



City of Westbrook
PLANNING BOARD MINUTES

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WESTBROOK PLANNING BOARD

TUESDAY, March 7, 2006 7:00 P.M.

WESTBROOK HIGH SCHOOL, ROOM 114

MINUTES

Present: Ed Reidman, (Chair), Rene Daniel (Vice-Chair), Greg Blake, Anna Wrobel, Luc Bergeron (At-Large), Paul Niehoff (Alternate)

Absent: Brian Beatti

Staff: Rick Gouzie, Brooks More

Chairman Reidman called the Westbrook Planning Board meeting to order at 7:00 p.m. in Room 114 of the Westbrook High School. Mr. Reidman informed the audience of the purpose for the public hearing, and asked everyone who would speak to do so at the podium, being certain to speak clearly and provide the Board with their name and address. Mr. Reidman stated that the Board would hear a presentation accept any additional Staff comments, and then receive questions and commentary from the public. Mr. Reidman noted that any questions received by the Board would be answered at the end of the public presentation. Mr. Reidman explained that any action taken at this meeting would be dependant upon time constraints.

Public Hearing - Final Subdivision Plan and Final Site Plan - Gateway Condominiums - Land Use Consultants, on behalf of Tony Vance, for the construction of twelve (12) condominium units on a 0.91 acre parcel located at 243 Conant Street. Tax Map: 31, Lot: 34, Zone: City Center.

Tom Emery with Land Use Consultants, on behalf of Tony Vance presented to the Board all aspects of the construction of twelve (12) condominium units on a 0.91 acre parcel located at 243 Conant Street. Tax Map: 31, Lot: 34, Zone: City Center.

George Barstow 235 Conant Street is concerned with fencing and tree buffering.

Victor Tedford 227 Conant Street is against the size of the project. The City should require an eight (8) foot un-interrupted fence. He wants a commitment that units not be rentals.

Bob Morrill 260 Conant Street said a sidewalk should be placed down to where it ends on Conant Street. Road and intersection improvements should be made by the developer. Parking is an issue; there should be no parking on Route 25. The lighting should be a 90 degree cut off, with no direct lighting emitted on the next lots. The landscaping should not use birch trees due to the lack of screening provided.

Lewis Waters 236 Conant Street support the comments of others. Please look at this area more, this area is not downtown.

Ed Reidman closed the Public hearing.

Luc Bergeron asked if there are any limits on eight (8) foot high fencing.

Rick Gouzie said there are no limits against it. An eight foot fence is considered a spite fence, but is allowed in any zone.

Luc Bergeron supports fencing.

Ed Reidman asked the developer to expand on the light fixtures.

Tom Emery explained that the lighting fixtures are Colonial style and face downward. Other lighting is in the soffits and any others are on poles.

Luc Bergeron explained his support for the higher fencing, the need for a review of the zone in this area. Luc Bergeron encouraged the Board Members to consider the Abutters requests.

Anna Wrobel asked about the Comprehensive Plan that said that multi units may exist, but not at the street level; however the Ordinance did not implement that particular aspect of the Comprehensive Plan. What does street level mean?

Brooks More said that in the City Center District the multi units are allowed but on the ground level is saved for store fronts, but the Ordinance did not implement this.

Rene Daniel asked the approximate cost of these condos and are they going to be owner occupied.

Tom Emery said the cost is approximately \$200,000 each and they are owner occupied.

Rene Daniel asked for clarification on the culvert needed for this project.

Tom Emery explained the water is draining to a catch basin, then to a low area then directing it to the structure.

Luc Bergeron commented that he had contacted the Mayor to let him know that some areas in the City are questionably zoned and do not work in some residential area. I recommend that the tax payers contact their City Councilor or the Mayor to have zoning areas reviewed.

Ed Reidman informed the Board that when this item comes before the Board in the regular session, he will recommend that this item be tabled until the developer and Mr. Barstow can come to an agreement.

Public Hearing - Land Use Ordinances - An amendment to the Land Use Ordinance establishing a review and public notice process and standards for the development of paper streets

Brooks More explained to the Board that a Paper Street committee has made recommendations, for the development of Paper Streets with a recommendation of a written process to the Planning Board.

Andrew Broaddus suggests getting the standards for policy recommendations for paper streets in the public more. All abutters in the sub-division should be notified and suggested five hundred (500) feet changed to one thousand (1,000) feet for the notification area. A traffic study should be required and marked that local traffic only is allowed. Paper Streets should be signed for local traffic only, to eliminate cut through traffic. The Paper Street road standards should be the same as the City of Westbrook's. A developer should provide a performance guarantee and should be written as part of the policy recommendation.

Robert Foley 44 Mitchell Street is in favor of traffic studies, although he feels that the existing notification is adequate.

Jeff Edelstein facilitator for the Paper Street Committee wanted to thank the commitment and diligence put forth by the Paper Street Committee members.

David Vincent Saco Street said that the five hundred (500') foot notifications are the same as the sub-division requirements. He questioned if a traffic study be required for small projects.

Ed Reidman closed the Public Hearing.

Ed Reidman asked what process would be met for notification of abutters surrounding proposed Paper Street development.

Brooks More with the electronic data source, we would select all the parcels along the paper street development and send notifications to abutters five hundred (500) feet away.

Ed Reidman asked what the road standards would be.

Brooks More said that it is clearly stated in the proposed recommendations that the road standards would have to meet the sub-division road standards.

Ed Reidman asked if we would require developers to provide a bond.

Brooks More we always require bonding of roads and we could add bonding of roads to the recommendations.

Ed Reidman asked if the paper street become a public road.

Brooks More said that paper street development could be private or public.

Ed Reidman asked to place the letter from Christine Hebert in the record.

No further questions from the Board. Moved to the regular agenda

1. Approval of Minutes - February 21st, 2006

Rene Daniel moved to approve the minutes and the workshop as revised.

2nd by Anna Wrobel

The vote was unanimous in favor 6-0

2. Final Subdivision Plan and Final Site Plan - Gateway Condominiums - Land Use Consultants, on behalf of Tony Vance, for the construction of twelve (12) condominium units on a 0.91 acre parcel located at 243 Conant Street. Tax Map: 31, Lot: 34, Zone: City Center.

Rene Daniel moved to table this item to April 4th, 2006

2nd by Luc Bergeron

The vote was unanimous in favor 6-0

3. Land Use Ordinances - An amendment to the Land Use Ordinance establishing a review and public notice process and standards for the development of paper streets.

Rene Daniel moved to recommend to the City Council the approval of the additional standards for Paper Streets to the City Ordinance.

2nd by Anna Wrobel

Amendment to the motion - Addition of the performance guarantee to cover the cost of the development of the Paper Street and a traffic standard included with the same language as the sub-division requirements of the ordinance.

The vote was in favor 4-0 with Ed Reidman and Greg Blake abstaining.

4. Final Site Plan Approval Extension - Casella Environmental Park - St. Germaine & Assoc., on behalf of Pine Tree Waste, for a one (1) year extension on the Final Site Plan Approval granted on February 15, 2005 for the construction of a solid waste transfer and processing facility comprised of a 27,500 S.F. C&D processing building, a 9,000 S.F. MSW transfer building, and a residential drop off area. The project is situated on a 71.73 acre parcel located at 594 County Road. Tax Map: 2, Lot: 24D; Zone: IP.

Andrew Johnston with Germaine & Assoc, on behalf of Pine Tree Waste requested the Board extend the Site Plan for twelve (12) months, as required in the Land Use Ordinance. As stated in the original approval, it states we must have all State Permits in hand before construction may commence. We are expecting the permit from the DEP but need an extension on the original approval to the Final Site Plan.

Ed Reidman asked for a motion to extend the Site Plan for twelve months with all the conditions and findings of fact included.

Anna Wrobel moved to extend the Final Site Plan with all previous approval findings and conditions.

2nd by Rene Daniel

The vote was unanimous in favor 6-0

5. Preliminary Final Subdivision Plan - Beauchamp Condominiums - Sebago Technics, on behalf of Cliff & Pat Plummer, for the creation of a nine (9) unit condominium development on a 2.3 acre parcel located at 247 Spring Street. Tax Map: 8, Lot: 13A, Zone: RGA1.

Matthew Ek from Sebago Technics on behalf of Cliff & Pat Plummer presented to the Board all aspects of the creation of a nine (9) unit condominium development on a 2.3 acre parcel located at 247 Spring Street. Tax Map: 8, Lot: 13A, Zone: RGA1. A type-o was made on the agenda; it is an eleven (11) unit condominiums.

Luc Bergeron moved to find the application complete.

2nd by Greg Blake

The vote was unanimous in favor 6-0

Rene Daniel moved to schedule the site walk for March 25th, 2006 at 10:00 am.

2nd by Luc Bergeron

The vote was unanimous in favor 6-0

Rene Daniel moved to schedule the Public Hearing for April 4th, 2006 at 7:00 pm.

2nd by Anna Wrobel

The vote was unanimous in favor 6-0

6. Preliminary Final Subdivision Plan, Site Plan and Special Exception - Fox Knoll Condominiums - Land Use Consultants, on behalf of Tony Vance, for the construction of seven (7) condominium units on a 0.86 acre parcel of land located at 499 Cumberland Street. Tax Map: 43, Lot: 114, Zone: RGA1.

Tom Emery Land Use Consultants, on behalf of Tony Vance presented to the Board all aspects for the construction of seven (7) condominium units on a 0.86 acre parcel of land located at 499 Cumberland Street. Tax Map: 43, Lot: 114, Zone: RGA1.

Paul Niehoff moved to find the application complete

2nd by Luc Bergeron

The vote was 5-0 in favor Greg Blake absent

Rene Daniel moved to schedule a site walk on March 25th, 2006 at 11:00 am.

2nd by Anna Wrobel

The vote was unanimous in favor 5-0 Greg Blake absent

Luc Bergeron moved to schedule the Public Hearing on April 4th, 2006

2nd by Anna Wrobel

The vote was unanimous in favor 5-0 in favor Greg Blake absent

Rene Daniel requested that The Board allow Thomas Wilson (an abutter) to speak as he will be out of town for the scheduled Public Hearing.

Thomas Wilson 465 Cumberland Street, an abutter expressed his concerns about his foundation and how the blasting will affect his plumbing due to the shale bedrock. Mr. Wilson will not be aware of any damage to his house until the wet season comes and water backs up through his plumbing. Mr. Wilson stated that there is only six (6) inches of soil on top of bedrock that does not allow installing of a fence with out drilling and the landscaping will not grow. Thomas Wilson is against blasting and against this project.

Rene Daniel moved to adjourn to workshop

2nd by Greg Blake

The vote was unanimous in favor 6-0

Mrs. Joy asked about notification. (Editors note) Conversation between the audience and the Board was not clearly heard.

Ed Reidman requested that Mrs. Joy be added to the abutter's notification list.

Brooks More affirmed this request.

7. Adjourn to workshop

Workshop -

1. Sketch Subdivision Plan - 127 Saco Street - Sebago Technics, on behalf of Peter Kelley, for the creation of a ten (10) unit condominium development located at 127 Saco Street. Tax Map: 28, Lot: 23, Zone: RGA1.

Matthew Ek with Sebago Technics, on behalf of Peter Kelley, presented to the board all aspects of the creation of a ten (10) unit condominium development located at 127 Saco Street. Tax Map: 28, Lot: 23, Zone: RGA1.

Ed Reidman stated the existing building's utilities should be placed underground.

Paul Niehoff suggested sidewalks and traffic study is prepared.

Rene Daniel moved to reconvene to regular session.

2nd by Luc Bergeron

The vote was unanimous in favor 6-0

No other items came before the Board

2. Adjourn

*Respectfully submitted by Linda Gain PECE Secretary
MINUTES MAY NOT BE TRANSCRIBED VERBATIM. SECTIONS MAY BE PARAPHRASED FOR CLARITY. A COMPLETE RECORDING MAY BE OBTAINED BY CONTACTING THE ENGINEERING, PLANNING AND CODE ENFORCEMENT DEPARTMENT. THANK YOU*