



City of Westbrook

DEPARTMENT OF PLANNING

WESTBROOK PLANNING BOARD TUESDAY, JUNE 21, 2011, 7:00 P.M. WESTBROOK HIGH SCHOOL, ROOM 114 MINUTES

Present: Rene Daniel (Vice-Chair) (Ward 1), Dennis Isherwood (Ward 2), Rebecca Dillon (Alternate), Michael Taylor (At Large), Robin Tannenbaum (Alternate)

Absent: Ed Reidman, (Chair) (Ward 5), Scott Herrick (Ward 3), Cory Fleming (Ward 4), Greg Blake (At Large),

Staff: Molly Just, Richard Gouzie

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

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.

1. Call to Order

CONTINUING BUSINESS

Rene Daniel I will ask Molly to introduce our newest member to the Planning Board.

Molly Just our new member, serving as alternate is Robin Tannenbaum. Robin is a designer with an architecture firm in Portland. Welcome Robin.

Rene Daniel I would like to have a motion to recess into workshop.

Dennis Isherwood so moved

2nd by Michael Taylor

The vote was passed unanimously 5-0

2. Recess to Workshop

Workshop: Note – Public comment will be accepted during workshop.

3. **Sketch Plan – Stroudwater Landing – 449 Stroudwater Street** – Daniel J. Maguire, on behalf of Sandy River Company for a 3-phase project to include a 50-bed memory care center, a 120-unit independent and assisted living facility and 44 for sale age restricted units in duplexes, triplexes and quads. This project would require an amendment to the approved Subdivision, Site Plan and Special Exception approved by the Planning Board on May 1, 2007. This project would be located on an

approximately 65.3 acre parcel located on 449 Stroudwater Street and on a vacant parcel of land between 300 and 328 Spring Street. Tax Map: 9, Lot: 20 and Tax Map: 8, Lot: 3A, Zone: Residential Growth Area 1.

Sketch Plan – Stroudwater Landing – Stroudwater/Spring Street

Background. On May 1, 2007 the Planning Board approved a 3-phase 103 unit for sale age restricted (55+) community. The units were grouped as singles, doubles, triples and quads. The project included the build out of a new public street, Landing Road, connecting Spring Street and Stroudwater Street. In addition, the Spring Street access point to Springbrook Nursing Home would be eliminated and access to that 125-bed property would be provided via Landing Road. The Springbrook access connection would occur with Phase 1.

Landing Road would be constructed to public street standards with Phase 1, but would officially function as a driveway with the residential units having a Spring Street address, to the point of the required pumping station, a little over half of the length of the road. Beyond the pumping station the road would be constructed to a gravel base with a gate just past the pumping station. This portion of the road would be available for emergency access.

The balance of Landing Road would be constructed to public street standards and accepted by the City of Westbrook prior to issuance of a Certificate of Occupancy for the 51st unit in Phase 2. This project required Rezoning and Comprehensive Plan Amendment approval by the City Council and Site Plan, Subdivision and Special Exception approval by the Planning Board. Due to the phased nature of the project and given that the applicant has received extensions of the original approval, the subject approvals have not expired.

Current Proposal. (175 beds (access for the existing Springbrook and the new 50 bed Memory Care Center) and 164 new units) The applicant is now proposing a 3-phase project to include, in this order, a 50-bed memory care center (Phase 1), a 120-unit independent and assisted living facility (Phase 2) and 44 for sale age restricted units in duplexes, triplexes and quads (Phase 3). The current proposal would require an amendment to the approved Subdivision, Site Plan and Special Exception. The Spring Street access point to Springbrook Nursing Home would be eliminated and access to that 125-bed property would be provided via Landing Road with Phase 1. Landing Road would be constructed to "base pavement" with Phase 1 to the point of the required pumping station or to the point where access is needed for Phase 1. Landing Road would officially be a driveway, with no name, to access the Memory Care Center. A gravel road for the balance of the future Landing Road would not be provided with this phase. The balance of Landing Road would not be constructed to public street standards and accepted by the City of Westbrook until the issuance of a Certificate of Occupancy for the 120 unit building in Phase 2.

Staff Comments:

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- The Planning Department requested that the building for Phase 2 be placed along Landing Road, instead of set back from the road with a parking lot in front. The applicant has accommodated this site design request.
- The approved plan depicts a sidewalk along both sides of Landing Road. The Sketch Plan includes a sidewalk along a small portion of both sides of the road in order to provide pedestrian access from Phase 1 to Phase 2 which is located across from each other. Planning and Engineering staff do not support this reduction in pedestrian access and also ask that street trees be added with the next submission. The approved project includes trails throughout the property. Trails are not depicted in the current proposal.
- The Fire Chief, Planning Department, Code Enforcement Officer and City Engineer recommend that the applicant construct Landing Road in Phase 1 as currently approved, with final pavement all the way to the pumping station. The pumping station should be a private and not a public pumping station, which could be built at a lower cost. The applicant has stated that future phases may never come to pass. Given that the applicant's commitment to construct Landing Road was a primary reason for staff and Administration support for the project, this is a critical component of the project. Two access points, even if one is for emergency purposes only, are needed for Phase 1 (the 125-bed Springbrook Nursing Home and a 50 bed memory care center). The road in Phase 1 should be constructed with a finish coat and not to base pavement as currently proposed.
- For the reasons outlined herein, the Planning Department recommends the following phasing for the completion of Landing Road:
 - Given the nature of the project in Phase 2 (from individual housing units to an institutional building that will include the construction of 120 units (100,000 sqf.) at one time, construct the balance of Landing Road as follows:
 - No permits of any type shall be issued for any portion of Phase 2 until the City has accepted Landing Road from Stroudwater Street to Spring Street;
 - Landing Road shall be constructed to finished pavement, not base pavement as proposed; and
 - Given that the residential units in Phase 3 would be accessed from a driveway extending from Landing Road, the driveway(s) may not be named. The units would be accessed from a driveway as the maximum length for a dead-end street is exceeded as proposed and so these would not be private ways, as depicted.
- The City Council is being briefed on the current proposal and its consistency with the project that was presented to them during their deliberation of the request to rezone the subject property from Rural to RGA-1 and amend the Comprehensive Plan from its Industrial II designation to the RGA-1 designation. The City Council has the authority to rezone the property. While the approved project was not part of a Contract Zone, which means that the City Council did not specifically approve a development plan with the Rezoning and Comprehensive Plan Amendment request, the City Council or its committees met on this project at least five times and there was much public and City Council consideration of the applicant's development plan.

Daniel McGuire I am with Sandy River Company. I have brought along our project team, Paul Malloy with the architectural team out of Boston that has done lots of health care properties and senior care properties, Will Conley with Sebago Technics, David Cook with Allied Construction who built Springbrook Nursing Care twenty years ago. Springbrook is near and dear to my heart as the community came to us and asked us to do it. The RFP project for Springbrook first started in 1989. Since then I have sited Springbrook numerous times in meetings like this to work through issues and try to do what is right for the community to make a project that makes sense and deliver services to the seniors within the community.

It would like to note that we are health care providers; we are not manufactures of product we provide services to seniors. That can run from skilled care or nursing facilities such as Springbrook all the way to 55+ housing, active adult housing as some people call it and places like assisted living, apartments with services.

We started this project seemingly decades ago, a long time ago, talking about it. When we worked on Springbrook, I believe it was finished in 1992. When we developed it we owned this piece of property as shown here and the land cutting across here. Typically when we go into a community if we can get some extra land that is a good thing and we think forward to what will make sense to the campus and what kind of services would you add to the campus. For a number of years we have thought about it and then all of a sudden active adult health was really hot, cottages for seniors, assisted living became well known in the country so we began to think what we would like to do with the property.

We did not have quite enough land so we approached the Animal Refuge League who have been a great partner of ours for a number of years now. We have fifty-three (53) acres of remaining land under option agreement with them. It seems that every year we go back and say please believe in us and stay with us for one more year, we do want to make something happen, we really would like to buy your property and they have a strategic mission with what they do trying to raise capital to expand their services also. It has been a two-way street hanging on board with each other on the land part of it and they are still on board with us and we are delighted.

When we first conceived the project when we realized that we did not have enough density needed and the zoning on our side was one thing and the zoning on the Animal Refuge League was much lower density and we really could not create the kind of retirement community that we wanted to create. We brought that issue to the City and requested a zoning change back in 2005. We thought about the site and we really did not want to only have senior care services, we wanted to have flexibility to have the kinds of different programming we have talked about. We presented a plan that included roughly about eighty (80) independent living apartments at the time and about ninety (90) for sale cottages and that became the basis to approve the zoning change at that time. Also one of the agreements we made was to eventually build a public road from Spring Street out to Stroudwater Street as part of that project.

That was in 2005, then in 2007 after we received the zoning change we asked our engineers and designers to come up with what really makes sense with the market place. Two things were happening around 2007 for us that led us to this point to what you see and what has been approved, one of those things was for-sale active adult housing, 55+ was really a hot product, people were building it and was selling very fast, the real estate market was doing really well, it was a service people wanted, so we thought long and hard and thought to focus on that on the realm of the senior services that we had been talking about.

The other thing that happened was Sandy River Company decided to transition away from operating facilities. For those of you who may not be aware in 2007 we stopped operating Springbrook, we are leasing it to Genesis Healthcare which is a much larger company and now operate our eleven (11) facilities providing for long term and short term health care in Springbrook.

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That is the history on why we presented this plan at that time in 2007. Suddenly the real estate market collapsed, financing for any kind of project totally died. People could not sell their houses consequently they could not move to a community like this. If you look at financing for nursing homes or for-sale retirement complexes, typically the easiest thing to finance was a nursing home because that is very needs driven, people do not have a choice when they need to go there. Capital is attracted to it and investors like it, banks like it, and HUD likes it. On the other side if you look at this product with for-sale cottages it is the most difficult to finance because it is not needs driven it is a choice. As a choice, literally overnight 55+ living facilities came to a stand still in the United States and everything stopped in its tracks. That is how we got to 2007, 2008, 2009 and 2010. We were very blessed to come before this group and ask for extensions. Since then I have learned that according to our approvals, we did not need to start the project until five years out, theoretically out to May of 2012.

Here we are today in 2010 and the hot buzz word is memory care and the need for providing safe residential based, high quality memory care services throughout the United States and became a huge need. I presented a plan to my business partners that we should start doing free standing assisted living facilities that are memory care and looked around New England and thought of the market places and the fact that we are not an operating company any longer and decided to team up with North Bridge Communities out of Burlington that will be our partner during the first phase of our project.

Just to refresh your memory this is one hundred and three (103) for-sale retirement cottages as approved in 2007. I do not think this is totally new as when we came before the Board for our last extension we presented something like it. In 2010 we took our business plan to the financing community, banking community and they were interested in doing this kind of product. We have recently opened a similar facility in Needham and it has been a huge success in that community. Playing off that and understanding the capital market and what people need for services and what we could do or not do in this environment we said what makes sense to do next to Springbrook and can we actually do a memory care facility and make it work? We created a business plan and put it back out in banks and at first there was not interest in Maine. The more we shared the product the more impressed they became and were potentially excited about working with us.

Literally about three (3) weeks ago we had two banks say yes come on board; we would like to finance your project. That is the first break we have received while dealing with this project to actually have Maine Banks which is a good thing. Maine Banks say we believe in your team, we believe in the service for memory care and it is a good first phase for the campus and we would like to do it.

That is where we are at, we have come to the City on a Monday morning meeting and submitted our plan, our intent is to come in where we originally said we were coming in off Spring Street, do phase one that will be a fifty (50) unit memory care center. Phase two (2) and people say when you get to phase two (2) or phase three (3), I do not know without getting through phase one (1). I think we are there with the financing in place and until I tell my good friend David Cook to put the foundation wall in the ground, I am never sure of anything in this life but I think we are there.

Phase one (1); we plan to break ground by the end of the year then plan to come before you to amend our plan as well as amend our DEP plan which we have begun that process. Phase one (1) is ready to go and we are ready to make it happen. Phase two (2) is a less needs driven product, more of a market driven and Phase three (3) is even more so. You will see in our packet a development schedule that is an eight (8) or ten (10) year schedule.

The name of the project is Aveta of Westbrook. We really would like to break ground by the end of the year if we can make it happen.

Rene Daniel is there any public comments?

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No Comments

Rene Daniel any questions from the Board?

Dennis Isherwood the first question is on the entrances, are we going to keep both entrances to Springbrook and another one to Aveta? Or is it going to be one entrance?

Daniel McGuire yes, we propose one entrance in and turn left into Springbrook Nursing Care Center.

Rene Daniel anyone else have any questions?

Michael Taylor my question is regarding Landing Road entrance off Spring Street. Is the MDOT going to ask for a light or any kind of a review for a traffic problem or a traffic count? At certain times of the day it is very busy on that road. I am concerned about any type of outlet on that street. Is there going to be anything that we are going to ask the developer to add such as adding and left hand turning lanes on that street or any kind of additional lanes for this development at all?

Molly Just with the original Planning Board approval that was not required by DOT. The Planning Board approval required two access points, the connection to Stroudwater Street and in phase one (1) if there were emergency vehicles they could access the project. In phase one (1) there was a driveway to get to the first fifty (50) residential units and then base gravel to Stroudwater Street emergency access. We did require an impact study with the approved project so that may be something that the Planning Board requests with this project. There is a different nature certainly for the first two phases. That would not be inappropriate at all but the one hundred and three (103) residential project did not require anything like a light or additional turning lanes.

Michael Taylor we can add that on the second phase then... we are just concerned about the first phase correct?

Molly Just no right now this is an informal discussion as a sketch plan. When the applicant files the Special Exception amendment, Site Plan amendment, the Subdivision amendment you will be approving the entire project. You would be thinking of it as the whole project and not just one piece.

Rene Daniel anyone else with comments? I am trying to remember... there were only four members on the Planning Board that are still on the Planning Board that were here at the first presentation in 2005. Then again I remember vaguely the sketch in 2007. There are a few members that do not necessarily know what the project is about. Who are the members that are still on from 2007?

Molly Just Ed Reidman, Rene Daniel, Denis Isherwood, Greg Blake, Cory Fleming, Michael Taylor and Scott Herrick.

Rene Daniel how about in 2005?

Molly Just there were two or three of the same members at that time.

Rene Daniel just my own opinion Daniel, I was excited then and I am excited now. I am very pleased that you are back. There are a number of us that remember the presentation, a lot of things about your project

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that we liked, the need of such a facility in Westbrook. I am glad about the approach to recognize the need of a memory care facility.

I am pleased with the landscaping and adding trees and shrubberies. I know this is really a draft –but I still would like to see sidewalks. So I will be hounding you on that.

I am glad that some banks in Maine finally realized the importance for this type of institution. You did not speak much about phase two (2) and phase three (3) so I assume for the lack of better words that phase three (3) will be duplexes, triplexes and quads and I assume that phase two (2) will be the congregate living?

Daniel Maguire phase two (2) will be what the market will support when we do... our intent is to do about one hundred and twenty (120) independent living apartments and assisted living apartments but what the actual mix and sizes are, I am not sure of it at this moment but that will be our intention. Phase three (3) as you see here is totally unchanged as approved, exactly the same amount of units, same layout, and same engineering nothing changing on that part of the project.

Rene Daniel it says in here that you will eliminate the present entrance of Springbrook Nursing Home and included in that eliminate one more egress off that busy street. There is a lot of traffic on that road.

Have you given consideration on the width of the entrance?

Will Conley with Sebago Technics, I think 30 feet in this location

Rene Daniel please go to the microphone.

Will Conley I think it is approximately 30 feet in this location.

Rene Daniel I am assuming that you will have walkways on either side of the road?

Will Conley Molly stated that in her staff memo and we need to get clarification as the drawings that we have from the consulting firm only had it on one side of the street.

At Molly's suggestion we have flipped the previous plan to show what is here now, so this building has a very public edge along Landing Road, the parking is tucked behind the building and really will not be visible and it also provides an amenity for the residents, as we envision this as sort of a promenade area if you will, walkways fifteen (15) feet wide or so with benches and plantings that also serves as a fire lane for this edge of the building.

We are very aware of that as an important component as well.

Rene Daniel questions from the Board?

Robin Tannenbaum this is minor, is north up on these plans?

Will Conley yes

Rene Daniel anyone else?

Dennis Isherwood I am really glad to see you here. This is the first large development that I was involved in and was really excited about it, then disappointed as it failed to gather any speed.

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I hear nothing but good things about Springbrook. I hear fantastic things about that. I have never been in it but I hear it is a wonderful place and that it is perfect. The staff is the greatest people on earth from what my coworkers tell me. I remember walking the site in the winter and it is a beautiful piece of property, it is so nice in there.

I would like to see the road go through because if the road goes through you will build phase two (2) and phase three (3). If we go with phase one and do not have the road going through, I think it is a little more difficult to start on phase two (2) at that point. I would like to see the whole development completed, the road completed, sidewalks on both sides. It is a beautiful site for this development and I really want to see this happen.

Rene Daniel if there are no more questions I would entertain a motion to go back to regular session.

Dennis Isherwood did I hear they needed to have a Zone change on this and it needed to go to a contract zone?

Molly Just no, the City Council referred to the Committee of the Whole this project for an update in 2005. The property is so big typically with rezoning you do not see a specific project. But it is such a big piece of property you want to know what the vision is of the applicant in order to justify your approval for rezoning. It would go from a low residential density to the second highest residential density, so the community needs to get some benefit from such a rezoning. There is also a Comprehensive Plan Amendment, the property was planned for industrial district and now Residential Growth Area 1, really a significant up-zoning, and the Comprehensive Plan change was understandable.

With the rezoning request the applicant presented to you a project that looks like something you see now with Landing Road going through the property and to the Council and Landing Road would be a public street. Basically you have over one hundred units; you need two access points with that. Right now this proposal significantly increases the density that is approved.

Staff is recommending that we have two access points and would be very good to have that with the first phase to some extent with the Planning Board approval a gravel base after the pumping station which is about midway down Landing Road between Stroudwater and Spring Streets so a driveway with a gravel base for emergency crews would to have access from Stroudwater Street. The proposal now is just to have a driveway to the phase one project and nothing beyond that so Springbrook and the fifty (50) bed Memory Care facility would be accessed off of one driveway from Spring Street.

The City Council heard about the proposed change to the project but has not seen it in a long time, so the City Council referred the project to the Committee of the Whole to just receive a briefing on the changes.

Rene Daniel can I have a motion to resume to regular session?

Mike Taylor moved to resume to regular session

2nd by **Dennis Isherwood**

The vote was unanimous in favor 5-0

4. Resume Regular Session

Rene Daniel this is when the Planning Board can have a conversation with the applicant and give your input. Who would like to start?

Michael Taylor on phase two (2), being a University of Maine alumnus, has a facility like this up in Orono. It is the fifty-five and over facility that is tagged teamed with alumni that want to live in the same community. Have you thought of something like that? I think something like this to be linked to a University? They might sponsor you. I think something like that would work if you would market it to them, then maybe phase two (2) could get built quicker.

Rene Daniel anyone else?

Rebecca Dillon I have a few comments. Just to back up the comments that you have already heard, it would be nice to have sidewalks on both sides of the road. I do not know if you have put any thought into potential opportunity for other walking trails that are not necessarily next to the building but in the wooded area. Again a nice strong connection between the memory care facility and phase two (2) should it be built would be nice. It is possible that you could have someone living in the independent living and their spouse in the memory care unit. That would be a good thing to think about when that is done.

I know I was not part of the first presentation, but I am not as concerned about the road connecting. I would be looking at this as phase one (1) and it does not make sense to add impervious surface and that kind of infrastructure not knowing what phase two (2) and phase three (3) could definitely be. I think it is a great change in the program, the memory care is important and also the other positive thing the change in the program is these two buildings would provide a lot of jobs that an active adult community would not necessarily do. I think that is positive for Westbrook as well.

Rene Daniel as I said in the beginning I am still as excited. I like the idea that someone brought up about thinking outside the box, I think that phase three (3) if you paired up with one of the colleges is a unique idea. I like the way we are thinking.

I think we would be able to get emergency vehicles between Stroudwater Street and Spring Street faster. If we need Rescue units from one side of the City to the next they could bypass Wayside Drive. I think it is a win – win concept.

I like the idea of possibly increasing the employment opportunities in Westbrook. That is something we need desperately.

I am glad you have come back and I am glad that two banks said yes and look forward to seeing more of this and as fast as you can move we want to see you again.

Molly do you have anything to add?

Molly Just I do not.

Rene Daniel I would entertain a motion to adjourn

Michael Taylor moved to Adjourn

2nd by Dennis Isherwood

5. Adjourn