning Board, and any variation from such plans, proposals and supporting documents and representations are subject to review and approval by the City Planner or the Planning Board.
1. Consistent with Section 504.3, the Code Enforcement Officer shall not issue any permits until a site plan has been approved by the Planning Board and a Mylar signed by the Planning Board.

Mylars must be submitted to the City within 90 days of Planning Board approval or the approval shall be null and void.

2. Prior to any site disturbance or building permits being issued for the project:
 - a. All Staff comments must be addressed.
 - b. Review of building elevations to be consistent with submitted documentation or testimony.
 - c. A pre-construction meeting must be held with City Staff and the site work contractor. Contact the Planning Office to coordinate.
 - d. The applicant shall provide the digital data as required by Section 504.5.B.12 and 13. – verification with GIS coordinator.
 - e. An inspection fee shall be made payable to the City of Westbrook for inspection of site improvements made by the Code Enforcement Officer and/or other appropriate City staff. 2% Inspection fee - ~~\$5,352.10~~ **\$5,772.10**
 - f. The applicant shall file a performance guarantee with the City of Westbrook. The amount of the guarantee shall be agreed upon in advance with the City of Westbrook and shall be of an amount to ensure completion of all on- and off-site improvements necessary to support the proposed project. Cost estimate provided: ~~\$267,605~~ **\$288,605**
 - g. Coordinate with the E911 Coordinator on merging of addresses and map/lot identifiers for the lots.
 - h. Best management practices shall be adhered to during all ground disturbance operations.
 - i. List of Construction Emergency Contacts needs to be provided to the Planning Dept for Dispatch.
3. Prior to the first Occupancy Permit issuance:
 - a. Radio testing will be conducted during the course of construction to ensure adequate ability of public safety personnel to communicate into the building.
 - b. A site inspection of the required improvements by the City to ensure public health & safety is addressed and compliance with the approval. (This includes all paving, striping, sidewalks, etc.)
 - c. All site improvements must be installed, unless a performance guarantee amount is held in the amount of the remaining improvements.
4. Prior to release of the performance guarantee:
 - a. The site will be in compliance with the approved plan and as-built plan provided in City approved format for the GIS system
5. The applicant shall comply with the requirements of local and state authorities for life and safety requirements.
6. Any work within the Spring Street or William Clark Drive rights-of-way that involves alterations to the traffic pattern is limited to 9a – 3p, provided two-way traffic is maintained. Nightwork is required for any work within the Spring Street or William Clark Drive rights-of-way that requires lane closures, unless otherwise approved of by the Police and Engineering Departments.

2nd by Jason Frazier - Motion approved (7-0) (Nancy Litrocapes voting)

Adjourn

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