



# City of Westbrook

## DEPARTMENT OF PLANNING

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### WESTBROOK PLANNING BOARD TUESDAY, FEBRUARY 5, 2008, 7:00 P.M. WESTBROOK HIGH SCHOOL, ROOM 114 MINUTES

Present: Rene Daniel (Vice-Chair) (Ward 1), Scott Herrick (Alternate), Anna Wrobel (Ward 4), Dennis Isherwood (Ward 2), Paul Emery (Ward 3)

Absent: Ed Reidman, (Chair) (Ward 5), Greg Blake (At Large), Michael Taylor (Alternate), Cory Fleming (At Large)

Staff: Molly Just, Erik Carson, Diana Brown, Eric Dudley

Vice - Chairman Rene Daniel 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. Election of Officers**

**Anna Wrobel nominated Ed Reidman for Chairman of the Planning Board**

**2<sup>nd</sup> by Dennis Isherwood**

**No further nominations**

**Paul Emery moved to close nominations**

**2<sup>nd</sup> by Anna Wrobel**

**Dennis Isherwood nominated Rene Daniel for Vice-Chairman**

**2<sup>nd</sup> by Anna Wrobel**

**Anna Wrobel moved to close nominations**

**2<sup>nd</sup> by Paul Emery**

**Continuing Business**

3. **Site Plan Review – 2 Hannaford Drive - Deluca-Hoffman Associates, on behalf of Saco and Biddeford Savings Institution, for the construction of an approximately 3,800 S.F. bank with drive thru located at 2 Hannaford Drive. Tax Map: 33, Lot: 57, Zone: Hannaford Brothers Contract Zone 3.**

Staff Memo below:

***1. Final Site Plan – Saco & Biddeford Savings Institution***

*Overview.* The applicant proposes to construct a 3,800 square foot bank with drive thru service and approximately 20 parking spaces for patrons and employees. Access to the site would be from Hannaford Drive, which functions as a driveway to the Hannaford supermarket off of William Clarke Drive.

*Background.* In 2001, the City Council approved the Hannaford Brothers Contract Zone (CZ3). This Contract Zone permits construction of a supermarket on the larger portion of the site, construction of a general business, such as a bank, on the out-parcel along William Clarke Drive, and redevelopment of Bicentennial Park. Development of the out-parcel is the last component of the Contract Zone to be completed.

*Update.* At its December 4, 2007 meeting, the Planning Board considered a Sketch Plan application for the subject project. Concerns expressed by the Planning Board centered around a lack of pedestrian and bicycle facilities, orientation of the bank and the drive-thru area specifically, and the importance of using large and small plantings to visually soften and screen the appearance of the bank.

**SITE PLAN REVIEW**

***Staff Comments:***

2. *At the December meeting, staff stated that the freestanding sign proposed with the Sketch Plan was not allowed in the Contract Zone as concerns were raised during the Contract Zone approval process regarding freestanding signage along William Clarke Drive. There is only one freestanding sign approved for the Contract Zone. The freestanding sign was constructed by Hannaford Brothers with the Hannaford supermarket. Staff does not support an additional freestanding sign in the Contract Zone and such sign would require City Council approval of an amendment to the Contract Zone. The applicant has removed the freestanding sign with this application.*

**Scott Tease** with TFH Architects on behalf of the Saco and Biddeford Savings Institution expressed that staff meetings and Planning Workshops has helped the application process run smoothly.

**Shelly Brunelle** with Deluca Hoffman on behalf of Saco and Biddeford Savings Institution presented aspects of the landscaping and Civil Engineering of the site plan for the

construction of an approximately 3,800 S.F. bank with drive thru located at 2 Hannaford Drive. Tax Map: 33, Lot: 57, Zone: Hannaford Brothers Contract Zone 3.

The sidewalk connections coming from both Hawkes Street and William Clarke Drive will lead to the main entry of the building. We have added a concrete sidewalk to the east of the building with a future little stub that will eventually be constructed on the William Clarke Drive expansion. At the intersection of the two sidewalks there will be a bike rack and a little bit of concrete surrounding the geo thermal well. To the left of the main entry is a bench with a decorative pavers walk with some low curbed planters and bollard lighting, leading into the main entry of the bank. We expect a lot of walking traffic back and forth from Hannaford. We worked with several arrangements of the site and feel this is the best orientation. It tucks the busiest part of the branch bank to the area where we can best screen it with the evergreen buffer, taking in consideration of the size of the parcel.

Decorative lighting has been shown that will be white with sixteen foot poles, that will match the building trim.

**Scott Teas** of THH Architecture said during the workshops it was asked what the site would be in different locations on the site. I talked about the presence the building will have at a major intersection. The signage will be on the gable end and back illuminated.

The building is primarily brick, with ground faced block. The bays will be white and the scale is a little larger than residential but not so much so, that it does not blend well with the abutting neighborhood.

The drive through has been modified as requested, the roof has been cut back The plan has an arched entrance facing Hannaford.

**Mark Gagnon** senior Vice-president with Saco & Biddeford Savings Institution and on behalf of the bank thanked the board members and the planning staff for the suggestions and the time spent relative to this project.

**Paul Emery** said I am concerned about the person exiting the bank, with no stop sign at that exit. I am still concerned that someone exiting the bank will be speeding and then someone entering and the inevitable accident will happen.

**Rene Daniel** asked the applicant to address the stop sign concern.

**Scott Teas** explained that a commitment could be made that any snow removal could be completely removed away from the center island to the extent possible. We will give stop signs, additional consideration, talk to the traffic engineer, and work with the City and get this resolved.

**Paul Emery** thanked the applicant.

**Rene Daniel** mentioned in Hannaford that each row has a stop sign.

**Molly Just** asked where the stop signs were on the Hannaford side of the parcel.

**Paul Emery** explained where the stop signs are in the existing lanes of the Hannaford parcel.

**Shelly Brunel** showed the stop bars where the stop signs are placed and the Bank would consider stop signs at the next amendment.

**Molly Just** expressed from the staffs perspective Paul Emery brings up a good point. I think an addition of stop signs is a good idea.

**Rene Daniel** reminded the Board to add the stop signs as a condition; if a positive motion is approved this evening. Mr. Daniel asked Scott about the sign on the building; what is going to light the sign.

**Scott Teas** said the letters would be green, translucent, cutouts and pinned on the brick with lighting behind it.

**Rene Daniel** confirmed the sign will be back lit.

**Scott Teas** said the letters will be pinned on the building as opposed to an internal box sign.

**Rene Daniel** asked if this sign will fall into the proposed sign ordinance

**Molly Just** said the City Center District sign regulations will not impact this property as the signage is regulated by the Contract Zone. I have a clarification question about the illumination of the sign. Did you say that the letters would be back lit?

**Scott Teas** said that is what we are proposing.

**Molly Just** said that on sheet A2-1 it says that the letters will be internally lit.

**Scott Teas** said the letters would be both internal and back lit. The letters will be green with a method that will spill the light out of the back so that the brick does not go completely dark. Definitely the light will be contained within the letters themselves.

**Rene Daniel** asked for more questions.

**Dennis Isherwood** asked about the sidewalk to William Clarke Drive, does the City have intention to add sidewalks on that side of William Clarke Drive?

**Eric Dudley** yes we have a plan to put a sidewalk in as well as ADA tip downs on all the major intersections.

**Dennis Isherwood** asked if this will be done in the real near future.

**Eric Dudley** said it is funded.

**Shelly Brunel** said we are only showing a little piece of the sidewalk out to the right of way, with the anticipation of the future sidewalk. So it does not go all the way to the curb.

**Paul Emery** moved the Site Plan application for Saco & Biddeford Savings Institution on Tax Map: 33, Lot: 57, is to be **approved with conditions** with the following findings of fact and conclusions.

## ***FINDINGS OF FACT***

### **Utilization of the Site**

- Staff expressed a desire for the drive-thru to be placed facing the Hannaford supermarket rather than along William Clarke Drive. This would focus vehicular activity away from William Clarke Drive which, in this area, is more of a natural and tree-lined setting with Bicentennial Park just beyond Hannaford Drive. However, the development proposal, on a site constrained by size and the placement of an existing utility easement, incorporates thoughtful placement of drive-thru banking services as well as parking and circulation for customers using the interior bank services.

### **Adequacy of Road System**

- The project is expected to generate 121 vehicle trip ends in the AM peak hour and 194 vehicle trips in the PM peak hour on weekdays. The project is expected to generate 154 trip ends in the Saturday peak hour. The intersection improvements required for the Contract Zone and to be located at Hannaford Drive and William Clarke Drive have been planned and funded and are appropriate for the proposed project.

### **Access to the Site**

- Access to the site would be from Hannaford Drive from William Clarke Drive.

### **Internal Vehicular Circulation**

- Adequate.

### **Pedestrian and Other Modes of Transportation**

- The Applicant proposes to continue the sidewalk that extends into the Hannaford site from William Clarke Drive. The applicant proposes to construct a pedestrian link to the sidewalk planned along William Clarke Drive and to provide a bicycle rack near the entrance to the proposed bank.

### **Stormwater Management**

- Adequate.

**Erosion Control**

- Adequate.

**Utilities**

- Any changes to the utility system must remain underground.

**Hazardous, Special and Radioactive Materials**

- N/A.

**Technical and Financial Capacity**

- Adequate.

**Solid Waste**

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

**Historic, Archaeological and Botanical Resources**

- N/A

**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** 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 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.

#### CONDITION

1. Approval is dependant upon, and limited to, the proposals and plans contained in the application dated January 15, 2008 and supporting documents, plans, materials, 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 developer shall install two stop signs at the exit points, right and left of the present driveways.

2<sup>nd</sup> by Scott Herrick

The vote was unanimous in favor 5-0

#### New Business

4. **Site Plan Amendment - Site Plan Amendment – Casella Environmental Park – St. Germaine & Assoc., on behalf of Pine Tree Waste, for the construction of a municipal solid waste transfer facility and construction and demolition processing and transfer facility composed of a 27,500 S.F. C&D processing building, a 9,000 S.F. MSW transfer building, and a residential recycling drop off area. The project is situated on a 71.73 acre parcel located at 594 County Road. Tax Map: 2, Lot: 24, Sub: D; Zone: IP.**

#### Staff Memo below:

*Background.* Pine Tree Waste, Inc., a subsidiary of Casella Waste Systems, Inc., received a Site Plan approval in November 2000 for a solid waste management facility on 40-acres. In February 2005, Pine Tree obtained an amendment to the Site Plan in order to replace permitted facilities (office and hauling office/maintenance buildings) with a building to process (sort/grind) construction & demolition (C&D) materials at the west end of the site. The DEP approval process took nearly 2 ½ years before the license was approved in April 2007. In the interim, Pine Tree obtained two one-year extensions of the February 2005 Site Plan approval. The last of the extensions expires this month (February

2008). *During the DEP approval process the location of the residential recycling drop-off was switched to meet DEP set-back requirements. Therefore, Pine Tree proposes to amend the Site Plan to reconcile DEP and City approvals.*

**Mark St. Germaine** with St Germaine Associates said this is an amendment, meant to conform with our DEP Permit, to slightly move the residential drop off from one part of the property to the other. I ask what kind of presentation the Board requires, there is absolutely no other change than that one item, so we are entirely at the will of the Board.

**Rene Daniel** asked for a short presentation dealing with the specific change, unless there is another member that would like to hear the entire presentation.

**Mark St. Germaine** orientated the Board as to the location of the project, on County Road, surrounded by three land fills. There are three areas, a residential drop off that will service the community, then there are two commercial drop offs further into the property, an MSW (Municipal Solid Waste) transfer facility and a facility used for larger construction & demolition. We gained approval in 2001 to have the residential drop off closer to the top of the parcel. For the DEP approval and for setbacks to the property boundary it needed to be moved to the original approved project in 2001 to the center location of the parcel. No design changes are made.

Mark St Germaine showed the plans entrance that will be widened to make safer. The MSW (Municipal Solid Waste Building) construction plan was viewed. This building is a bi-level building where the trucks can off load into trailers that has access from a lower bay.

The C & D (construction & demolition) building is a 27,000 foot building. This is all interior with no storage outside. All the handling of materials will go through belts and conveyors, which will be ground into wood fuel, to be recycled off site.

The only change is the schedule, which has a two and a half year period to obtain a DEP permit that had nothing to do with this site; it had to do with State regulations of construction and demolition materials. This caused the entire project to be delayed and the project schedule now would be the residential drop off section to be constructed this summer of this year with hopes of being open in the fall. The construction and demolition area will be built in 2009 and the Municipal Solid Waste facility to be constructed as close to post 2009 as possible.

**Rene Daniel** asked the Board for any questions.

**Paul Emery** asked about the sound levels. It seems that the sound levels are at the outer limits of the scale in the City ordinance. The sounds from your site are primarily from the construction and demolition area and I am curious if anyone has looked at added levels of sound when the project is fully functioning. Will that exceed the regulations?

**Mark St. Germaine** said the regulation is set forth by this property boundary and are back from the road. As you get closer to the road, the noise levels increase due to the traffic on the road.

**Paul Emery** said you also have an expansion in that plan in the area of the bottom left of the parcel and is it anticipated when you add the expansion that it will exceed noise level.

**Mark St. Germaine** said there is no anticipated use as in the initial expansion was going to be an office building, which has no anticipated use at this moment.

The noise scenario was performed in worse cases; as if there were no trees, with the doors open and they were assuming everything was running all the time (which will not happen) and they came up with the noise level being below the State and local ordinance.

**Anna Wrobel** asked what the hours of operation would be.

**Mark St. Germaine** said the hours of operation are 6:00 to 6:00; Monday through Saturday for the facility and the residential drop off is a part time operation and will be open two to three days a week from 8:00 to 4:30.

**Anna Wrobel** said there is no operation on Sunday.

**Mark St. Germaine** said no operation on Sunday.

**Anna Wrobel** said that by 6:00 p.m. the facility would be shut down.

**Rene Daniel** asked if any other Board members had any questions.

**Bob Knight** from Smiling Hill Farm asked if there is any Public comment.

**Rene Daniel** said not this evening.

**Mr. Knight** said my concern as a citizen and an abutter to this facility is that this is a substantial change and when does the public get invited to speak.

**Rene Daniel** asked the Board if a member of the board would approve public comment.

**Mark St. Germaine** said on February of 2005 Mr. Knight did speak as well. I do not have any issue with Mr. Knight having his public comments.

**Anna Wrobel** said she had no problem hearing from Mr. Knight.

**Paul Emery** said if that is a motion I will 2<sup>nd</sup>.

**Mr. Knight** said this project has been looming over our heads, since 2001. I would like to repeat what I have said earlier that there have been substantial changes to the plan and the passing of time has only increased those changes and how they affect the neighborhood. One of the land fills that was sited has been closed and capped.

We have seen some development which has changed the tenor of the neighborhood. This type of project was originally going to include an office structure that would include a

maintenance facility, registrations of the trucks that would pay excise tax to the City of Westbrook.

Since then the office has gone to one of our neighboring communities. We are no longer going to see the excise taxes that are going to be using our roads. The reason the facility has not been applied for in the neighboring communities, is that they could not place this type of facility in their community. I think it is a shame for the City of Westbrook to take trash from outlining communities. I agree that we should have a recycling facility as the City needs one, but I do not agree that this is the best location for a recycling facility.

I think the process has changed substantially and I would hope that we would go back to step one that we could have another public hearing and a full plan site review about the project as it stands now.

**Rene Daniel** asked Molly Just when the extension runs out.

**Molly Just** said in the middle of this month.

**Rene Daniel** asked what the will of the Planning Board is.

**Anna Wrobel** asked a clarifying question; when in this process did the office and the Maintenance facility disappear from the plan.

**Molly Just** said in the 2005 approval.

**Eric Dudley** added that Casella acquired Goodwin Recycling facility in Scarborough and using that site, they were able to use parts of this original plan that was originally going to be sited in Westbrook and move parts to Scarborough.

**Toni King** with Casella Waste Systems said we originally planned and designed this project in 1999 and the original City approval was in 2001. The State approval was about the same time and was appealed to the DEP. It took us two to three years to get through the State appeal process. In that frame a hauling company, maintenance garage, a municipal solid waste and construction and demolition facility was located in Scarborough. So we relocated our hauling company to the Scarborough building.

**Anna Wrobel** asked Mr. Knight suggested that the loss of potential tax basis for the current project. What is the tax impact for this facility now?

**Eric Dudley** said part of the process is that Casella has to have an agreement with the host community. Their original agreement has expired. The City of Westbrook is currently in negotiations with Casella on a new a host community agreement. The particulars can not be discussed during the ongoing negotiations.

**Molly Just** said the host agreement states the benefits to the community.

**Anna Wrobel** said she understands that this project is getting DEP approval, but what is the pollution impact?

**Mark St. Germaine** said that is the sole intention of the DEP permit, so that has been reviewed and discussed thoroughly. This build out is smaller than the original plan, so there are less impacts on the site.

**Scott Herrick** moved the Site Plan Amendment application for the Casella Environmental Park on Tax Map 2, Lot 24D, is to be **approved with conditions** with the following findings of fact and conclusions.

### ***FINDINGS OF FACT***

#### **Utilization of the Site**

- According to the application information, the property is composed of a vacant overgrown dairy farm, wooded undeveloped areas and wetlands. Included in the wetlands is a vernal pool, which is noted for its environmental sensitivity.
- The plan proposes the construction of a construction and demolition (C&D) processing and transfer facility (27,000 sqf.), a solid waste transfer facility (MSW) (9,000 sqf.), a gatehouse (140 sqf.), scales, and a residential drop-off facility.
- The plan for development reflects the natural capabilities of the site to support development through the placement of buildings and activity centers on the available upland.
- The environmentally sensitive vernal pools have been buffered and protected through the delineation of a “vernal pool preservation area.”

#### **Adequacy of Road System**

- Gorrill-Palmer Consulting Engineers, Inc. listed five (5) criteria that must be completed in order for the street system to accommodate the additional traffic generated by the project. These criteria are a requirement of the MEDEP solid waste management permit. Once completed, the traffic engineer found that the road system could adequately handle the proposed traffic.
- The project has or will pay \$150,000 in fees to the MEDEP for improvements to the following:
  - \$50,000 for the intersection of Spring St. & County Rd.
  - \$50,000 for permanent improvements to County Rd.
  - \$50,000 for existing capacity deficiencies on County Rd.

#### **Access to the Site**

- Gorrill-Palmer Consulting Engineers have designed an ingress/egress. The design includes a left turn bypass lane from County Road and a three lane ingress/egress. The design will provide for safe and convenient access to the site.

- The application notes that the City of Westbrook as part of the original development agreement will complete a left turn lane from County Road. Since the originally approved Site Plan has been modified, portions of the host agreement between the City of Westbrook and Pine Tree Waste may no longer be in effect. As a result, the construction of the left turn lane should be made a condition of approval. Funding of the improvements will be determined in future negotiations between the City of Westbrook and Pine Tree Waste.

### **Internal Vehicular Circulation**

- The project provides for safe passenger, service, and emergency vehicle movement within the site. A gatehouse and scales will manage the flow of traffic to and from the C&D and MSW facilities. Adequate stacking for vehicles waiting to pass the gatehouse and scales has been provided.
- The roadways have a maximum slope of 7%.
- The proximity of the residential drop-off area should minimize conflicts between passenger vehicles and commercial waste hauling equipment.

### **Pedestrian and Other Modes of Transportation**

- Pedestrian activity by patrons of the facility will be mainly in the residential drop-off area. The location of the drop-off area, and its separation from the C&D and MSW facilities should provide for safe pedestrian movement.
- Trips to this facility will primarily be via automobile. Hence, provisions for pedestrian connections to the neighborhood should not be required.

### **Stormwater Management**

- Adequate.

### **Erosion Control**

- Adequate.

### **Utilities**

- All utilities are underground.
- The Portland Water District confirmed its ability to serve the project in a letter from David W. Coffin, PLS, dated January 29, 2008.
- The City Engineer has confirmed that the City of Westbrook has adequate capacity within the wastewater collection and treatment system to accept 575 gallons per day from this development.

- The lighting plan demonstrates that lighting will consist of 1,000 watt high pressure sodium fixtures set on 30' high poles. The plan also demonstrates that glare from the fixtures will not spill onto abutting properties.
- Currently, there is no public sewer located within County Road to service this project. On the plans, it is noted that a sewer line will be installed "By Others". Since the originally approved site plan has been modified, portions of the host agreement between the City of Westbrook and Pine Tree Waste may no longer be in effect. Construction of the sewer infrastructure should be made a condition of approval. Funding of the improvements will be determined in future negotiations between the City of Westbrook and Pine Tree Waste.

### **Hazardous, Special and Radioactive Materials**

- The application materials note that the applicant worked with the MEDEP to clean up former dump sites used by the previous dairy farm operation.
- According to the application, the following items will not be accepted, "hazardous waste, free liquids or other materials prohibited by Federal, State of Maine and City of Westbrook regulations."

### **Technical and Financial Capacity**

- Adequate.

### **Solid Waste**

- Adequate.

### **Historic, Archaeological and Botanical Resources**

- A vernal pool preservation area has been provided in the plans.
- A wetland preservation area has been provided in the plans.

### **Landscape Plan**

- The landscape plan has been designed to provide screening of the three (3) main facilities.
- The applicant has demarcated a no-cut vegetative buffer ("proposed tree line") along the periphery of the site and an additional tree buffer behind the C&D building.

### **Others**

- The updated noise study performed by Epsilon Associates notes that under their "worst-case scenario," the project will still meet the regulatory requirements of both the City of Westbrook and the MEDEP. This worst-case scenario took into account the location of the C&D facility and the presence of vehicle alarms and haul truck

deliveries. The MEDEP standards, which are the more stringent than Westbrook's, require that sound at the property line not exceed 70 dB(A) during daytime hours and 60 dB(A) during nighttime hours. The maximum sound levels generated by this project at the property line are 60 dB(A).

### *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 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. Prior to the certificate of occupancy, a left turn lane must be constructed on County Road to provide access to the facilities main entrance. If the turn lane is the responsibility of the applicant, a performance guarantee will be required.
2. Prior to the certificate of occupancy, a sewer extension in County Road must be constructed. If the sewer extension is the responsibility of the applicant, a performance guarantee will be required.
3. No building permits shall be issued and no work shall occur on the site prior to the following:
  - a. The applicant acquires all required State permits.
  - b. A final host agreement with the City is in place.
4. If either any State permit or the host agreement with the City will result in changes to the approved site plan, the applicant shall return to the Planning Board for review and approval of such changes.
5. The applicant shall designate on the plans an uncut vegetative buffer in the area between the C&D Building and the property owned by Kirk and Ruth Noble. In the event that the abutting residential uses are discontinued and changed to commercial or industrial uses, the applicant may request a modification of this condition, which may include a reduction of the buffer. If property within the designated buffer is transferred to the Nobles, the designated uncut vegetative buffer will thereby be amended to include only the remainder of the designated buffer on the Casella Environmental Park property.

**2<sup>nd</sup> by Paul Emery**

**The vote was 4-1 in favor (Anna Wrobel opposed)**

**Dennis Isherwood moved to adjourn**

**2<sup>nd</sup> by Anna Wrobel**

**The vote was unanimous on favor 5-0**

**3. 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*