

**WESTBROOK PLANNING BOARD
TUESDAY, MARCH 5, 2019**

MINUTES

Present: Ed Reidman, (Chair) (Ward 5), Rene Daniel (Vice-Chair) (At Large), Rebecca Dillon (Ward 1), Dennis Isherwood (Ward 2), Joseph Marden (Ward 3), Robyn Tannenbaum (Ward 4), John Turcotte (At Large), Kim Fickett (Alternate)

Absent: Nancy Litrocapes (Alternate)

Staff: Jennie Franceschi, Rebecca Spitella

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 explained the procedure for a Public Hearing.

PUBLIC HEARING

1. **2018.56 – Site Plan – 1 Ledgeview Drive – Regional Transportation Program: The applicant is proposing a new 8,500 sf office building, 2-bay garage, 11,760 sf enclosed parking structure and associated site improvements on an existing 5.46-acre vacant lot. Tax Map: 002 Lot: 104 Zone: Industrial Park District**

Project Description:

The applicant is proposing a new 8,500 sf office building, 2-bay garage, 11,760 sf enclosed parking structure and associated site improvements on an existing 5.46-acre vacant lot. Tax Map: 002 Lot: 104 Zone: Industrial Park District

Project History:

January 9, 2019 – Neighborhood Meeting
January 15, 2019 - Planning Board Workshop
March 5, 2019 – Public Hearing

Staff Comments

1. Noticing Fees required
2. Stormwater – Pre – please edit the design for a 75' sheet flow vs a 150' sheet flow
 1. Post – please split the sub-catchments correctly as there is a break in the topo on the upland side of the site which divides that sub-catchment into two sub-catchments.
 2. Outlet pipe from stormwater pond is missing on the plan. – Inverts?
 3. There is no overflow for the stormwater pond - please address
 4. Please provide calculations as to impact on cross road culverts at the 50/100-year event as the stormwater report showed the pipes were overtopped at the 25 year.
 5. Is the intent for the pond to be completely drained and the only treatment is in the forebays and slowing the flow into the adjacent wetland area?
3. Please show on the plan that the project will be repaving the entire section of road from the furthest pavement cuts lines required for all of the utility cuts in Ledgeview as shown.
4. The sewer lateral is shown angled at the street. The lateral should be straight to the main, no horizontal angles.
5. Erosion and sediment control – Haybales in front of culverts and add check dams in the ditches.

6. Clarify in the details that CBs 1-3 will all have snouts.
7. Provide color elevations
8. Elevations along County road lacking enhancements that the main side has.
9. Landscaping on county road is lacking and especially along building.
10. GIS plans to be provided
11. Construction on County road would require Police Detail – Condition of approval
12. Construction on Ledgeview would require flaggers to ensure one lane is open.
13. No parking is permitted on Ledgeview for this operation.
14. DWG files on Maine State Plane Coordinates required.
15. Final edited plans with conditions stated on the signature sheet provided to the planning office in both paper and mylar form by Tuesday March 5, Noon. (One set of paper, one set of mylars)

Sashie Misner a Landscape Architect at Garen Turgeon Architects on behalf of Regional Transportation Program explained aspects of the site plan application for 1 Ledgeview Drive, actually lot four in the Ledgeview Subdivision that was developed in 1987, then explained location and surrounding uses within the Industrial Zone so all adjacent spaces are office or manufacturing and feel that the RTP program will fit within the surrounding neighborhood.

Regional Transportation provides low cost transportation services to low income, disabled and elderly people throughout Cumberland County.

The fleet consists of twenty-nine busses and RTP has eighteen full time employees and twenty-nine part-time staff that work between 7:30 am to around 5:30 in the evening with some limited service hours on the weekend.

Currently RTP leases space at the Metro location on St. John Street in Portland, due to Metro expansion the leased space is no longer available.

The location of 1 Ledgeview Drive and the proximity of the area will enable RTP to continue with their services.

The existing site has no buildings on the site with a six to seven percent slope from north to south with a small wetland along County Road that will not be impacted.

Existing vegetation is mostly field with primary woodland species.

Property is within the Long Creek Water shed District and will adhere to all requirements.

Showed the one-hundred-foot drainage easement and twenty-five-foot easement on other side along with the Zoning setbacks, showed the building footprint.

The project will disturb 1.4 acres of land within the 5 ½ acre of site that has an eight thousand five hundred square foot building with office space and two bay garage and a wash bay with sixty-four parking spaces located at the top of the property and all bus fleet will be parked within the structure.

Circulation One way in and one way out to keep bus traffic on the upper side of the parcel, with all the other parking on the other side.

Explained the Administrative offices and dispatch location within the building with the back part of the building having the two-bay garage and the wash bay.

Showed Main entrance, ADA parking, employee entrance, mechanical room and egress door from the garage.

We will be using pole mounted lighting with building mounted lighting. The generator and transformer will be in proximity to the mechanical room.

Showed the location of the six-yard dumpster and recycle bin and HVAC system located in the back.

The office building will be 170 long by 50-foot metal clad building and showed structure elevations.

The parcel has a significant slope we have shifted building back on the site to minimize cutting on the corner where there are signs of ledge.

The construction of the parking structure is desired but is a matter funding. While RTP is hoping to have the funding in place for the structure at the beginning of the project, it may not come until later.

All utilities will be connected in Ledgeview Drive and we understand that there is a Moratorium on the street construction until July 2020. We are hoping to construct the entire site, then connect the utilities at the end of the project and we believe the timing will work.

We are still developing the Planting plans but want a natural site with larger evergreens and deciduous trees along the street frontage that will be native vegetation and trees along the inner area for shade and seasonal interest.

Ed Reidman Staff comments?

Jennie Franceschi the applicant has addressed all Staff's comments. There is one edit we would like to make to the Conditions of Approval.

Under condition 3E:

An inspection fee shall be made payable to the City of Westbrook for inspection of site improvements made by the Code Enforcement Officer and/or other appropriate City staff. This fee is required per Section 500.8 of the Land Use Ordinances in order to cover the costs of inspection of site improvements - \$7,793.00 dollars

Under Condition 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. A performance guarantee in the amount of \$389,651 is required.

Outside of that, Staff has no further comments.

Open Public Hearing

No Comments

Closed Public Hearing

- 2. 2018.57 – Site Plan – 369 County Road - Central Maine Power: The applicant is proposing an approximate 4,247 sf expansion to relocate a control house at the existing electric substation yard at the intersection of County Rd and Spring St. Tax Map: 002 Lot: 030 Zone: Manufacturing and Industrial Park District.**

Project Description:

The applicant is proposing an approximate 4,247 sf expansion of an existing electric substation yard to relocate their control house and conduct upgrades to their site.

Project History:

January 11, 2019 – Neighborhood Meeting
January 15, 2019 - Planning Board Workshop
March 5, 2019 – Public Hearing

Staff Comments

1. Provide an overall site plan to be included with the Plan Set and update the Sheet Index.
 - a. The site plan must show the full area to be disturbed and the abutting public rights-of-way (for reference – the site plan should mimic the aerial Spring Street Overview Plan Review sheet 1 you provided as a supplement to the plan set)
 - b. All plan notes, title block information, Zoning district information, Board signature block and Conditions of Approval (to be provided on 3/1) should be on the overall site plan,
 - (1) Remove zoning information from the 115KV Grading Plan and Signature Blocks from 115KV Grading Plan & 115KV Erosion Control Details
2. Provide a paved apron to transition from the County Road & Spring Street rights-of way to the unpaved driveway access to the site.
3. Potential for landscaping along County Road or Spring St?
4. Provide documentation of Neighborhood meeting (Sign in sheet, typical letter sent, abutters list)
5. Conditions of approval:
 - a. Provide copy of DEP and Army Corp approvals for wetland impacts.
6. DWG files
7. Final plan set in mylar and paper format for Board signature (to be provided the day before the final meeting date).

Sean Hill VHB on behalf of CMP presented aspects of the project. A minor expansion of an existing electrical substation of about two acres in size. We are looking to expand the substation about 4250 feet, about a tenth of an acre to be added to the two-acre facility.

The purpose of the project for this older substation that dates back to the 50's is in need of improvements and upgrades to bring it to modern operating standards.

There will be some infrastructure improvements and the relocation of an existing control house. That is what the expansion is for to relocate the control house.

There is existing wetland within the electrical transmission right of way. Resulting with about 4000 feet of wetland impacts.

We met with Staff back in January and had a neighborhood meeting and had a workshop with the Planning Board and have addressed staff comments.

Since the last hearing we received comments from the Board and the main comment was a request to add paved aprons off access ways off Spring Street and County Road. Right now, they are gravel access ways and have always been gravel access ways since the station was constructed. They are adequate to the use as there is very little traffic in and out of the facility that is not a manned facility, so it only requires periodic access.

CMP heard that response will pave the aprons from the intersection to the paved street access and will extend to the property line. We heard that request and have added that to the plan as requested.

We have received our core authorization to the wetland fill and have provided a copy to the Planning Board Staff.

We expect to receive our DEP permit soon and when we receive that we will provide that as well.

That is the summary and what has brought us to the hearing tonight. If you have any questions we will address them.

Jennie Franceschi applicant has addressed comments and have placed the conditions within the approval.

Public Hearing Open

Dennis Marrotte 41 Falmouth Street is very familiar with the location

- Important hub for all of greater Portland
- Concerned of the security of the new facility
- Concerned of the entire parcel
- Upgrades are long overdue

Public Hearing Closed

3. **2019.06 – Site Plan/Shoreland Zoning – 921 Main Street – Sappi North America, Inc: The applicant is proposing the demolition and removal of two spillways associated with the Saccarappa dam, the powerhouse and modifications to the bedrock to create fish passage (natural and Denil Fishway) up the Falls in the Presumpscot River. Tax Map: 032 Lots: 108, 105A Zone: City Center District, General Development Shoreland Zone**

Project Description:

The applicant is proposing the demolition and removal of two spillways associated with the Saccarappa dam, the powerhouse and modifications to the bedrock to create fish passage (natural and Denil Fishway) up the Falls in the Presumpscot River.

Project History:

March 5, 2019 – Public Hearing

Staff Comments

1. Abutter noticing fees due prior to public hearing
2. Access roads/bridges may require additional reinforcements to ensure stability throughout project
3. Construction site/area must be fully secured
 - a. Points of construction entrance/exit must be gated at all times to prevent unauthorized access to the worksite.
 - b. Knox box required on all gates – obtain from Fire Department
 - c. Post no trespassing signage
 - d. Metal chain link fence around the perimeter of the work area
4. No parking permitted on either side Dana Street during duration of work. Signage indicating restricted parking area required.
5. Sheet SD-3 Plan note 1 – revise “Contractor is advised” to “Contractor is required”
6. Sheet C-5 – Install manhole structure vs link seal for access to storm drain pipes
7. Final inventory to be completed by Historical Society prior to demolition of powerhouse
8. Provide a cost estimate for all site work on upland soil areas

Final edited plans with conditions stated on the signature sheet provided to the Planning Office in both paper and mylar form by Tuesday, March 5th, Noon. (One set paper, one set of mylars).

Barry Stemm Engineering Manager for Sappi

- **Presented aspects of the project**

Presentation Outline

- Project Information
- Recent Project Public Informational History
- Site as it is Today
- What Will Happen at the Site
- Site Configuration after the Project Surrender
- Environmental Changes
- Water Quality
- Public Benefits
- FERC Draft Environmental Assessment - **Executive Summary**

Project Information

- Project Name: Saccarappa FERC License Surrender Project
- Applicant and Owner: Sappi North America, Inc.
- Authorized Agent/Project Engineer: Acheron Engineering Services
- Tax Map and Lot: Tax Map 032, Lots 108 and 105A
- Zoning District: City Center District and Rural District
- Acreage to be Developed: Project will not develop the existing site, but rather is to remove existing structures and to provide for fish passage
- Acreage of Site: Tax Map 032, Lots 108 and 105A, Total 4.5 Acres
- Covenants, Deed Restrictions, Easements: See Application
- Existing Use of Property: Industrial; Hydropower Station
- Variance Requests: None

Project Information

- Construction Schedule: Project is anticipated to start in the Spring of 2019 and continue through 2021 to be ready for a May 1, 2021 fish passage operational start date.
- Estimated Construction Cost: The total cost of the project including the demolition and construction of the Two Channel Nature Like Fish Passage and the Double Denil fishway is estimated at \$5,510,000.

Recent Public Informational Project History

August 26, 2015: Sappi held the 3rd public meeting to inform the public about the status of the Saccarappa FERC License Surrender Project, review progress on the development of alternative fish passage solutions and inform the public about ways they may continue to be involved.

November 19, 2015: Sappi held a public meeting to review the ME-DEP Maine Waterway Development and Conservation Act (MWDCA) Permit Application and Water Quality Certification Application (WQC). The purpose of this meeting was to inform the public about history of the project, detail the potential environmental impacts of the project, and address comments and questions from the public.

December 15, 2016: Sappi held a public information meeting in Westbrook to inform the public about the 2016 Settlement Agreement negotiated between the Parties.

March 22, 2018: Sappi held its 6th public information meeting related to the stakeholder consultation process for the FERC Surrender Application and the MWDCA & WQC permitting Application.

What Will Happen at the Site

- Removal of the 2 Spillway Dams and Power House
- Construct a Double Denil fishway in the former Tail Race
- East Channel Improvements for Nature-like Fish Passage of West Channel Improvements for Nature-like Fish Passage
- The City May Exercise the Option to Acquire Certain Sappi Lands for Expansion of the River Walk

Environmental Changes

- Removal of the Saccarappa Dams and Hydro Facility will lower the water level upstream of Saccarappa Falls. The water level in the river upstream of the dam will decline from 69.95' to 64.0' at average flows of 1,000 cfs.
- The reduced water levels will reduce the potential for flooding along the segment of the river between Saccarappa and Mallison Falls because removal of the spillway will reduce the pre-flood water level.
- After the drawdown is complete, wetlands located adjacent to the existing impoundment will migrate downslope with the lowering of water levels.
- Wetlands associated with streams, brooks, swales and other tributaries flowing into the impoundment will not be affected by the drawdown, as they derive their primary source of water from the stream, brook, or swale and not from the impoundment.
- The proposed project is not expected to have a negative impact on the magnitude of wetland area adjacent to wetlands associated with tributaries.
- Existing wildlife in the project area is not expected to be adversely impacted.

Water Quality

- Removal of the Saccarappa Dams and Hydro Facility is expected to improve the water quality in the section of the river between Saccarappa Falls and Mallison Falls.
- It is expected that dissolved oxygen levels will increase and benefit the overall aquatic environment once the spillways are removed and river is more free flowing.
- This project will comply with applicable water quality standards.

Public Benefits

Removal of the Saccarappa Dams and Hydro Facility will result in significant benefits to the public.

Short-term benefits include:

- Construction related employment
- Construction related materials demand
- An increase in local consumer spending

Long-term benefits will include:

- Improved recreational opportunities such as boating and fishing
- The presence of anadromous fish in the area will allow for the establishment of new fisheries
- The project will benefit existing cultural resources in the project area by reducing potential long-term erosion to several existing archaeological and historic sites
- The City's option to acquire certain project lands will allow for increased public access and the future expansion of the River Walk
- All of these long-term benefits will lead to increased consumer spending

FERC Draft Environmental Assessment Executive Summary

The surrender and amendment applications would have no effect on any federally listed threatened or endangered species or critical habitats within the vicinity of the proposed action area. Historic properties would be affected by the proposed action and the licensee consulted with the Maine State Historic Preservation Office (Maine SHPO) on mitigation measures for the undertaking.

The licensee's proposal to decommission and remove the dam and spillways at the Saccarappa Project would eliminate a source of renewable generation but would restore this section of the Presumpscot River to a free-flowing condition. The installation of a double Denil fishway at the lower falls and modifications to create a nature-like fishway at the upper falls would improve conditions for migrating fish, thus ensuring that fish can navigate this section of the river after all decommissioning work is completed.

Concerning the Mallison Falls, Little Falls, Gambo, and Dundee project amendments, the licensee has reached a comprehensive Settlement Agreement with Maine Department of Marine Resources (Maine DMR), U.S. Fish and Wildlife Service (FWS), the City of Westbrook, and others. This agreement, which is reflected in the pending surrender and amendment applications before the Commission, balances the restoration of a free-flowing river and improved fish passage at the Saccarappa Dam site with the license extensions and removal of fish passage requirements at the Gambo and Dundee projects.

Federal, State and Local Permits

Federal Permits and Licenses:

Federal Energy Regulatory Commission (FERC) License Surrender: Status: Pending

U.S. Army Corps of Engineers: Status: Permit Issued

State of Maine Permits:

Maine Waterway Development & Conservation Act (MWDCA). Status: Permit Issued

City of Westbrook:

Site Plan Review Application: Status: Pending

Shore Land Zoning Permit Application: Status: Pending

Demolition Permit: Status: Pending

Floodplain Hazard Permit Application: Status: Pending

Questions and Comments?

Public Hearing Opened

Cary Tyson 237 Bridge Street, I would like to speak only to the Power House, the rest of the project is advantageous to the community. I am concern to the limited historic fabric in this community is being negatively impacted. We do not have very many of that era of properties with that architectural quality.

I would like to see a hold or further investigation with experts for historic rehabilitation, utilizing everything from historic tax credits to grants and such things.

Having traveled around the country I have learned that it really takes an expert in these arenas to give proper investigation of this unique property. I see that property as a real advantage to the revitalization of the downtown. Having seen power houses turned into retail, to breweries to museums, to gift shops and all sort of creative opportunities.

I will only speak to that particular piece of this application and say that we give that a real level of expertise from someone with that knowledge.

Abigail Cioffi Director Discover Downtown Westbrook located at 52 Main Street. I am here speaking on behalf of National Main Street Community that is tasked historic preservation. Nationally, Main Street was formed after Urban Renewal.

In response to the response of loss of buildings in communities like Westbrook on Main Street that no longer has the feel of a New England Down-town because of the building loss during Urban Renewal. So, for these reasons it is our duty to speak against the demolition of historic buildings.

That said, we support the project as a whole and are incredibly excited about dam removal and access to the island and are grateful that Sappi has agreed to sell these to the City.

We also hope to improve public knowledge to the indigene's history of Westbrook and since dam removal will bring the river back to its indigenes flows we can develop a narrative that speaks to that history.

Without being privy to the years of negotiations, we would like to believe that there may have been away to preserve the building without effecting other conditions of the agreement. Our organization has access to funding sources and entities and would have worked diligently to utilize those resources to preserve this building.

This project has been in the works for many years and we are still a fairly young organization and just became a Main Street in late 2017 and were around back to 2014. We are just getting off the ground and missed the public comment that Barry mentioned.

We know that Maine Historic Preservation Commission was part of this process and we are very glad that measures are taken to document the building and preserve some of its parts. This would be a natural fit for the historic walking trail that DDW is currently working on and could also tie into public art projects by Westbrook's Art Culture and we hope to work with Sappi on the best possible use for this documentation of preservation.

Finally going forward, we want to ensure that the Planning Board and all community stake holders are aware of the benefits of historic preservation for an economically vibrant downtown and consider us a partner in identifying resources and strategies for balance solutions. Thank you for your time.

Daniel Stevenson Economic Development Director for the City of Westbrook.

I am in receipt of a letter this evening that you may have that is dated March 5th, 2019 from Maine Preservation.

I just want to step back for a minute. What is before us today is about fish passage and there is a lot of steps over many, many months to make this happen. Quite frankly, Sappi is doing everything that they have told to do. That have a significant amount of input from all the parties in this and there have been ample opportunities to deal with the power house.

I want to be whole hearted clear about something, I spent many years in the City of Biddeford and have been directly involved with many historic tax credit deals. They are not programs that you just apply for and you get money. They need cash flow from the private sector for the capital. That building is falling in now. There

is a lot of issues with it and a lot of environmental issues with it. Quite frankly, it needs to come down as part of getting the fish ladders up, to make the project work.

To get an eleventh-hour letter at this time is frustrating.

Sappi has represented and looked into this and have found a way to make this work. It is more than a building that was noted in 2003 and apparently and is top priority on March 5th, 2019.

This City has worked very hard to raise the money in order to exercise its option to get that island and get the north side of the river so we may complete the River Walk and connect to Portland Trails.

I am a fan of preservation and a fan of Maine Preservation and quite frankly I think we had the experts review this ad they have signed off on it. The Westbrook Historical Society has signed off and people have looked at this. Yes, no one likes to see old buildings come down. I understand that but I want to be clear trying to put some kind of stay on something so you can scramble to put a deal together is not an appropriate way to do a deal.

I respectfully request that you move forward with this and not delay it. If you have any questions, I will be here to answer them.

One last this, the historic items inside, Sappi wants to work with us or DDW as well to save some of the items and I think that is the appropriate way to move forward with this item.

Thank you

Jennie Franceschi passed out two letters to the Board that Staff received at approximately 4:00 PM this afternoon.

Greater Portland Landmarks and Maine Preservation will be added to the record

5 March 2019

*City of Westbrook
Department of Planning & Code Enforcement
2 York Street
Westbrook, Maine 04092*

Members of the Planning Board,

Greater Portland Landmarks' mission is to preserve and revitalize Greater Portland's remarkable legacy of historic buildings, neighborhoods, landscapes, and parks. We are supportive of the work being undertaken by Discover Downtown Westbrook and their advocacy to revitalize Westbrook's Main Street, particularly through the re-use of Westbrook's historic resources.

It is unfortunate that the powerhouse has deteriorated to its current condition. We would encourage Westbrook to consider establishing minimum standards of maintenance, if they are not already in place, and enforcing them. Preventing the loss of other important buildings in the city provides opportunity for their rehabilitation and will contribute to Westbrook's revitalization.

We know that the applicant has signed a memorandum of agreement with the Maine Historic Preservation Commission to undertake mitigation measures, including documentation of the power station and installation of interpretive signage using information gathered in an archaeology report. It is our understanding that Sappi has offered to salvage one of the power wheels and the granite stone with the building name and date over the entrance facing Main Street, install the pieces on site for inclusion in the city's planned riverfront historic trail, and has offered to contribute some funding for the trail's development.

We think that these additional mitigation measures would be a benefit to the city and encourage the Planning Board to adopt them as conditions of approval.

Thank you for considering our views.

Sincerely,

A handwritten signature in black ink that reads "Julie Larry". The signature is written in a cursive, flowing style.

*Julie Larry
Director of Advocacy
Greater Portland Landmarks
93 High Street
Portland, ME 04101
207-774-5561 ext. 102*



Our Heritage, Our Legacy

233 West Main Street • Yarmouth, Maine 04096
207.847.3577 • info@mainepreservation.org
mainepreservation.org

March 5, 2019

To: Planning Board
City of Westbrook

On behalf of Maine Preservation, I am writing to express concerns regarding the proposed demolition of Saccarappa Power Station at 921 Main Street, Westbrook, as part of the Saccarappa Project.

Maine Preservation based in Yarmouth is the statewide non-profit member-based historic preservation organization. Our mission is to promote and preserve historic places, buildings, downtowns and neighborhoods, strengthening the cultural and economic vitality of Maine communities.

The destruction of the historic Saccarappa Power Station and its historic equipment would be a great loss not only for Westbrook, but for the state of Maine. Constructed in 1907 in the Renaissance Revival style by architect Henry W. Foster, this is a significant example of industrial architecture and was deemed eligible for the National Register in June 2003. As one of the significant remaining historic industrial buildings downtown, this asset offers an opportunity to enhance an already thriving Main Street district while showcasing the communities' history through a progressive economic development project.

We do not wish to interfere with removal of the dams and construction of a fish passage in the Presumpscot River as part of a larger project that is very important to the City of Westbrook. We have inquired with the City about the Power Station over the past six months and it remains unclear whether or not the removal of the dams also requires the removal of the Power Station. With little public discussion or review of this building there has been no opportunity explore rehabilitation options.

Maine Preservation requests the Planning Board to delay approval of the demolition of the Power Station in order to explore with the City of Westbrook and Sappi North American, Inc. the extent of necessary stabilization and rehabilitation work and to explore potential financial incentives for rehabilitation. Historic tax credits have been successfully used in the past 10 years in Maine investing half a billion dollars to rehabilitate 100 buildings— many of them long-vacant – including Hyacinth Place at 2 Walker Street. Maine Preservation is willing and able to work with the City to seek a positive path forward for this property that does not include demolition.

Thank you for your consideration.

Yours truly,

Greg Paxton
Executive Director

cc: Jennie Franceschi, City Planner, City of Westbrook
Daniel Stevenson, Economic Development Director, City of Westbrook
Barry Stemm, Engineering Manager, Sappi North America, Inc.
Abigail Cioffi, Executive Director, Discover Downtown Westbrook

Ed Reidman anyone else like to speak.

Michael Shaughnessy 89 Conant Street, President of the Friends of the Presumpscot River. I also regret seeing the power house come down but I just want to make everyone aware that this has been a discussion for a very long time. It has come to a place where we are going to get a lot more history back then we are losing by this power house. It is a beautiful structure and would be great if it could be preserved and saved but we have worked very hard on this for a long time and what the City is going to get moving forward is enormous. Thank you

Ed Reidman comments?

No comments

Public Hearing closed

Ed Reidman if there are no questions from the Board, we will move on with the regular meeting

REGULAR MEETING

4. **Call to Order.**

5. **Approval of Minutes.**

Rene Daniel move to approve January 15, 2019 and February 5, 2019 minutes as presented.

2nd by **Dennis Isherwood**

The vote is 7-0 in favor

NEW BUSINESS

6. **2018.56 – Site Plan – 1 Ledgeview Drive – Regional Transportation Program: The applicant is proposing a new 8,500 sf office building, 2-bay garage, 11,760 sf enclosed parking structure and associated site improvements on an existing 5.46-acre vacant lot. Tax Map: 002 Lot: 104 Zone: Industrial Park District**

Ed Reidman questions from the Board?

Rene Daniel I reviewed the landscaping and also reviewed your presentation and want to thank you for listening. I like the good strategy of the plantings and preserving the natural plantings and will support this item.

Ed Reidman any other comments?

Rebecca Dillon Mr. Chair, I am going to recuse myself from voting on this item as I work for the firm that represents the applicant.

Ed Reidman Thank you, any other comments?

Dennis Isherwood thank you for choosing Westbrook and I like the whole design and thank you the landscaping. I really hope you have done homework on the traffic on Route 22. I know you have schedules to keep and that road is so busy.
I look forward to seeing you in Westbrook.

Ed Reidman other comments?

No comments

Rene Daniel move The Site Plan application for Regional Transportation Program for a new 8,500 sf office building, 2-bay garage, 11,760 sf enclosed parking structure and associated site improvements located at 1 Ledgeview Drive Tax Map: 002 Lot: 104 Zone: Industrial Park 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 March 1, 2019 are adopted in support of that approval.

Site Plan – Finding of Fact:

Utilization of the Site – *Adequate.*

Adequacy of Road System - *Adequate.*

Access to the Site – *Adequate.*

Internal Vehicular Circulation - *Adequate.*

Pedestrian and Other Modes of Transportation - *Adequate.*

Stormwater Management – *Adequate.*

Erosion Control - *Adequate.*

Utilities – *Adequate.*

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

Financial and Technical Capacity – *Adequate. The applicant has provided a letter of financial capacity from Camden National Bank dated August 15, 2019. Applicant has retained the services of Gawron Turgeon which demonstrates technical capacity.*

Solid Waste – *Adequate.*

Historic, Archaeological and Botanical Resources – *Adequate*

Landscape Plan – *Adequate.*

Conclusions:

1. The proposed site plan **will not** result in undue water or air pollution.
2. The proposed site plan **has** sufficient water available for the reasonably foreseeable needs of the site plan.
3. The proposed site plan **will not** cause an unreasonable burden on an existing water supply.
4. The proposed site plan **will not** cause unreasonable soil erosion or a reduction in the land's capacity to hold water so that a dangerous or unhealthy condition results.

5. The proposed site plan **will not** cause unreasonable highway or public road congestion or unsafe conditions with respect to the use of the highways or public roads existing or proposed.
6. The proposed site plan **will** provide for adequate sewage waste disposal.
7. The proposed site plan **will not** cause an unreasonable burden on the municipality's ability to dispose of solid waste.
8. The proposed site plan **will not** have an undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites, significant wildlife habitat identified by the Department of Inland Fisheries and Wildlife or the municipality, or rare and irreplaceable natural areas or any public rights for physical or visual access to the shoreline.
9. The proposed site plan **conforms** to the duly adopted site plan regulation or ordinance, comprehensive plan, development plan, or land use plan.
10. The developer **has** adequate financial and technical capacity to meet the standards of this section.
11. The proposed site plan **is not** situated entirely or partially within the watershed of any pond or lake or within 250 feet of any wetland, great pond or river as defined in Title 38, Chapter 3, subchapter I, article 2-B M.R.S.A.
12. The proposed site plan **will not** alone or in conjunction with existing activities, adversely affect the quality or quantity of ground water.
13. The proposed site **is not** situated entirely or partially within a floodplain.
14. All freshwater wetlands **have** been shown on the site plan.
15. Any river, stream, or brook within or abutting the site plan **has** been identified on any maps submitted as part of the application.
16. The proposed site plan **will** provide for adequate storm water management.
17. The proposed plan **will not** negatively impact the ability of the City to provide public safety services.

Conditions:

7. Approval is dependent upon, and limited to, the proposals and plans contained in the application dated February 4, 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.
8. 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.*
9. 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. This fee is required per Section 500.8 of the Land Use Ordinances in order to cover the costs of inspection of site improvements - \$7,793

- 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. A performance guarantee in the amount of \$389,651 is required.
- g. Coordinate with the E911 Coordinator on addressing of the Units.
- h. Best management practices shall be adhered to during all ground disturbance operations.

10. Prior to the first Occupancy Permit issuance:

- a. A site inspection of the required improvements by the City to ensure public health & safety is addressed and compliance with the approval.
- b. All site improvements must be installed, unless a performance guarantee amount is held in the amount of the remaining improvements.

11. Prior to release of the performance guarantee:

- a. The site will be in compliance with the approved plan and as-built plan provided in City approved format for the GIS system
- b. The applicant shall comply with the requirements of local and state authorities for life and safety requirements.

2nd by Dennis Isherwood

The vote is unanimous in favor 7-0 (Rebecca Dillon recused, Kim Fickett voting)

12. 2018.57 – Site Plan – 369 County Road - Central Maine Power: The applicant is proposing an approximate 4,247 sf expansion to relocate a control house at the existing electric substation yard at the intersection of County Rd and Spring St. Tax Map: 002 Lot: 030 Zone: Manufacturing and Industrial Park District.

Ed Reidman the only comment I heard was to the security of the site, if you would address that.

Chad Kenney project manager for the site. The security is still being planned as part of the project. As part of the security we are going to be providing cameras at the site as to what is called a sip meeting site that has a particular security rating with the BEP and NCPP standards that are regulatory bodies.

In addition, security inside the station in the new control house will improve redundancy of equipment and make the site more reliable and it meets all the regulatory standards.

Ed Reidman questions from the Board?

Rene Daniel when you mentioned that you would tar from the entrance to the property line, how many feet is that and how far is that?

Sean Hill approximately thirty feet.

Showed the gray area here, is what we are talking about.

Rene Daniel I have a question to the Planner or the Code Enforcement Officer.

Other than this particular project, your experience with the City of Westbrook, how many other projects has the Planning Board approved that leaves this much gravel entrance or gravel pavement when it is completed.

Jennie Franceschi we have not had an approval where there is a gravel drive.

Ed Reidman questions or comments?

Robin Tannenbaum move the Site Plan application for Central Maine Power for an approximate 4,247sf expansion of an existing electric substation yard to facilitate a relocation of a control house and conduct upgrades to the site located at the intersection of Spring Street and County Road Tax Map: 002 Lot: 030 Zone: Manufacturing and Industrial Park 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 March 1, 2019 are adopted in support of that approval.

Site Plan – Finding of Fact:

Utilization of the Site – *Adequate.*

Adequacy of Road System - *Adequate.*

Access to the Site – *Adequate.*

Internal Vehicular Circulation - *Adequate.*

Pedestrian and Other Modes of Transportation - *Adequate.*

Stormwater Management – *Adequate.*

Erosion Control - *Adequate.*

Utilities – *Adequate.*

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

Financial and Technical Capacity – *Adequate.*

Solid Waste – *Adequate.*

Historic, Archaeological and Botanical Resources – *Adequate*

Landscape Plan – *Adequate.*

Conclusions:

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

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

Conditions:

1. Approval is dependent upon, and limited to, the proposals and plans contained in the application dated December 19, 2018 and supporting documents and oral representations submitted and affirmed by the applicant, and conditions, if any, imposed by the Planning Board, and any variation from such plans, proposals and supporting documents and representations are subject to review and approval by the City Planner or the Planning Board.
2. Consistent with Section 504.3, the Code Enforcement Officer shall not issue any permits until a site plan has been approved by the Planning Board and a Mylar signed by the Planning Board. *Mylars must be submitted to the City within 90 days of Planning Board approval or the approval shall be null and void.*
3. Prior to any site disturbance or building permits being issued for the project:
 - a. All Staff comments must be addressed.
 - b. A pre-construction meeting must be held with City Staff and the site work contractor. Contact the Planning Office to coordinate.
 - c. The applicant shall provide the digital data as required by Section 504.5.B.12 and 13. – verification with GIS coordinator.
 - d. An inspection fee shall be made payable to the City of Westbrook for inspection of site improvements made by the Code Enforcement Officer and/or other appropriate City staff. This fee is required per Section 500.8 of the Land Use Ordinances in order to cover the costs of inspection of site improvements - \$868
 - e. The applicant shall file a performance guarantee with the City of Westbrook. The amount of the guarantee shall be agreed upon in advance with the City of Westbrook and shall be of an amount to ensure completion of all on- and off-site improvements necessary to support the proposed project. A performance guarantee in the amount of \$43,403 is required.
 - f. Best management practices shall be adhered to during all ground disturbance operations.
4. Prior to the first Occupancy Permit issuance:
 - a. A site inspection for the required improvements by the City to ensure public health & safety is addressed and compliance with the approval.
 - b. All site improvements must be installed, unless a performance guarantee amount is held in the amount of the remaining improvements.
5. Prior to release of the performance guarantee:
 - a. The site will be in compliance with the approved plan and as-built plan provided in City approved format for the GIS system

The applicant shall comply with the requirements of local and state authorities for life and safety requirements.

Rene Daniel I will not be supporting this. I believe that if I vote positive that we are setting precedents to utility applicants to receive a benefit that know another applicant can receive.

Even the State mandated us to put granite curbing for over a mile and a half for the building of the Middle School. We followed the law; the City of Westbrook observed its own guidelines. If I vote in the positive tonight would be against what the City of Westbrook should strive for. I am only one vote; I believe you should have paved to at least the fence line.

Ed Reidman other questions or comments?

No questions or comments

The vote is 5-2 (Dennis Isherwood and Rene Daniel Opposed)

13. 2019.06 – Site Plan/Shoreland Zoning – 921 Main Street – Sappi North America, Inc: The applicant is proposing the demolition and removal of two spillways associated with the Saccarappa dam, the powerhouse and modifications to the bedrock to create fish passage (natural and Denil Fishway) up the Falls in the Presumpscot River. Tax Map: 032 Lots: 108, 105A Zone: City Center District, General Development Shoreland Zone

Ed Reidman questions from the Board?

Joe Marden if removing the dam to the natural condition, why is the fish way required?

Barry Stemm site has been altered by man significantly long before Sappi occupied the site. The goal of this project to do everything possible to make a fish passage successful.

*Showed the natural falls locations.

They have always been there. If we had removed the damns and the power house as it is today it would be very difficult for fish to pass.

*Showed the denil that allows the fish to pass over the lower falls.

We want to make sure that fish passage is as successful as possible.

Ed Reidman other questions or comments?

Dennis Isherwood I want to show appreciation to the people that want to save the power building because it is a unique building. It is in horrible condition. I do not know how many people have seen what happened before urban renewal. How many people have sat in the Star Theater and watched a movie? It was pretty good when they tore it down and built a cinema next to Bradlees and now Bradlees is gone too, and the cinema is gone as well. Things come and go but for a lot of the buildings in Westbrook did need replacement and a lot of them did not need replacement but I am going to go by what I have heard and seen on this building and say that it is really time to have it replaced and with that said Mr. Chair, I would like to make a motion.

Dennis Isherwood move the Site Plan / Shoreland Zoning application for Sappi North America, Inc for the demolition and removal of two spillways associated with the Saccarappa damn, the powerhouse and modifications to the bedrock to create fish passage up the falls in the Presumpscot River located at 921 Main

Street Tax Map: 032 Lot: 108, 105A Zone: City Center District, General Development Shoreland Zone 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 March 1, 2019 are adopted in support of that approval.

Site Plan – Finding of Fact:

Utilization of the Site – *Adequate.*

Adequacy of Road System - *Adequate.*

Access to the Site – *Adequate.*

Internal Vehicular Circulation - *Adequate.*

Pedestrian and Other Modes of Transportation - *Adequate.*

Stormwater Management – *Adequate.*

Erosion Control - *Adequate.*

Utilities – *Adequate.*

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

Financial and Technical Capacity – *Adequate.*

Solid Waste – *Adequate.*

Historic, Archaeological and Botanical Resources – *Adequate*

Landscape Plan – *Adequate.*

Conclusions:

1. The proposed site plan **will not** result in undue water or air pollution.
2. The proposed site plan **has** sufficient water available for the reasonably foreseeable needs of the site plan.
3. The proposed site plan **will not** cause an unreasonable burden on an existing water supply.
4. The proposed site plan **will not** cause unreasonable soil erosion or a reduction in the land's capacity to hold water so that a dangerous or unhealthy condition results.
5. The proposed site plan **will not** cause unreasonable highway or public road congestion or unsafe conditions with respect to the use of the highways or public roads existing or proposed.
6. The proposed site plan **will** provide for adequate sewage waste disposal.
7. The proposed site plan **will not** cause an unreasonable burden on the municipality's ability to dispose of solid waste.
8. The proposed site plan **will not** have an undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites, significant wildlife habitat identified by the Department of Inland Fisheries and Wildlife or the municipality, or rare and irreplaceable natural areas or any public rights for physical or visual access to the shoreline.
9. The proposed site plan **conforms** to the duly adopted site plan regulation or ordinance, comprehensive plan, development plan, or land use plan.
10. The developer **has** adequate financial and technical capacity to meet the standards of this section.
11. The proposed site plan **is not** situated entirely or partially within the watershed of any pond or lake or within 250 feet of any wetland, great pond or river as defined in Title 38, Chapter 3, subchapter I, article 2-B M.R.S.A.
12. The proposed site plan **will not** alone or in conjunction with existing activities, adversely affect the quality or quantity of ground water.
13. The proposed site **is not** situated entirely or partially within a floodplain.

14. All freshwater wetlands **have** been shown on the site plan.
15. Any river, stream, or brook within or abutting the site plan **has** been identified on any maps submitted as part of the application.
16. The proposed site plan **will** provide for adequate storm water management.
17. The proposed plan **will not** negatively impact the ability of the City to provide public safety services.

Conditions:

1. Approval is dependent upon, and limited to, the proposals and plans contained in the application dated January 31, 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.
2. Consistent with Section 504.3, the Code Enforcement Officer shall not issue any permits until a site plan has been approved by the Planning Board and a Mylar signed by the Planning Board. *Mylars must be submitted to the City within 90 days of Planning Board approval or the approval shall be null and void.*
3. Prior to any site disturbance or building permits being issued for the project:
 - a. All Staff comments must be addressed.
 - b. A pre-construction meeting must be held with City Staff and the site work contractor. Contact the Planning Office to coordinate.
 - c. The applicant shall provide the digital data as required by Section 504.5.B.12 and 13. – verification with GIS coordinator.
 - d. An inspection fee shall be made payable to the City of Westbrook for inspection of site improvements made by the Code Enforcement Officer and/or other appropriate City staff. This fee is required per Section 500.8 of the Land Use Ordinances in order to cover the costs of inspection of site improvements and is 2% of the performance guarantee estimate.
 - e. The applicant shall file a performance guarantee with the City of Westbrook. The amount of the guarantee shall be agreed upon in advance with the City of Westbrook and shall be of an amount to ensure completion of all on- and off-site improvements necessary to support the proposed project.
 - f. Best management practices shall be adhered to during all ground disturbance operations.
4. Prior to the first Occupancy Permit issuance:
 - a. A site inspection of the required improvements by the City to ensure public health & safety is addressed and compliance with the approval.
 - b. All site improvements must be installed, unless a performance guarantee amount is held in the amount of the remaining improvements.
5. Prior to release of the performance guarantee:
 - a. The site will be in compliance with the approved plan and as-built plan provided in City approved format for the GIS system
 - b. The applicant shall comply with the requirements of local and state authorities for life and safety requirements.

2nd by Rene Daniel

Ed Reidman any questions at this point?

No questions

The vote is 7-0 unanimous in favor

Rene Daniel move to go to workshop

2nd by Dennis Isherwood

The vote is 7-0 unanimous in favor

WORKSHOP

14. **2019.01 – Site Plan/ Village Review Overlay Zone/Shoreland Zoning – 3 Vallee Square – Vallee Square Holding, LLC: The applicant is proposing a 3,300+/- sf expansion to an existing commercial business (restaurant) including a new second floor event space, roof-top deck and covered porch. Tax Map: 032 Lot: 229 Zone: City Center District, Village Review Overlay Zone, General Development-SZ**

Project Description

The applicant is proposing a 3,300+/- sf expansion to an existing commercial business (restaurant) including a new second floor event space, roof-top deck and covered porch. Tax Map: 032 Lot: 229 Zone: City Center District, Village Review Overlay Zone, General Development-SZ.

Project History

February xx 2019 – Neighborhood Meeting
March 5, 2019 – Planning Board Workshop

Staff Comments:

1. Village Review scheduled for Wednesday, February 20th.
2. Standard boundary survey required with final submission
3. The Frog and Turtle restaurant must include a full fire alarm system and be fully sprinkled as part of this expansion. Applicant should provide a phasing plan for sprinkling the remainder of the building under contract
4. Metering system located in the stairwell must be moved
5. Remove the existing parking spaces located to the rear of Frog and Turtle and designate the area 'No Parking. Fire Lane' with signage and striping – Initial striping and signage to be done by the City.
6. Expansion must meet 2015 IBC standards
7. Construction may not fully block Vallee Sq. A minimum of one lane access required at all times on any public right-of-way.
8. Provide a P&S to Planning Office
9. Provide color elevation renderings prior to review with the Village Review Overlay Committee
10. Proposed signage should be included with final application submission
11. No changes are proposed to the existing stormwater design
12. Provide a final site plan with signature block with final application submission.

Board Action:

- Site Walk
- Public Hearing

Mark Sengelmann Alpha Architects presented aspects of the project showing the current site as is and the proposed site with elevations and floor plans existing and proposed.

- ADA compliant
- Grand stairway to the second floor
- Building was three side-by side – making continuous building
- Kitchen as is
- Second level – great view to see the Riverwalk
- 2 ADA bath
- Deck cornhole – fabulous views
- Site Plan – boundary survey Vallee Square
- Frog & Turtle is part of a larger building
- Parking – Fire Chief asked to remove
- Dumpsters many fires – working on moving them
- Fully alarm and sprinkler
- Landscaping
- Gooseneck lighting
- Not a lot of landscaping as the building is tight to the site
- Utilities will remain the same

Ed Reidman questions or comments

Mark Sengelmann Alpha Architects presented aspects of the project showing the current site as is and the proposed site front and rear elevations with the second-floor plans.

New main entrance that takes you to the second-floor level. The entrance off of Vallee Square will not be the main entrance but will function as the ADA compliant entrance.

Two tone mustard color and gray will be repeated on the back of the building with brown around the windows and doors.

Showed the floor plan as it exists with non-compliant bathrooms. We will be removing the stairway and building ADA compliant bathrooms and also build a new grand stairway that has windows to view the Riverwalk.

This building was three businesses, side-by side and are making it one continuous building.

Showed the new air lock entrance off of Vallee Square that can take you upstairs or directly into the restaurant.

The kitchen will remain largely as is, but the cooler will be placed in the basement and that area will become a prep kitchen area.

Showed a rendering of the second level that you will have a great view of the Riverwalk. All indoor connections with two ADA bathrooms.

Showed the new event space with a small bar with a porch that can be used to store outdoor furniture in the winter time.

Showed a rendering of the deck with a couple of places of corn-hole with fabulous views.

The Site Plan showed the boundary survey of Vallee Square and Frog & Turtle is part of a larger building that we are planning to have a slight separation that will be completed a year from this spring.

There is parking back here currently and Fire Chief Turcotte has asked us to remove that. As you may know there have been some dumpsters fires back here and the dumpsters are going to be relocated as all the businesses are working together to relocate the dumpsters away from the buildings so in the event of a possible fire it will not threaten the building. Also having the parking spaces removed will allow the Firefighting equipment better access should there ever be a problem.

As part of the renovation we will be fully alarming the building and providing an automatic sprinkler system.

There is gooseneck lighting over the existing sign that will remain and add another gooseneck light near it. We will repeat the sign on a smaller scale with two gooseneck lights on the location shown.

There is really not a lot of landscaping on the site as the site is tight to the building. When they did the Vallee Square rebuild, the trees will remain. There is not much room to do landscaping on site. All utilities will remain the same.

I will entertain any questions.

Ed Reidman questions or comments?

Daniel Stevenson Economic Community Developer, I want to make a couple of comments. I recently spoke to Fire Chief Andrew Turcotte with respect to the updated plan coming before you that will involve a building separation piece. His early indications are that he is on board with the plan but clearly recognizes and understands that additional documentation will be needed and also the State Fire Marshall will need to review and provide the approved construction permitting and sprinkler permit as well but a plan is in place that we can work with locally moving forward.

The second piece is in respect to dumpsters and totters. Many of you may be aware that the City Council realizes the Public Safety involved with this project and the downtown and has approved two hundred feet of water line extensions in the public way so they can tap into that with their

lateral to get the building sprinkled.

The dumpsters and totters came up at the Council as well and I volunteered our City Planner, Jennie Franceschi and I to take point on that in house. It is an important issue and we will be working on that for the entire downtown not just here.

We are excited about this project and they have been fantastic to work with.

Ed Reidman David, is there a need for an elevator?

David Finocchietti no

Ed Reidman not required?

David Finocchietti not needed

Ed Reidman so if you are handicapped, you cannot go upstairs.

Mark Sengelmann that is correct, under State law under 3,000 square feet that building does not require to have an elevator to the second floor.

We actually met with the State Fire Marshalls Office this morning and will be providing him with a few more documents, then we expect the Fire and ADA permits to come shortly.

Kim Fickett just a clarification, you are placing the main entrance to what you refer to as the rear of the building.

Mark Sengelmann the purpose of that is James's recognition of the activity on the River Walk and to make it a more exiting entrance in that area.

Rebecca Dillon I think it is great, it is a perfect location for a two story building in that area and I am finding it really exciting, but I do have one question, it look like the kitchen is expanding does that mean you can make beef wellington more than once a year?

Public laughter

Robin Tannenbaum I too am very excited and thrilled and am very happy for you James. I am thrilled to see the first building downtown go up and I hope others will follow suit.

I do not know the structural implications but thank you for being a leader.

This is not part of the Boards purview, but why not move the upstairs bathrooms over and place a long bank of windows to look over the river, just a thought I had. Line that side of the building

with windows so you can look over at the view for nine months of the year. I know that is not part of our review, I just needed to say it, I want everything to be excellent, and I will be there.

Rene Daniel I have several things to say and one of them is I have to disagree with you Mark, there is always room for landscaping. It does not have to be traditional. There is nothing wrong with hanging landscaping, I like to see not huge amounts but greens and flowers, things that can last. I am going to look for landscaping but not necessarily not huge amounts.

So as everyone is afraid of the Chef, but I am not. Chef thank you. My co-member is right, she has hit the nail on the head, you are the first one to go up and you have done your homework, you have taken time since 2005, you have taken fourteen years and paid attention and you can tell anyone who will listen that participates in your restaurant that will realize how much you love Westbrook. I am glad you chose to come from a South Western community to Westbrook. I am very, very pleased. I reek the benefits of your meals.

I am pleased with the design and it took one brave person to take the step. I hope that when I hit my eightieth birthday we can sit at your restaurant and look at all the other buildings due to your vision.

So just a little landscaping and thank you for coming to Westbrook and staying in Westbrook to continue to do great work.

I have one timeline question, how long is this going to put you on the untouchable list of being able to go there to eat?

James Tranchemontagne the plan is to be closed most of July which tend to be a slow time in Westbrook. There will be some structural renovations in the basement while we are operational that they can do and earth work outside, but the bulk will be in July and hope to be back open by August, then everything will be structurally completed.

To your question about landscaping, we do put pots of flowers in front of the restaurant and have consistently done that.

I do want to mention what people are saying of my dream coming true, the Cotes who could not be here tonight are a big part of this and are a long time Westbrook family and when they bought in four years ago understand the dream and the vision we have and are strong believers in the downtown.

You have also heard several times tonight Urban Renewal; we truly believe that we can reverse Urban Renewal and it starts with this renovation separating the building. I hope people believe in the truly vibrant downtown. We value all your opinions.

Rene Daniel by removing the parking in the triangle, you might be able to put a small garden there.

James Tranchemontagne you will see some roof top gardens when we get it all built and operational. You will not see it this year as it will be fall when it is done. In the spring you will see some roof top gardens.

And beef wellington is seasonal but is not year-round, we cook during the season.

Public laughter

Rene Daniel Mark, you gave a very good presentation, thank you.

Ed Reidman any questions or comments? Thank you for coming and look forward to seeing you.

15. 2019.02 – Site Plan – 590 Bridgton Road – Coastal Road Repair: The applicant is proposing a new 10,000 sf structure for their commercial business with associated parking area. Tax Map: 018 Lot: 001, 002A Zone: Prides Corner Smart Growth Area

WORKSHOP

Project Description

The applicant is proposing a new 10,000 sf structure for their commercial business with associated parking area. Tax Map: 018 Lot: 001, 002A Zone: Prides Corner Smart Growth Area

Project History

February xx 2019 – Neighborhood Meeting

March 5, 2019 – Planning Board Workshop

Staff Comments

1. Revise title block son sheets 1 and 2 from “Coast” to “Coastal”
2. Provide building elevations showing color and material required with final submission
3. Provide documentation of neighborhood meeting to Planning Office
4. Ability to serve letter from CMP and PWD required with final submission
5. Soil map indicating area suitable for septic system required with final submission
6. Propose a natural storage
7. BMPs
8. Site should be gated at intersection with Bridgton Road during construction to prevent trespassing. All gates should be equipped with Knox boxes, to be obtained by the Fire Department.
9. Plan note 10 – should read “City of Westbrook”
10. All final submission and abutter noticing fees due prior to public hearing
11. Driveway should be built to road standards to support heavy equipment and future development
12. Separate access points with abutters along Bridgton Rd
13. Restricted construction times within the Bridgton Road right of way to 9a – 3p

14. Provide proposed signage with final submission. Sign location should be depicted on the final plan.
15. Additional fire hydrant may be required to ensure adequate water supply to site.

Board Action:

- Site Walk
- Public Hearing

James Seymour with Sebago Technics presented aspects of the project showing the site location, beside Swenson Granit, a prior 2-acre paved pad site for the Portland Water District that was used in the 1990's for a sludge depository site.

It was hardly used and was abandoned for a few years and has been leased by the current owner and is used for storage of equipment. What we would like to do is to utilize the site for their office and garage operation. The idea would be to put in a 10,000 square foot structure, prefab metal to utilize for the garage and an office on the second floor.

Showing the site, you can see we share a location with an auto sales business and Swenson Granite. One thing we need to work out is the entrance that is a shared entrance now with the dealership. The idea would be to come up with a plan to clean this up a little and maybe combine the entrance into one instead of having an open area.

The utilities in are off route 302 and would be extending an eight-inch waterline to sprinkle the building and also run three phase power to operate the equipment.

It is a very simplistic plan utilizing the existing pad area that could host about fifty vehicles for the crews and equipment. This is an excellent location being close to the Maine Turnpike.

The total parcel is none-two acres that is cut into two pieces by a Central Maine Power right of way.

We are here this evening to present this to the Board and are aware that we have more work to do but we are working with a building contractor to finalize an actual structure but this evening we are here for a blessing to move forward to Site Plan review. I will answer any questions you may have.

Ed Reidman questions from the Board?

Rene Daniel is that going to be a driveway or a street?

James Seymour currently that will be a driveway built to a commercial standard to handle the heavy truck load that maybe in the future be converted to a road

Rene Daniel even in the winter, is that area visible?

James Seymour from the corner of the lagoon to the corner of Swenson is about three hundred to four hundred feet that is all woods between here. The road length is almost one thousand feet. There is a huge tree buffer between this and Route 302 that is tucked way back in the woods. Because it is so remote we will be fencing the area for security reasons.

Rene Daniel I have no problem with the initial plan.

Kim Fickett I am assuming that the pond is stagnant water.

James Seymour yes it was a lagoon and we plan on rehabbing it and using it in a different way and will be modifying that area more like an infiltration system.

Ed Reidman other questions or comments?

Joe Marden what was the facility used for before?

Ed Reidman composting site for sludge by Portland Water District and was a very nasty site.

Joe Marden hearing that, was there any environmental studies done on the area?

James Seymour nothing on the site but we will look at the lagoon itself.

Ed Reidman questions or comments

No Comments

Ed Reidman thank you for coming this evening

16. 2019.03 – Site Plan – 15 Saunders Way – J.B. Brown & Sons: The applicant is proposing a new 40,000 sf warehouse/office building. Tax Map: 042 Lot: 013 Zone: Industrial

WORKSHOP

Project Description

The applicant is proposing a new 40,000 sf warehouse/office building.

Project History

February xx 2019 – Neighborhood Meeting

March 5, 2019 – Planning Board Workshop

Staff Comments

1. Stormwater, possible Site Location, permit required.
2. Proposed development is 8-5,000 sf storage spaces for a total 40,000sf warehouse

3. Development reviewed and approved using the standards of the Industrial District
4. Final Plan must include zone (Industrial District) standards, conditions of approval and signature block
5. Full fire alarm and sprinkler system required
6. Provide lighting detail to Fire Department with final application
7. Provide building elevations to Planning
8. Verify E-911 address with Linda Gain
9. Buffering for the Forest Street residential neighborhood may be required depending on final grading design
10. ABS letters from PWD and sewer
11. Final plan should show dumpster location. Dumpsters must be screened
12. Include a plan note demonstrating compliance with parking standard
13. Final Plan should show all points of egress from the structure
14. With the final application submission, include a narrative demonstrating compliance with both Industrial and Industrial Park districts to align with the proposed amendment to the Zoning Map under review with the Planning Board.
15. Show landscaping on final plan

Board Action:

- Site Walk
- Public Hearing

Dan Riley with Sebago Technics presented aspects of the project for a 40,000 square foot office building on the former Saunders Mill site that JB Brown and Sons acquired in 2004.

We were last before the Board for this site in 2016 before the board when the applicant constructed a 60,000 square foot warehouse building on the east of the proposed facility that is in the southwest corner of the mill site.

The area of site where we are proposing is currently partially paved and the unpaved area is the former mill yard that was used for decades as part of the mill operation. Since the mill ceased operation that area has revegetated, and the DEP has confirmed that the site will not require need a permit. We are treating all the impervious at the rear of the site. If you are familiar with the site there was a former mill pond and we will convert that to a subsurface surface gravel wetland system to provide a storm water system for the facility.

The proposed building is forty thousand square feet and we do not have a proposed tenant and could be partitioned up to five spaces with the idea with different tenants could reconfigure the inside of the building to suit their needs.

Each unit will have parking spaces with loading docks in rear and the site is served by all existing utilities, underground power, water main recently upgraded and natural gas is on site.

Regarding the abutters and the location of the property, we have included a boundary survey in your packets that show residents on west side abutting the property will be buffered from the site.

The general flow access is from Saunders Way and will be able to access the loading docks at the rear of the building.

With that, I will answer any questions the Board may have.

Ed Reidman questions or comments?

Vin Veroneau JB Brown and Sons, the only correction I would have is there may be a potential of eight separate tenants in the 40,000 square foot building.

Ed Reidman questions or comments from the Board?

Rene Daniel is the office part of the warehouse business or is it possible to be office space?

Vin Veroneau at this point it is office to whatever ancillary warehouse manufacturing.

James Seymour let me clarify, when looking at the site and planning for the parking, we assumed an office use would occupy 25 % of the space for determining the anticipated sewer flows and the required parking. Other sites have been primarily warehouse space, but this will have the flexibility for another use within the building.

I did not review the lighting, that will be primarily wall mounted lighting at the front of the building and over the door with three poles mounted across the back of the site that are the same as the adjacent building next to it. So, it will be consistent.

Joe Marden is the back depressed for loading.

James Seymour it follows the natural terrain that slopes about five feet from the edge back to near where the top of the pond is.

Rebecca Dillon I live on the Forest Street side of this site and I think having a building there might be helpful as well with the cut through traffic and with the parking and more activity that might cut the pass-through traffic down. I do agree with the buffering along the residential areas is a good thing and recommend as much as possible. I also like the idea of cleaning up that pond and hopefully this will be another deterrent to stop the cut through traffic.

James Seymour the building is sited to try to deter cut through traffic.

Ed Reidman questions or comments

No Comments

17. ~~2018.48 – Site Plan, Subdivision & Conditional Use – Cumberland Woods – Graiver Family Holdings, LLC – The applicant is proposing to develop a 72-unit multifamily subdivision located at 425 Cumberland Street. Tax Map: 010 Lot: 028B Zone: Residential Growth Area 1~~ **Item removed at the request of the applicant**
18. **2019.04 – Ordinance/Zoning Map Amendment – Industrial Zone: The proposed amendment rezones parcel 042-000-013 to Industrial Park District to bring the parcel up to date with current zoning districts and associated standards of Appendix A, Land Use Ordinance.**

WORKSHOP

Jennie Franceschi explained the proposed amendment.

Ordinance Description

The proposed amendment rezones parcel 042-000-013 to Industrial Park District to bring the parcel up to date with current zoning districts and associated standards of Appendix A, Land Use Ordinance.

Ordinance History

March 5, 2019 – Planning Board Workshop

Staff Comments

Board Action

- Provide feedback on the proposed Ordinance
- Consideration of a public hearing on the proposed language – Staff would suggest holding a public hearing on April 2, 2019.

Ed Reidman motion to a Public Hearing? Any feedback?

Rene Daniel are we able to make a motion in workshop?

Jennie Franceschi we need an indication to the Board to move this forward.

**Board members agreed

Joe Marden I noted in the memo that this change does not make the site non-conforming but reviewing old space and bulk standards to the new space and bulk standards, there are some new space and bulk standards, has that been reviewed to see is if the existing uses will still be in conformance?

Jennie Franceschi we have not looked at those components but we will make sure it is in compliance.

19. 2019.05 – Ordinance Amendment – Chapter V Subdivision and Site Plan Review: The proposed amendment re-organizes and clarify the subdivision and site plan submission requirements and review process.

WORKSHOP

Ordinance Description:

The proposed amendment re-organizes and clarifies the subdivision and site plan submission requirements and review process.

Ordinance History

March 5, 2019 – Planning Board Workshop

Staff Comments:

Board Action

- Provide feedback on the proposed Ordinance
- Consideration of a public hearing on the proposed language – Staff would suggest holding a public hearing on April 2, 2019.

Jennie Franceschi at the request of a Board Member, we were asked to look into how to incorporate into our subdivision standards the use of a Landscape Architect and how to require standards that other communities have as part of their subdivision ordinance.

If you look at Falmouth's Ordinance, they require a Landscape Architect to be a part of the design team on their conservation subdivisions. We do not have that type of subdivision in Westbrook so we were looking a potential lot threshold, a unit threshold that might trip a trigger that would incorporate a landscape architect that must be part of the design component as far as laying out the project.

We are looking as part of the discussion of feedback from the Board on how they felt about the standards and if they would like to do that and if we can speak to that point.

Joe Marden regarding the landscaping architect component, I definitely do not think it is a bad idea, but it is project specific and I understand that you cannot really put that into the Ordinance.

I have a suggestion for the language on page seven for the sketch plan submission, where you see a multi team licensed professionals, you could add that language. That includes surveyors, architects.

One question, if you are working on a land subdivision, with no buildings would an architect need to be required and would this statement make it a requirement to be part of the design team?

Jennie Franceschi based on this statement, just the land division would require it. That is a point of discussion that we wanted to have with the Board. Are we looking at all types of subdivisions or are we

looking at multifamily? Is five too low of a threshold? We gave you language for your review and ask for direction and ideas so we can hone in on the appropriate threshold or the appropriate process that we are trying to achieve that a landscape architect can bring.

Joe Marden I do not know how comfortable you are with a statement “as deemed necessary by the City Planner”. I am confident with the Planning Department to recognize when it is required.

Rebecca Dillon I will fess-up, I was the Planning Board member who requested this. I do not know if looking at it from a density perspective instead of a threshold of 5 lots or even if it is a division of land for a subdivision, I do not want to over complicate it for people who own several acres that their grandparents left them and want to do a simple subdivision. I do feel strongly about having a landscape architect laying out developments when there is a certain density, like the project on Spring Street. We would be looking at a much nicer project if language had been in the Ordinance. We would not hear people saying that Risbara ruined Westbrook by putting that subdivision there.

I am happy to see this is moving forward as we have a lot of parcels of land especially on route 302 that will eventually be developed, and we should be ready for it.

I am not sure if we look at it from a density perspective. I am not opposed to what Joe just mentioned by the Planner and under that threshold? Maybe a combination of the two?

Rebecca Spitella maybe the applicant can request not to have that requirement and ask the Board to waive that.

Robin Tannenbaum I keep going back and forth between two things. One is on page seven, A subdivisions for five or more multi teams of professionals, I would agree licensed surveyors, architects, landscapers; is that mean a surveyor, an architect, a landscaper; is it all four one of each, you have to have all.

I am generally in support of this but further, then on page nine a landscaping plan stamped by a landscaping architect, that is not about drainage and grading and layout.

I am just processing that in my head. I think that is great, but I have to think about it more.

Jennie Franceschi the component is how you ensure the landscape architect has actually participated on the plan, so any project that comes forward could say they had a landscape architect on the team. As to how much input they truly have in the process a lot does depend on the client. For instance, 48 Seavey Street came forward with a landscape architect in the lead and how they laid out the project and how it looked it does have a different feel and I can say this because I am part of the other brotherhood, Civil Engineers, has a different feel to when a Civil Engineer takes the lead. Is it better?

I know what we would like to achieve. I do not know if we can always mandate the professional to take the lead on the project but that is where the Board and Staff can push back on a project. This is another tool in the tool box to be able to utilize, how we want to sharpen that in the future is really up to the purview of the Board.

Robin Tannenbaum 3 or 4 units and single family? The difference between an architect and a landscape architect are two different beasts.

Jennie Franceschi As Rebecca stated, every applicant has the ability to request a waiver due to the nature of the project. That can come to the Board with that request. You can make a decision on that.

Robin Tannenbaum it is a great step in the right direction. I appreciate Rebecca for bringing this forward and to the Staff for all their work.

Jennie Franceschi we are also trying to reorganize the Site plan and Subdivision standards within this document as it is slightly disjointed throughout the document. We are trying to make it flow better.

Ed Reidman I urge everyone to read through it thoroughly and then come back as a Public Hearing.

Jennie Franceschi what time frame would you wish to have it back to you in workshop?

Ed Reidman it depends what is on the agenda.

Rebecca Spitella we could split them in separate meetings as well. It was intended to be a one-point amendment and grew from there and became three separate amendments. Some are more complicated than others.

Robin Tannenbaum I personally do not have a problem with all three together.

Ed Reidman anything else to come before the Board?

No further items

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