



City of Westbrook

DEPARTMENT OF PLANNING

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WESTBROOK PLANNING BOARD TUESDAY OCTOBER 7, 2008, 7:00 P.M. WESTBROOK HIGH SCHOOL, ROOM 114 MINUTES

Present: Ed Reidman, (Chair) (Ward 5), Rene Daniel (Vice-Chair) (Ward 1), Dennis Isherwood (Ward 2), Paul Emery (Ward 3), Scott Herrick (Alternate), Cory Fleming (At Large)

Absent: Greg Blake (At Large), Michael Taylor (Alternate), Anna Wrobel (Ward 4),

Staff: Molly Just, Richard Gouzie

Chairman Reidman called the Westbrook Planning Board meeting to order at 7:00 p.m. in Room 114 of the Westbrook High School.

1. **Call to Order**
2. **Approval of Minutes**

Rene Daniel moved to approve the minutes of June 24, 2008, July 1, 2008 and September 16, 2008 as presented.

2nd by Cory Fleming

The vote was unanimous in favor 6-0

New Business

3. **Final Site Plan – General Linen Service Co. Inc. – Woodard & Curran, Inc., on behalf of General Linen Service Co. Inc., for site improvements to property located at 88 Scott Drive. Tax Map: 2, Lot: 39, Zone: Industrial Park District.**

David Senus Woodward & Curran on behalf of General Linen Service Co. Inc, presented aspects of site improvements to property located at 88 Scott Drive. Tax Map: 2, Lot: 39, Zone: Industrial Park District.

The modifications consist of some modifications to the front fifth of the building will have a slab on grade, a fifty-five foot long loading dock on the southern portion of the building, internal driveways for maneuverability.

The operations on this property consist of distribution of clean linen; there will be no cleaning of linen on site, just the delivery and distribution. The truck fleet consists of approximately ten trucks daily, up to eleven to sixteen employees arriving on the site. Truck trips will generate approximately ten trips out in the morning and ten back in the evening.

The site plan shows an existing asphalt area off Scott Drive and gravel drive area, where the existing loading docks is. The proposal will replace the pavement along with adding new pavement along the new loading dock area.

The applicant is requesting a waiver from standards related to parking stalls width for the truck loading bay from twelve feet to eleven feet. The applicant has a number of similar facilities with the eleven feet width that serves there needs properly. This site falls within the long creek water shed as such we are looking to reduce pavement and do additional improvements relative to stormwater to reduce site impacts to the water shed.

The requested waiver is relative to the driveway width, from the standard of twenty-six feet down to twenty-four feet, loading dock stall width from twelve feet to eleven feet and five of the sixteen parking spaces on the site from the standard stall width of nine feet in length of eighteen and a half feet down to compact size of stall width eight feet length sixteen feet, five of the sixteen cars stalls would be compact.

The proposed project is less than an acre and is not subject to storm water DEP standards as outlined but our proposal is to utilize some of those concepts what we envision the intent of the long creek water shed management that would be to use a modified soil medium in the drainage swale area on the south side of the site and a small detention area on the southern side of the site to detain and treat the stormwater coming from the loading dock along with flow disconnect that is trying to separate flow regimes, not having the water go to one spot. The water would flow to a shallow swale and out to the south side of the site and other portions of the site would flow to the modified soil mix to the small detention area and a portion of the parking lot would flow to the north. We are trying to keep flow regimes separate and this helps with the stormwater quality. There is also an inspection and maintenance plan that is part of this application that is for erosion and sediment control, for general management of the stormwater strategy.

The major exterior modification to the south side of the building is the fifty-five foot loading dock that faces the Auburn Concrete site in the industrial area.

Ed Reidman is the application complete?

Molly Just yes

Rene Daniel moved to find the application complete.

2nd by Dennis Isherwood

The vote was unanimous in favor 6-0

Paul Emery you have reduced the width of the entrance road two feet. What provision have you made for snow removal?

David Senus the reduction is to the entrance driveway which is solely to 88 Scott Drive.

Paul Emery that is the location that I am talking about, you are reducing it by two feet, how are you going to remove that snow?

David Senus there is room on either side. We have run templates for truck maneuverability through that and there are no issues to the trucks maneuverability.

As far as snow removal we are plowing to an area toward the north and the snow will be pushed to the storm water treatment area on the south and east side of the site.

Paul Emery out flowing traffic towards the bottom of the site, coming to the choke point there is a question of visibility.

David Senus there is no doubt that those driveways are in relative close proximity to each other, unfortunately modifying it would be very difficult given the site constraints including a small wet area of drainage.

Paul Emery your gravity symbol shows you draining into it. So in other words you are stuck with using it. It is my only concern is that it comes to a choke point with excessive snow while trying to getting out of a driveway.

David Senus the site constraints limit any alternate configurations. I actually worked through squaring it up and it did not work. I think that the applicant will have to keep that berm knocked down to the maximum extent during the winter months. The applicant's trip numbers are minor and close together in proximity, so you do not see a lot of traffic in and out of this site.

Paul Emery are the operating hours different from the concrete plant?

David Senus I am not sure what the operating hours are for Auburn Concretes facility.

Paul Emery it appears from your description of the project that you will have trucks in and out at the same time.

Mark Drolett vice-president and owner of General Linen Service, our trucks run daily delivery routes and leave in the morning anywhere from 6:00 A.M. to 7:00 A.M. and return late in the afternoon.

Auburn Concrete trucks are in and out all day long. In winter months I do not know how much activity there really is.

Paul Emery your explanation has alleviated my concerns.

Ed Reidman some of the site is paved or has compacted gravel (which is the same as pavement and you are reducing the impervious amount of...

David Senus we are actually increasing the amount of impervious on the site. You are correct that there is existing pavement and packed gravel that will become pavement. The ratio is approximately 16% of the impervious on the site, roughly ninety-five hundred square feet.

Ed Reidman will this project have any additional landscaping as part of this project?

David Senus presented a brief landscaping plan that consists of mostly mow / mix grass on the site.

Ed Reidman any Board members interested in having a Site Walk or a Public Hearing?

No Site Walk or Public Hearing requested.

Rene Daniel what is the extent of additional work for this property. Are you going to do 10 % or 15% improvements to what is there now?

David Senus the overall area of impact is estimated to be thirty-eight thousand square feet. The total increase in impervious area is estimated to be ninety-five hundred square feet.

Rene Daniel and what improvements are you doing to the building itself.

David Senus the building improvements include a loading dock that is fifty-five feet long and four and one half out from the building face at the southern edge.

Within the building there are improvements to a wood frame floor.

Rene Daniel please review the prior answer for the landscaping.

David Senus the landscaping will consist of some paved areas becoming grassed areas with a small grassed island; along the southern side of the lot will have an annual mow grass mixture.

Rene Daniel what is the reason for the limited landscaping and not shrubs and trees.

David Senus this landscaping will be an improvement to the current condition of the site. It is also a non visible part of the industrial park located on Scott Drive, facing Auburn Concrete. We wanted to provide something that is low maintenance for the owner.

Mark Drolett vice-president and owner of General Linen Service, the existing landscaping that consists of grasses, shrubs and trees, mostly bordering the property will remain

Rene Daniel explained landscaping needs even for an industrial park. If you drive through Eisenhower Drive you will see the new buildings that have landscaping that was requested

by this Board. I think landscaping improves any business and the community. I get very disappointed when I do not see additional landscaping.

Ed Reidman you are narrowing the driveway to twenty-four feet?

David Senus we are narrowing it to twenty feet.

Dennis Isherwood was this site once a chemical company?

David Senus that is correct, I am not sure what there operations were but the previous tenant was a chemical distribution warehouse.

Dennis Isherwood I am sure the grounds have a clean bill of health.

David Senus I believe they were relatively an inert chemical.

Mark Drolett vice-president and owner of General Linen Service I do not know the exact process but the prior business had more fasteners then chemicals, I believe it was something like detergents and cleaning products. I do have environmental statements from the previous owner that include explanations of what they have done and the DEP has no record of any spills or hazardous activity on this site.

Scott Herrick I have a question on the storm water drainage and I see part of the drainage is being diverted to southeast to north how will the drainage go across the refurbished parking area. How is the drainage or the water being drained? Is it just going to the abutter's property?

David Senus that area of drainage does head up to the property line, there is a shallow existing swale along the tree line that heads up to the north and east and out to the high tension wire area. Where ultimately the drainage also from the side of the site heads to the top end of water shed. There is no proposed treatment area for that piece of the drainage on that side of the building.

Molly Just any landscaping that is proposed and not depicted on this site plan and the Board approves as is, this would require this application to come back as a site plan amendment. The applicant will need to show what landscaping is proposed and where the rain gardens will be on the site.

Ed Reidman I do not recall another rain garden coming before us. Could you explain what it will look like once it is complete?

David Senus the rain gardens that we are proposing on this site is becoming more and more popular in the State of Maine as it is one of the approved forms of storm water treatment as defined by the DEP. Typically they consist of a modified soil mixture somewhere in the order of 12 to 18 inches in depth, which is a sandy loam material with a certain amount of organic content to allow plants to root with a top loam layer for grass

and other plantings within the rain garden. In this case we have proposed field grasses, annual mow within these rain gardens. Some of them can be under drained in certain applications. We are not proposing to do that here as we do not have the amount of elevation required. What we have proposed to do instead allows drainage to filter through a berm to the base of the rain garden that will have plantings that will thrive through wet and drought type weather.

Ed Reidman the rain garden will have grasses with no shrubs, trees, flowers or plants?

David Senus typically by DEP criteria there are no large rooted plantings, such as shrubs or trees. Once again it comes down to that vegetation to sustain itself over time. It is proposed to be annual grasses.

Rene Daniel I recall that the Board approved a rain garden at Seacoast Law Firm, on the corner of Colony and Main last year.

Another item that we review at the very last part of the presentation, when the actual motion is made, anything that is said or presented at the Planning Board is part of the plan and you will be held accountable.

When you mention a rain garden I have one vision, but based on what you are saying you are planning six kinds of grasses that will last through drought and through wet times. This is a problem with me and when someone makes a motion and this does not include some sort of plantings I will not support the motion as I believe that strongly in landscaping.

Cory Fleming in terms of the grass species that you are using, are we talking about native or indigenous grasses, so this is a low-impact development?

David Senus the seed mixture is actually on the second sheet of our proposed site plans. It was specified by our soil scientist relative to the native type of grass mixture that has been proven to work in this type of application.

Rene Daniel the proposal says it is 10% creeping red grass, 25% Kentucky blue grass, 60% perennial ray grass and 5% rye grass.

Ed Reidman we have been asked to approve a waiver to allow the applicant to reduce the parking stall dimensions for the loading bays as I understand it and to reduce the entrance driveway width. We have a proposed motion on page two, which reviews 505.1 Site Plan design review, I think we should say something as to grant a waiver, then to read in off the site plan review standards, etc. I would add in under the parking stall dimensions, reduction to eleven feet wide rather than to let it pass as is and the driveway width to twenty-four feet wide. I am sure that someone ten years from now someone else that would be reviewing it and no one will remember what the dimensions were.

If the Board agrees to grant the waiver, could I have a motion?

Molly Just Mr. Chair, I need to interject I believe that there was also a reduction in five of the parking spaces to the reduction in the width from nine feet to eight feet in depth from and the length from eighteen and a half feet to sixteen feet.

Ed Reidman that is my error it has to have a third one for the loading bay stalls also.

Cory Fleming so you want those included in the Site Plan Review Design and Performance Standards.

Ed Reidman that is correct, with the dimensions that Molly just gave you and then it would be take the and out and the driveway be reduced to twenty-four feet and the loading bay stalls to eleven feet wide.

Cory Fleming moved to approve the waiver for General Linen Services for site improvements to the property located at 88 Scott Drive Tax Map: 002, Lot 039, Zone IPD, conditional upon the fact that the site plan review and design performance standards will reduce the parking and circulation to allow reductions in the parking stall dimensions to 11' feet wide and the driveway width to 24' feet wide, in order to enhance storm water management site also the parking spaces should be eight feet wide and sixteen feet in length.

2nd by Dennis Isherwood

Ed Reidman any debate on the motion?

Paul Emery what will be the purpose of this motion, grant the waiver and then what?

Ed Reidman we grant the waiver and that allows the plan to move forward, because it currently does not meet the standards of the Ordinance that deals with the parking, the roadway and the loading docks.

Paul Emery will that leave other issues on the table?

Molly Just Mr. Chair, I want to make sure that everyone understands the purpose of waivers and the purpose of the more innovative storm water management practices are to be sensitive to the long creek water shed.

The City Engineer has worked very closely with the applicant with these proposed reductions of the impervious surfaces and on the proposed storm water management techniques in order to be proactive and anticipate what will come out of the Long Creek water shed regional effort. There will be new requirements in terms of environmental impact on sites located on the water shed.

These waivers are not just because the applicant wants to make smaller parking spaces; it is to reduce impervious surfaces. The rain gardens and other storm water management Technics are to reduce the environmental impact by this development just wanted to make that clear.

The vote was 5-1 (Rene Daniel opposed)

Ed Reidman explained the motion on page two, from the memo dated 10-01-08; the purpose of the motion is to approve with conditions or to be denied. As of now the only condition that is recorded is the standard condition that states that anything that you have said or presented is part of the record and part of the approval.

Cory Fleming I understand your desire for low maintenance, I guess I am wondering if there could be some decorative grasses that are native species that would be low impact that would not require a lot of maintenance that could be located in the triangle areas near the building. Is that a possibility?

David Senus absolutely, the grasses that would be in proximity to the building in front of the building would be your typical standard grasses. The grasses that would be located in the south eastern area of the lot will be the low maintenance annual mow style grass. That would be primarily for evaporative and vegetative uptake of nutrients and continuation of storm water flow within that system. The purpose of that proposed grass seed mix and annual mow agenda on it would be for storm water treatment.

Cory Fleming so there you may end up with wild flowers, clover and things like that. Now what about coming up closer to the building? I sounds that you are talking about standard grasses that one would find on anyone's lawn. What I am getting at is the decorative plums of grasses that would not necessarily have to be mowed and could get at the beautification concerns of Mr. Daniels?

David Senus we are absolutely willing to look at beautification on the site as the Board has expressed. We are not opposed to looking at other means of providing a decorative grass or other enhancement along the building.

Paul Emery looking at the Site Plan, Schedule C3 at the top right hand corner which shows the modified soil section I assume is a typical rain garden construction?

I am looking at the slope covered by the grass and looking back at C1, next to the south west corner of the building it says.... I am trying to figure out where exactly are the rain gardens?

David Senus the rain garden area, the modified soil mix area you will find on C2 identified along to south side of the entrance driveway and the south side of the loading dock driveway, only within that area.

Paul Emery I see what appears to be a long arm extending from southeast to northwest, is this part of the rain garden?

David Senus yes

Paul Emery where are the existing trees?

David Senus the existing tree row hugs the property line.

Paul Emery on the North West side, in other words it would be below that area, on the other side of the rain garden? In other words, where are the trees in relation to the rain garden?

David Senus in line with where the rain garden will be, so some trees will have to be taken out along that edge.

Paul Emery you are going to be removing trees and placing in grass.

David Senus the trees need to be removed for putting in the shallow swale for routing storm water down...

Paul Emery so you are cutting trees that are valuable for esthetic screening, noise and dust control and replace them with grass.

David Senus the other reason we have to take those trees that will allow vehicle access to the loading docks and provide the maneuverability that those vehicles need down the entrance driveway. The entrance driveway encroaches on the tree line as we have it.

Paul Emery what will prevent a truck backing up into the rain garden?

David Senus there is no curb proposed on the site near the rain garden area and is only several inches below pavement grade so there is plenty of maneuverability for the trucks. I do not envision that is a truck did back into that area that it would be a major issue for that vehicle.

Paul Emery if I follow you that truck that may be loading with maybe four or five thousand pounds of net weight cargo backing up into a sand based, grass covered area that is also being used for the transfer of ground water for run off. Translation you will have ruts. So what we have done now is replace trees with ground that can be susceptible to ruts. A truck will not back into a tree, but he is going to go where he goes if it is just grass there.

David Senus the drivers that will be maneuvering in this area are regular drivers that work for General Linen Service, so they will have good knowledge of the site layout, without curbing there which we do not propose because it would impact our will flow regime.

You are correct a truck could however using the site on a consistent basis with consistent drivers and the site has adequate turn radius area that has been provided in the truck maneuvering area along the entrance driveway, a truck would have to veer off the side of the road to go into that area.

Paul Emery I worked in a company that had thirty truck drivers and many accidents happened and no one knew who caused the accident.

How will the grass be maintained? Will it be mowed or will it be weedy?

David Sensus the grass in the areas outside the rain garden will be maintained and the mowing will be once a year. The side yard consists of low maintenance grasses

Paul Emery water seeking instead of grasses that will look better served by water seeking low planting rather than grasses. There are many species of shallow rooted, draught resistant plants that will look much better than unattended grass with ruts from a truck.

David Sensus I do not want to imply that that is not a possibility but we have laid it out in a manner that I believe that trucks have plenty of maneuverability within the loading area, but relative to the concerns about landscaping I am hearing the Board quite clearly.

Paul Emery I do not always agree with Mr. Daniel but I believe he has some solid points in this matter. The landscape plan is not what we want to see in the City of Westbrook, even if you can not see the property from Spring Street.

Molly Just if I can make a suggestion; it sounds as if there is concern about the functionality and the appearance of the rain garden as well as existing landscaping and potential landscaping on this site.

I could work with applicant and the City Engineer to better portray these concepts and beef up some of these concepts. We may need to look at curbing in that area. I can work with the applicant and come back to you at your next meeting, if that would be helpful to the Board if necessary.

Ed Reidman I would hate to ask the applicant to come back to another meeting where the only people that are interested on the two items on the agenda are here tonight. The Board is going to have to accept the rain gardens concept because of the Long Creek water shed. The Long Creek water shed concerns have been around for three or more years. I think our problem is that we have a site plan which is an existing site and the landscaping on it was not looked at. I apologize that the Staff did not inform you that this is one of the biggest concerns that the Board has. If we all went to the site, would we see trees along the southerly side of the site?

David Sensus yes you would.

Ed Reidman they are a visual barrier that separates this site from the Auburn Concrete site, or the road that the Auburn Concrete trucks travel on.

David Sensus that is correct.

Ed Reidman the landscaping on easterly side looks like there is vegetation in that area. Does that exist now and will it exist after you go through and do your improvements?

David Sensus the vegetation along the easterly side will exist with the exception of a few trees on the south side due to that modified soil.

Ed Reidman and what about the trees on the northerly border?

David Senus the trees will not be impacted at all.

Ed Reidman at this point, I have not seen any other concern other than the landscape, with regard to the project.

I am going to ask the owner; would you prefer the Board speed it up or would you care to come back to our next meeting in the middle of November?

Mark Drolett what was the second option?

Ed Reidman the first option is for the Board to find something that is acceptable to the Board to re-vegetate the site. The other option is for you to come back in six weeks.

Mark Drolett we would rather do it this evening. If we do not get permission and have to wait until November we will not be able to execute the project, paving plants will be closed and it will really create a hardship for us.

I would like to emphasize with the landscaping there is existing plants / landscaping that does not show here. There are plants in front of the building on both sides of the walkway. The existing area to the north of the building is already grassed and we want to improve the site. We take pride in site and we are willing to do what is necessary landscaping esthetics value. I want to emphasize the grasses in the garden area are in anticipation of meeting the ground water for the Stroudwater protection act.

The scientist on staff with Woodward and Curran has been active in trying to study and design the rules and regulations for the act. We have been advised to comply as much as we can. That is the reason for minimizing the parking spaces. I would love to have wider spaces.

We do try and are good neighbors and will try to do whatever is necessary to comply with the landscaping standards of the City of Westbrook.

Ed Reidman that being heard and also reading the construction schedule and he is correct, if there is a six week delay the project will not start until spring because it is a paving job. As a matter of fact, did you start today on the internal work?

David Senus the contractor was supposed to start the demolition inside the building.

Cory Fleming it sounds like you will be taking two or three trees out for the rain garden. Can I suggest to the Board that we ask to have those trees be replaced elsewhere on the site?

Ed Reidman if you look at the plan it looks as if there is a space between where the rain garden is going to end up on the south side that has a space to plant trees. If you choose a certain number they may be able to plant others at other locations.

When the plan is updated for our final approval; if we give them approval tonight with a modification with regard to landscaping, the plan does not become official until we sign the Mylar. The additional trees in that section can be added and I will go as far as to say that the Board in situations like we have here; if the applicant has had approvals and

has made the corrections, if they want to circulate the plan that needs to be signed to the Board, I will gladly facilitate putting my signature on it. We are not unfriendly to business. We enjoy having business and enjoy you using a building that needed repair. If we can find what that number of trees that you propose to put in and that is acceptable to the rest of the Board, then the project could move forward.

Cory Fleming at this point what I am suggesting is that we add decorative grasses up near the building and replace all of the trees that will be taken out, with a one to one ratio of any tree that is taken out another tree will be replaced.

Ed Reidman is that acceptable to the Board before we put that into a motion?

Paul Emery another thought is I have seen in landscaped areas; ornamental grasses which are eighteen to twenty-four inches high and will regenerate each year.

Rene Daniel I think we are getting there and I do not think we need much more. I think Cory's idea is right on target, if you take anything down you should replace it. I also agree with Pau, if you do a native grass, you would only have to take care of it once a year in March.

I am not against planting and one of the better examples I will use is: Chris Wilson created a building on Knight Street that was on a very tight lot. To fulfill the Board's request of two trees, he planted two dwarf Japanese flowering trees that will be gorgeous. They will grow maybe to about nine feet. These trees beautify the lot and fill the request to have the two trees.

I am perfectly happy with the landscaping that will make the property look and feel and be much more valuable in the future.

I think the applicant is moving in the correct direction and Molly will help work with you through the details. I do not want you to have to come back in six weeks that is not the intent. The Board just wishes you add vegetation.

If Cory is willing to make that motion, I will second the motion to ensure this project goes forward.

Cory Fleming moved the Site Plan application for the General Linen Service Co. Inc. on Tax Map 2, Lots 39, is to be **approved with conditions** with the following findings of fact and conclusions.

FINDINGS OF FACT

Utilization of the Site

- The site is currently developed and the modest site alterations will not reduce the efficient utilization of the site.

Adequacy of Road System

- There will be a modest and manageable increase in trip generation associated with the proposed site modifications. The project will not require a MDOT Traffic Movement Permit.

Access to the Site

- Access to the site will continue as is from Scott Drive.

Internal Vehicular Circulation

- Adequate internal vehicular circulation will be maintained.

Pedestrian and Other Modes of Transportation

- There are appropriate provisions for pedestrian circulation from the parking lots to the entrances for employees and customers.

Stormwater Management

- The site alterations will result in an area of disturbance of 38,000 sqf. Being less than an acre of disturbance, the project is not subject to stormwater permitting by the Maine DEP. However, because the project falls within the Long Creek Watershed, the developer has worked proactively with its consultant, Woodard & Curran, to develop a stormwater management strategy that falls in line with the intent of the Long Creek Watershed Management planning efforts. The project site will incorporate stormwater management strategies that include modified soil rain garden areas, minimization of pavement through the use of compact car parking spaces, reduced driveway widths and reduced loading dock truck stall widths, and disconnection of water flow from impervious areas to attenuate runoff and enhance treatment.

Erosion Control

- The City Engineer has approved the erosion control plans.

Utilities

- Based on the proposed site alterations there will be no noticeable increase in utility usage on the site.

Hazardous, Special and Radioactive Materials

- None have been identified in the application.

Technical and Financial Capacity

- Financial statements have been included to demonstrate the corporation's financial capacity.

Solid Waste

- Solid waste will be the responsibility of the property owner.

Historic, Archaeological and Botanical Resources

- The site is currently developed and occupied by commercial enterprises.

Landscape Plan

- The incorporation of rain gardens, while chiefly for stormwater management purposes, will soften the industrial/manufacturing appearance of the site.

Others

- None.

CONCLUSIONS

1. The proposed site plan **will not** result in undue water or air pollution.
2. The proposed site plan **has** sufficient water available for the reasonably foreseeable needs of the site plan.
3. The proposed site plan **will not** cause an unreasonable burden on an existing water supply.
4. The proposed site plan **will not** cause unreasonable soil erosion or a reduction in the land's capacity to hold water so that a dangerous or unhealthy condition results.
5. The proposed site plan **will not** cause unreasonable highway or public road congestion or unsafe conditions with respect to the use of the highways or public roads existing or proposed.
6. The proposed site plan **will** provide for adequate sewage waste disposal.
7. The proposed site plan **will not** cause an unreasonable burden on the municipality's ability to dispose of solid waste.
8. The proposed site plan **will not** have an undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites, significant wildlife habitat identified by the Department of Inland Fisheries and Wildlife or the municipality, or rare and irreplaceable natural areas or any public rights for physical or visual access to the shoreline.
9. The proposed site plan **conforms** with a duly adopted site plan regulation or ordinance, comprehensive plan, development plan, or land use plan.
10. The developer **has** adequate financial and technical capacity to meet 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 affects 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 dependant upon, and limited to, the proposals and plans contained in the application dated September 16, 2008, plans dated September 16, 2008 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 Planning Board.
2. The applicant will replace any trees removed from the site on a one to one ratio and will add ornamental grasses of native species near that building site and add two additional new trees to the site.

2nd by Rene Daniel

The vote was unanimous in favor 6-0

Mark Drolett we are to replace the trees one to one and plus add two additional trees?

Ed Reidman that is correct, the indication was that they were going to be ornamental at least the two additional trees.

Rene Daniel moved to recess to workshop

2nd by Paul Emery

The vote unanimous in favor 6-0

Workshop: Note – Public comment will be accepted during workshop

4. **Recess to Workshop**

5. **Sketch Plan – Fertile Valley Properties, LLC – Associated Design Partners, Inc., on behalf of Fertile Valley Properties, LLC, for parcel subdivision and construction of a medical office building on property located 0 Bridgton Road. Tax Map: 58, Lot: 1B. Zone: Highway Services.**

Project Description – Fertile Valley Properties, LLC proposes to develop property generally located on Bridgton Road along its frontage with the Brydon Farm Contract Zone (condominium project). The project would include the subdivision of a 5.25 acre parcel into 4 parcels. The project is initiated by Dr. John Skvorak who currently practices dentistry on Bridgton Road in Westbrook and wishes to build a new dental office to move into. In order to enable the relocation to this larger site Dr. Skvorak would need to further develop the 5.25 acre site in the future. The build-out would consist of a commercial condominium where the parking, driveways, stormwater infrastructure, refuse, disposal areas, etc. would be owned in common.

Staff Comments:

- *During the Final Site Plan review the uses allowed on the future parcels should be identified in order to analyze their traffic impact and demand for local infrastructure.*
- *The Planning Department recommends that the applicant reduce the number of proposed parcels to one two instead of four and to construct a maximum of two buildings on the 5.25 acre parcel. This would serve to: (1) reduce curb cuts to perhaps 1; (2) would confine the parking areas and drive aisles thus minimizing potential points of vehicular conflict associated with multi-building site development; (3) would minimize impervious surface; (4) would minimize additional congestion on Bridgton Road; and (5) would result in an improved appearance from Bridgton Road, which is consistent with the goals of the Highway Services District.*
- *Bridgton Road is newly paved and therefore subject to the five year moratorium for street openings. However, it is likely that utilities were installed in the site before the paving. The applicant will need to confirm this understanding.*

Ed Reidman this is a sketch plan and I will remind the Board that one of the purposes of a sketch plan is that the Board can see what is proposed to happen and offer suggestions as to what is coming forward.

Art Colvin Associated Design Partners, Inc on behalf of Dr. John Skvorak explained that there will be a twenty-seven foot landscaping strip in front of the building.

Our main purpose tonight is to have the Board look at this and give us some feedback so we can incorporate that into the design of the project at an early stage. The project as it is proposed now if it goes through would be a Department of Environmental Protection project. We will be over an acre of impervious but would not be over three acres site location project, it would not be a site location project it would also require a traffic permit that will exceed that threshold as well. We would like to receive some feedback and would also like to give some feedback on the staffs comments.

Basically the zone would allow for a fifteen thousand square foot lot. The parcel under Fertile Valley Properties ownership is seven acres that would allow for more than four parcels. We feel that we are way under the number of parcels that the zoning will allow. From a functioning standpoint separate modules work better than a single building. If we had our druthers we would like to have four modules be of a medical nature. Dr. Skorvak would have a dental office and it would be nice if the remaining three buildings could have some medical use. We do feel fairly strongly that we do want to stick with a more spread out individual type site in lieu of one large building where the mixed uses would use just one building.

Ed Reidman you said how big the lot was?

Art Colvin what happened was the 5.25 shows up as one of the parcels on the survey but there is another parcel that is made up of another 1.75 acres to 7 acres.

Scott Herrick is the other parcel shown on this map?

Art Colvin has survey here that I can show you. The improvements we are showing does include that.

Richard Gouzie I have highlighted the parcels on map.

Ed Reidman if you look you will see the one that has the most design work done on it, just to the right of it there is a line that passes to Bridgton Road to the back property line, then you see the "L" shaped piece towards where the old Brydon farm house was.

Scott Herrick so the red parcel shown is the 5.25 acre parcel.

Ed Reidman Mr. Daniel and I served on the Board when Brydon Farm came forward and the Council granted a Contract Zone, then we reviewed the subdivision plan. At that time entrance onto Bridgton Road was an issue. We all know how we solved it we allowed a right out and right in to the property from Bridgton Road from and to the City of Portland. I have observed that piece does not work. There will be concern about how the people get in and out of property. You propose two entrances and Staff recommends one?

Molly Just that is correct by also reducing the number of buildings.

Ed Reidman are there eleven or twelve buildings on this lot, if you divide them into fifteen thousand foot lots and you are only proposing to put three on the 5.2 acre lot and 1 on the other piece?

Art Colvin yes

Ed Reidman the other comment that staff has brought up a four or five year moratorium on the Bridgton Road. When will the moratorium be gone?

Molly Just I can double check, but I feel that the repaving was recent.

Art Colvin I do not know the time frame, but fortunately for us there are utilities that have been brought in to the site on the lower entrance, so we would not have to rip in the road.

In meeting with Staff, they said in fact that two entrances ultimately are allowed by the Board, they do want to see it opposite the project that is going to happen directly across the street. We are fine with that. We do not need to get into the road, only the site entrance and luckily the utilities are in the site below, so the moratorium will not have much of an effect.

Ed Reidman you will be on public sewer and public water and the overhead utilities from the property line in will be underground?

Art Colvin yes

Cory Fleming could you tell me about your bigger vision for this site, are we looking at a medical campus with all of the buildings having a unified look to them? Is this going to be a phased project where the buildings can look completely different? What is your thought for this project?

John Skvorak Jr. I have a long history with Westbrook, I grew up here, and my father was chairman of the School Board for several years, so we have a long history in Westbrook. After I graduated from Dental School I came back to this area and associated for a couple of years in Falmouth and then I decided to open my own practice in Westbrook, the Prides Corner area where I have been for the past sixteen years. I have looked a long time for a parcel of property that I could build an attractive office. I do not think there is anything wrong with my office, but it is not what I really want I would like to have an architectural roof on the building with updated heating and air conditioning suitable for a Dental Office.

I actually spoke to Mr. Brydon, before he sold his property to Tim Flaherty and Associates and he wanted to sell the entire eighty acres and I just could not swing that. Then it went up for sale again and I looked at it, but it had more land than I needed. After looking for a several years, I decided to do this on this parcel.

I swallowed hard and decided to go forward. I researched information with the help of the City of Westbrook Engineer. I looked at the zoning and thought this was straight forward with the seven hundred feet of road frontage, seven acres of land and I do not want to slam every building that I can in there. I want it to be attractive because my office is going to be there. My office will be attractive with two shrubs and two trees on each end.

I am concerned about whom my neighbors will be and that is why I purchased the entire parcel. I did not want something that would detract from the area in an office right next to me.

My vision would be other similar medical facilities, hopefully I can carry that. I really can not get my project going until I liquidate some of the property to get my portion going. I think that would attract other similar styled offices in there. That is my hope and my vision.

Ed Reidman the reason that we are here in the preliminary sketch plan stage is to make suggestion to the developer as to what we would like to see when he comes back to us. Fortunately he has heard our discussion of landscaping and access to and from Bridgton Road.

Are there any other concerns?

Rene Daniel welcome home, even though you have been here for sixteen years, our most important product is our children. When you come back after being educated and to come back to invest in you home town, it speaks volumes of your commitment.

I wish you best of luck and I am sure we are very pro business and the Board will do as much as we can to help you move this forward and get this done.

As Mr. Reidman said we were the two members that were on the Board when Brydon Farm came forward. Many people expressed their concerns about the entrance to and Brydon Farm. Because of that I would feel much more comfortable with one entrance instead of two. I am excited and intrigued about a four building medical campus in that area. Its back parcel would be very hard to build on due to the depth and shape of the parcel. I am excited to see that area having Doctors moving in to allow people not to have to travel across town or the river to get to a medical facility. I am very much in favor of four buildings. I like the concept as it looks like a campus.

I do not have any idea how you can address the way in because you certainly could not stay with access with only a right in, you will have clients that will need to turn left in, that piece will be a problem but I do not believe there is any problem that could not be worked out. I am sure that you can work with staff to resolve this.

I think this is a perfect example of what this site could be to benefit Westbrook. I like the landscaping and I think you have put a lot of thought into it. I like where the parking is in the back so not seen in the front of the facility. The front is office green and I wish to encourage you in every possible way as you go forward with this.

Ed Reidman are there other comments from the Board?

Scott Herrick I would encourage the applicant to think of ways to keep building consistency especially if you are thinking of building condominiums and sell units prior to construction to be held to the same standard, so encourage that you keep that in mind while drafting your building plan and your condominium documents.

Paul Emery since I was responsible for another similar facility to be set up in Portland, by creating each as a condominium and then selling the interiors to Doctors that gives an appreciable base to work from you can control the outside your association does all the ground keeping and so on...

Art Colvin if I could interject as I do not want you to get the wrong impression, when we say condominium we are going to be do doing the infrastructure, parking and storm water management. It is not a condo in the typical sense where you build it and you own from the internal walls in, we are going to propose spaces of which a building could be built upon in accordance with the design of the person who actually purchases that model.

Paul Emery so you will not have restrictions and covenants?

Art Colvin by all means, we are not proposing to be building the buildings.

Molly Just each building will have to come back for site plan approval.

Paul Emery you will be giving fee simple now, basically giving them title to both the land and the building?

Art Colvin we are going to do a limited common element on the parking, the drive isles and any other parts of the site that is common to the benefit of all the properties.

Paul Emery creating a condominium from the outside in...

Art Colvin yes more on the building perspective.

Paul Emery resulting in a condominium or a business PUD...

Art Colvin yes

Paul Emery you still want to create the covenants and restrictions or you could receive interesting results, especially fighting over signage.

Molly Just those will be required as part of the subdivision so you can actually review them.

Ed Reidman if there is a land lease involved under the footprint of the building that gets counted into the subdivision. I do not know how you will define the subdivision, I agree with coming back to the site plan but that is a really tricky area.
This is just a caution.

Ed Reidman are there other comments?

Cory Fleming moved to return to regular session.

2nd Rene Daniel

The vote unanimous in favor 6-0

6. **Resume Regular Session**

7. **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 ENGINEERING, PLANNING AND CODE ENFORCEMENT at 207-854-9105
ext. 220 and lgain@westbrook.me.us. THANK YOU*