



## PLANNING & CODE ENFORCEMENT



### Planning & Code Enforcement

2 York Street  
Westbrook, Maine 04092  
Phone: 207-854-0638  
Fax: 866-559-0642

**WESTBROOK PLANNING BOARD**  
**Tuesday, September 6, 2022, 7:00 P.M.**  
**Westbrook Middle School – Performing Arts Center**  
**471 Stroudwater Street**

**This meeting will be offered as a hybrid meeting, accommodating both in-person and remote participation.**

Where public comment is permitted, members of the public attending remotely will have the opportunity to provide remote oral testimony. If you wish to speak during a Public Hearing or Public Comment, use the “Raise Hand” function through Zoom (or dial \*9 on your phone) when instructed by the Planning Board chair.

**Zoom Link:** <https://us02web.zoom.us/j/81700741385>

**Dial-in (audio only):** 1-646-558-8656

**Webinar ID:** 817 0074 1385

### AGENDA

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

### REGULAR BUSINESS

3. **2021.11 – Site Plan, Subdivision Extension Request – 21 Saco Street - Storage Realty Corporation:**  
The applicant is requesting a two-year extension on the August 3, 2021 approval for the mixed-use structure with first floor commercial and 29-residential units on the upper floors located at 21 Saco Street. Tax Map: 028 Lot: 075 and 077 Zone: City Center District, Residential Growth Area 1 Use: Dwelling, Multiple-Family

### NEW BUSINESS

4. **2022.28 – Subdivision – Eagles Lane Subdivision – Presumpscot River, LLC:** The applicant is proposing a 12-lot subdivision located along Brook Street at the Westbrook-Falmouth municipal line. Tax Map: 022 Lot: 001
5. **2022.22 – Site Plan – 31 Spiller Drive – Troiano Properties, LLC:** The applicant is proposing a 15,000sf multi-tenant commercial building and associated parking lot. Tax Map: 004 Lot: 301 Zone: Manufacturing District
6. **2022.18 – Site Plan, Subdivision – Rivermeadow Residential Development Phase 1B – WORG, LLC:**  
The applicant is proposing an 8-unit single family condominium development with access from a private driveway, Arnie’s Alley. Tax Map: 037 Lot: 001 Zone: Residential Growth Area 1, Lincoln Street Overlay District Use: Dwelling, Single-Family

### WORKSHOP

Deliberation of agenda items, including workshops, that have not been commenced by the Planning Board as of 10:00p.m. may be rescheduled to the next regularly scheduled meeting.

7. **2022.29 – Site Plan, Subdivision – 891 Bridgton Road - PTG Properties Inc:** The applicant is proposing 4 single-family residential units to a parcel with two existing residential dwellings. Tax Map: 021 Lot: 029C Zone: Prides Corner Smart Growth Area Use: Dwelling Single-Family
8. **2022.30 – Site Plan – 860 Spring Street - Boulos Asset Management:** The applicant is proposing a 15,240sf building addition for commercial use. Tax Map: 003 Lot: 101A Zone: Industrial Park District
9. **Other Business**



## Planning & Code Enforcement

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### PLANNING & CODE ENFORCEMENT

DATE: September 2, 2022  
TO: Planning Board  
FROM: Jennie P. Franceschi, City Planner & Rebecca Spitella, Assoc. Planner  
Cc: Plan Review Team  
RE: September 6, 2022, Planning Board Meeting

- 
1. **2021.11 – Site Plan, Subdivision Extension Request – 21 Saco Street - Storage Realty Corporation**
  2. **2022.28 – Subdivision – Eagles Lane Subdivision – Presumpscot River, LLC – 12 lots**
  3. **2022.22 - Site Plan – 31 Spiller Drive – Troiano Properties, LLC - 15,000 sf commercial building**
  4. **2022.18 – Site Plan, Subdivision – Rivermeadow Residential Development Phase 1B – WORG, LLC – 8 units**
  5. **2022.29 - Site Plan, Subdivision – 891 Bridgton Road - PTG Properties Inc – 4 Units**
  6. **2022.30 - Site Plan – 860 Spring Street - Boulos Asset Management – Commercial Expansion**

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1. **2021.11 – Site Plan, Subdivision, Extension Request – 21 Saco Street – Storage Realty Corporation**

#### **REGULAR BUSINESS**

Tax Map: 028 Lot: 075 and 077  
Zone: City Center District, Residential Growth Area 1

#### **Project Description**

The applicant is requesting a two-year extension on the August 3, 2021 approval for the mixed-use structure with first floor commercial and 29-residential units on the upper floors located at 21 Saco Street.

#### **Project History**

April 14, 2021 – Neighborhood Meeting  
April 20, 2021 – Planning Board Workshop  
June 15, 2021 – Public Hearing – Tabled  
August 3, 2021 – Public Hearing – Approval  
September 6, 2022 – Approval Extension Request

#### **Staff Comments:**

No changes to the Ordinance have occurred which would alter the original approval for the project. Staff supports the extension request as provided in the letter from David Elowitch dated July 28, 2022. No changes are proposed to Staff comments and conditions of approval from the August 3, 2021 approval.

#### **Motion:**

Motion to grant a two-year extension of the August 3, 2021 approval for Storage Realty Corporation for a mixed-use structure with first floor commercial and 29-residential units on the upper floors located at 21 Saco Street Tax Map: 028 Lot: 077 Zone: City Center District, Residential Growth Area 1. All previously approved findings of fact and conclusions and conditions are still applicable.

2. **2022.28 – Subdivision – Eagles Lane Subdivision – Presumpscot River, LLC**

**THE APPLICANT HAS REQUESTED THAT THIS ITEM BE POSTPONED TO FURTHER REVIEW COMMENTS PROVIDED BY CITY STAFF.**

**MOTION: Motion to postpone action on Item 2022.28 Eagles Lane Subdivision.**

**REGULAR MEETING**

Tax Map: 022 Lot: 001  
Zone: Residential Growth Area 2

**Project Description**

The applicant is proposing a 12-lot subdivision located along Brook Street at the Westbrook-Falmouth municipal line.

**Project History**

September 6, 2022 – Regular Meeting – Request for waiver of joint public hearing

**Staff Comments:**

1. Noticing Fees: Total noticing fees for two meetings including the public hearing noticing will be \$179.60 (9.80 for the 9/6 Workshop and \$169.80 for the public hearing)
2. Impact Fees: Due to the level of development that is proposed on Brook Street the City has determined that Brook Street is inadequate to accept the level of traffic generated by the collective developments.

Transportation needs have been identified as:

1. Intersection upgrades at the Brook Street/Rte. 302 intersection to widen travel lanes and provide dedicated turning lanes/lights for 302 to Brook Street - \$500,000.00
2. Reconstruction of Brook Street from 302 intersection to just past Minnow Brook culvert; reconstruction will address Brook Street drainage and sidewalk connection to Rte. 302 - \$1,600,000.00
3. Overlay of Easterly portion of Brook Street to Falmouth T/L - \$414,000.00

A cost estimate generated in 2021 provided an estimate of approximately \$2.5 million for all improvements as identified above. Based on this estimate, the Westbrook Planning Board approved a \$5,200/residential unit impact fee be applied to recently approved projects along Brook Street as a match to public funds to contribute to the necessary Brook Street improvements. Staff is recommending the Eagles Lane Subdivision contribute \$1,872/lot toward the Rte. 302/Brook Street intersection improvements, which will accept vehicles from the proposed development commuting through Westbrook to Windham/Portland, and the overlay project (Improvements 1 & 3: 36% of total Brook Street project costs;  $\$5,200 \times .36 = \$1,872$  – total impact fee: \$22,464 for 12 lots). Payment of this fee would be required as a Condition of Approval prior to the release of the signed plans.

**Motion:**

Motion to waive the requirement in 30-A M.R.S.A. §4403(1-A) for joint meetings and hearings with the Town of Falmouth for the Eagles Lane Subdivision which crosses the Westbrook/Falmouth municipal boundary.

### 3. 2022.22 – Site Plan – 31 Spiller Drive – Troiano Properties, LLC

#### **PUBLIC HEARING**

Tax Map: 004 Lot: 301  
Zone: Manufacturing District

#### **Project Description**

The applicant is proposing a 15,000sf multi-tenant commercial building and associated parking lot.

#### **Project History**

June 28, 2022 – Neighborhood Meeting  
July 5, 2022 – Planning Board Workshop  
September 6, 2022 – Public Hearing

#### **Staff Comments:**

1. Noticing Fees: \$203.40
2. Provide maintenance easement along Saco Street for maintenance of guardrail – show on plan
3. Curbing on easterly side of parking lot should overlap with rip rap slope – with current design water will fall short of the rip rap and erode side of slope
4. Sign permit required prior to installation of signage
5. Parking spaces – In the sketch plan approval, the parking standard used by the applicant was for an “industrial use” which is for a typical shift work operation. Staff did not feel this use matched a multi-tenant building set up nor was the 15 spaces provided sufficient as staff felt the parking count should be in the 35-space range. This commercial use is determined to be a “service business” but the only other parking standard in our ordinance is for “Other Commercial or Business” parking standard of 1 space per 250 sf. This standard would require 60 spaces, which staff feel would be an excessive standard to meet. Therefore, the applicant is requesting a waiver of the parking requirement from 60 to 43 spaces, based on the “Other Commercial or Business” parking standard which Staff supports.
6. Conditions of approval
  - a. No outdoor storage of material permitted on site
  - b. Floor Drains prohibited

#### **Motion:**

That the Site Plan application for Troiano Properties, LLC to construct a 15,000sf multi-tenant commercial building located at 31 Spiller Drive Tax Map: 004 Lot: 301 Zone: Manufacturing District and the waiver of 0167 335-13.6 to reduce the off street parking requirements from 60 spaces to 43 spaces is **(approved with conditions/ denied)** and the following findings of fact, conclusions, and conditions as stated on pages **3 through 6** of this Staff Memo dated September 2, 2022 are adopted in support of that approval.

#### **Site Plan – Finding of Fact**

<b>Standard</b>	<b>Finding</b>
Utilization of the site	Meets the intent of the Ordinance
Handicap Access	The site provides tow ADA parking spaces located within the central parking pod. Tip downs are provided for pedestrian walkway. Adequate wayfinding signage is provided on the plan.
Appearance Assessment	Site layout has taken into consideration natural topography of the site to provide a buffer from the residential abutters on Saco Street. A landscaping plan has been provided to show enhanced landscaping on the site. A lighting plan has been provided to demonstrate adequate site lighting. All lighting will utilize cutoff

	fixtures to prevent spillover to abutting properties. Locations for signage are shown on the plan. Any commercial signage will require a sign permit prior to installation. Criteria (a) – (e) have been met. Criteria (f) is not applicable as the site is not located within the Village Review Overlay Zone.
Landscape Plan	A landscaping plan has been provided to show enhanced landscaping along project frontage and at intersection with Spiller Drive and Saco Street.
Odors	The commercial use is in line with the permitted uses of the district. No known adverse impact is known or anticipated.
Noise	The commercial use is in line with the permitted uses of the district. No material storage is permitted on site to limit off hours truck traffic. No adverse impact is known or anticipated.
Technical and Financial Capacity	A letter of financial capacity from Biddeford Savings dated August 11, 2022, has been provided. The applicant has retained the services of St Germain which demonstrates technical capacity.
Solid Waste	Waste removal will be privately managed. A screened dumpster is provided to the rear of the site, generally out of view of the public rights of way.
Historic, Archaeological and Botanical Resources or Unique Features	None known
Hazardous Matter	None known
Vibrations	No adverse impact is known or anticipated
Parking & Loading Design and Site Circulation	Included with the approval is a parking waiver to reduce the
Adequacy of Road System	Spiller Drive has adequate capacity to accept the traffic generated by this project.
Vehicular Access	Vehicular access to the site is via a curb cut on Spiller Drive at a location that has been reviewed and approved by Public Services.
Pedestrian and Other Modes of Transportation	A pedestrian walkway is provided to access front (public facing) doors to each unit.
Utility Capacity	Utilities are located within the Spiller Drive right of way. A 6” sewer service has been stubbed to the site as part of a pre-permitted business park approval.
Stormwater Management, Groundwater Pollution	The business park the site is located within has a stormwater management plan. The level of impervious cover on the site is less than what was approved in the DEP permit.
Erosion and sedimentation Control	Adequate erosion and sedimentation control measures are provided on the plan.

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

#### Conditions :

1. Approval is dependent upon, and limited to, the proposals and plans contained in the application dated August 10, 2022 and supporting documents and oral representations submitted and affirmed by the applicant, and conditions, if any, imposed by the Planning Board, and any variation from such plans, proposals and supporting documents and representations are subject to review and approval by the City Planner or the Planning Board.
2. Consistent with Section 504.3, the Code Enforcement Officer shall not issue any permits until a site plan has been approved by the Planning Board and a Mylar signed by the Planning Board.
3. Prior to any site disturbance or building permits being issued for the project:
  - a. All Staff comments must be addressed.
  - b. A pre-construction meeting must be held with City Staff and the site work contractor. Contact the Planning Office to coordinate.
  - c. The applicant shall provide the digital data as required by Section 504.5.B.12 and 13. – verification with GIS coordinator.
  - d. An inspection fee shall be made payable to the City of Westbrook for inspection of site improvements made by the Code Enforcement Officer and/or other appropriate City staff. Inspection fee shall be 2% of the total amount of performance guarantee. **\$10,860.00**
  - e. The applicant shall file a performance guarantee with the City of Westbrook. The amount of the guarantee shall be agreed upon in advance with the City of Westbrook and shall be of an amount to ensure completion of all on- and off-site improvements necessary to support the proposed project. **\$543,000.00**
4. Prior to issuance of any building permits:
  - a. Review of building elevations and colors to be consistent with submitted documentation or testimony.
  - b. Coordinate with the E911 Coordinator on addressing of the building/units.
5. Prior to the first Occupancy Permit issuance:
  - a. A site inspection of the required improvements by the City to ensure public health & safety is addressed and compliance with the approval. (This includes all paving, lighting, striping, sidewalks, utilities, etc.)
  - b. All other site improvements must be installed unless a performance guarantee amount is held for the full amount of any remaining improvements.
6. Prior to release of the performance guarantee:
  - a. The site will be in compliance with the approved plan and as-built plan provided in City approved format for the GIS system, as well as all other conditions being addressed.

7. Best management practices shall be adhered to during all ground disturbance operations. All catch basins in the vicinity of earthwork operations shall have silt sacks installed & maintained for the duration of the work.
8. The applicant shall comply with the requirements of local and state authorities for life and safety requirements.
9. No outdoor storage of material is permitted on site
10. Floor drains are prohibited for any of the commercial uses



**4. 2022.18 – Site Plan, Subdivision – Rivermeadow Residential Development Phase 1B – WORC, LLC**

**PUBLIC HEARING**

Tax Map: 037 Lot: 001  
 Zone: Residential Growth Area 1, Lincoln Street Overlay district  
 Use: Dwelling, Single-Family

**Project Description**

The applicant is proposing an 8-unit single family condominium development with access from a private driveway, Arnie’s Alley. This project is a continuation of the Rivermeadow Residential Development project.

**Project History**

June 7, 2022 - Planning Board Workshop  
 September 6, 2022 – Public Hearing

**Staff Comments:**

1. Noticing Fees: \$398
2. Both sides of Arnie’s Alley shall be designated as No Parking
3. Sewer
  - a. Profile of FM down Arnie’s Alley
  - b. Manhole at Lincoln Street connection
  - c. Label lateral connections/valves in driveways to units
  - d. Note FM material on plan (HDPE)
4. Revise E/C plan to show erosion control berm instead of silt fence & provide appropriate detail
5. Grading plan is for the version of the house with a deck. A revised grading plan shall be required with building permit submission for any structure that does not include a deck (patio/sunroom/etc.)
6. Performance guarantee needed for all site work. Provide cost estimate for Phase 1B site improvements. Phase 1B site work commencement will be contingent on submission of the Arnie’s Alley PG. Arnie’s Alley and Phase 1B PGs can be combined.
7. Arnie’s Alley Condominium Docs
  - a. Section 5.7 – typo, revise easement to 15ft (written 15 in)
8. Provide a confirmatory deed for the merging of lots 37/1 and 10/2

**Motion:**

That the Site Plan-Subdivision application for WORC, LLC for an 8-unit single-family condominium development on condo 1C of the Rivermeadow Residential Development with access via a private driveway, Arnie’s Alley Tax Map: 010 Lot: 002 and Tax Map 037 Lot: 001 Zone: Residential Growth Area 1 and Lincoln Street Overlay District is **(approved with conditions/ denied)** and the following findings of fact, conclusions, and conditions as stated on pages **7 through 12** of this Staff Memo dated September 2, 2022 are adopted in support of that approval.

**Site Plan – Finding of Fact**

<b>Standard</b>	<b>Finding</b>
Utilization of the site	Meets intent of Ordinance
Handicap Access	Subdivision is compliant with ADA standards
Appearance Assessment	Site layout is designed to take into account natural site topography and minimize wetland disturbance. A landscape plan has been provided to show enhanced landscaping along the Arnie’s Alley driveway to mimic Ordinance requirements. Additional lighting has been provided at each of the two visitor parking pods. Lighting will be residential in nature. All locations for street/safety signs are identified on the plans. Criteria (a) – (e) have been met. Criteria (f)

	is not applicable as the site is not located within the Village Review Overlay Zone.
Landscape Plan	A landscape plan has been provided. Additional landscaping is proposed along Arnie's Alley to mimic Ordinance standard for street trees. Additional landscaping is provided to the rear of each structure.
Odors	No odors known or anticipated
Noise	Noise levels will be consistent with the residential nature of abutting properties. No adverse impact known or anticipated.
Technical and Financial Capacity	The applicant has provided a letter from Norway Savings Bank dated September 8, 2021 to demonstrate financial capacity. The applicant has retained the services of Gorrill Palmer which demonstrates technical capacity.
Solid Waste	Private curbside toter pickup will be provided for each unit.
Historic, Archaeological and Botanical Resources or Unique Features	None known
Hazardous Matter	No adverse impact known or anticipated
Vibrations	No adverse impact known or anticipated
Parking & Loading Design and Site Circulation	Each unit is proposed to include a garage and a minimum of 2 off street parking spaces in the individual unit driveways. Additional visitor parking is provided on each end of Arnie's Alley. No parking is permitted along Arnie's Alley due to the reduced travel/shoulder widths.
Adequacy of Road System	With consideration of the Phase 1 condition of approval which requires the submission of a street design for Lincoln Street and Mayberry Street to include curbing, sidewalks and drainage, Lincoln Street has adequate capacity to accept the additional traffic generated by the development.
Vehicular Access	Vehicular access for each unit is via a private driveway, Arnie's Alley. The intersection of Arnie's Alley and Lincoln Street was reviewed and approved as part of Phase 1 of the Rivermeadow Residential Development.
Pedestrian and Other Modes of Transportation	A sidewalk is provided along Arnie's Alley to connect to Lincoln Street sidewalk (to be included with the Lincoln Street redesign) as well as provide a connection from the visitor parking lots to the Lincoln Street lots and 1b condo units.
Utility Capacity	Utility services will be extended down Arnie's Alley from Lincoln Street to serve the condo 1b units. Underground utility connections are provided.
Stormwater Management, Groundwater Pollution	Stormwater management is provided on the site of condo unit 1c to serve the 8 units and Lincoln Stret lots (Phase 1 approval)
Erosion and sedimentation Control	Adequate erosion control measures are provided on the plan.

## 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 standards of this section.
11. The proposed site plan **is/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.

**Subdivision – Finding of Fact**

<b>Standard</b>	<b>Finding</b>
Pollution	Disposal of sewage will be via the public system. With consideration of the utility extension approved as part of Phase 1 of the Rivermeadow Residential Development, sewer connection is available within the Lincoln Street right of way and Arnie’s Alley driveway.
Sufficient Water	Water services are available within the Lincoln Street and Mayberry Rd rights of way. An ability to serve letter from PWD will be provided to the City upon approval
Municipal Water Supply	Water services are available within the Lincoln Street and Mayberry Rd rights of way. An ability to serve letter from PWD will be provided to the City upon approval
Erosion	Adequate erosion control measures are provided on the plan.
Traffic	With consideration of the Phase 1 condition of approval which requires the submission of a street design for Lincoln Street and Mayberry Street to include curbing, sidewalks and drainage, Lincoln Street has adequate capacity to accept the additional traffic generated by the development.
Sewage Disposal	Disposal of sewage will be via the public system. With consideration of the utility extension approved as part of Phase 1 of the Rivermeadow Residential Development, sewer connection is available within the Lincoln Street right of way and Arnie’s Alley driveway.
Municipal Solid Waste Disposal	Private curbside toter pickup will be provided for each unit.
Aesthetic, Cultural and Natural Values	The residential subdivision is set back from the Presumpscot River outside of the limits of the Shoreland Overlay Zone and will not have an undue adverse impact on the scenic viewshed from the River.
Conformity with City Ordinances and Plans	Proposal is in conformance with City Ordinances & the Comprehensive Plan.
Financial and Technical Capacity	The applicant has provided a letter from Norway Savings Bank dated September 8, 2021 to demonstrate financial capacity. The applicant has retained the services of Gorrill Palmer which demonstrates technical capacity.

Surface Waters; Outstanding River Segments	The residential subdivision is located outside of the 250' Shoreland Overlay Zone from the Presumpscot River.
Ground Water	Groundwater will not be adversely impacted by the project
Flood Areas	Condo unit 1C is not located within a flood plain
Freshwater Wetlands	All wetlands have been identified on the plan
Farmland	No farmland has been identified on the site.
River, Stream or Brook	No rivers, streams or brooks identified within the limits of condo unit 1C
Stormwater	Stormwater management is provided on the site of condo unit 1c to serve the 8 units and Lincoln Stret lots (Phase 1 approval)
Spaghetti Lots Prohibited	Shore frontage is not impacted by the subdivision and maintains the minimum 5:1 ration of frontage to lot dept.
Lake Phosphorus Concentration	The proposed subdivision is not located near or along a great pond
Impact on Adjoining Municipality	The proposed subdivision does not cross municipal boundaries
Lands subject to Liquidation Harvesting	Not applicable

**Conclusions:**

1. The proposed subdivision **will not** result in undue water or air pollution
2. The proposed subdivision **has** sufficient water available for the reasonably foreseeable needs of the subdivision
3. The proposed subdivision **will not** cause an unreasonable burden on an existing water supply
4. The proposed subdivision **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 subdivision **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 subdivision **will** provide for adequate sewage waste disposal and **will not** cause an unreasonable burden on municipal services.
7. The proposed subdivision **will not** cause an unreasonable burden on the City's ability to dispose of solid waste.
8. The proposed subdivision **will not** have an undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites, significant wildlife habitat or rare and irreplaceable natural areas or any public rights for physical or visual access to the shoreline.
9. The proposed subdivision **conforms** with a duly adopted subdivision regulation or Ordinance, comprehensive plan, development plan or land use plan.
10. The subdivider **has** adequate financial and technical capacity to meet the standards of this section.
11. The proposed subdivision **will not** adversely affect the quality of any pond, lake, wetland, great pond or river, or unreasonably affect the shoreline of that body of water.
12. The proposed subdivision **will not**, alone or in conjunction with existing activities, adversely affect the quality or quantity of ground water.
13. The subdivision **is not** located in a flood-prone area, as determined by the Federal Emergency Management Agency's Flood Boundary and Floodway Maps and Flood Insurance Rate Maps.
14. All freshwater wetlands within the proposed subdivision **have** been identified.
15. All farmland within the proposed subdivision **has not** been identified. – Not applicable
16. Any river, stream or brook within or abutting the proposed subdivision **has** been identified.
17. The proposed subdivision **will** provide for adequate stormwater management.
18. Lots in the proposed subdivision **do not have** shore frontage on a river, stream, brook, great pond or coastal wetland as defined in 38 M.R.S.A. Section 480-B.
19. The long-term cumulative effects of the proposed subdivision **will not** unreasonably increase a great pond's phosphorus concentration during the construction phase and life of the proposed subdivision.

20. The proposed subdivision **will not** cause unreasonable traffic congestion or unsafe conditions with respect to the use of existing public ways in an adjoining municipality in which part of the subdivision is located.
21. Timber on the parcel being subdivided **has not** been harvested in violation of rules adopted pursuant to 12 M.R.S.A. Section 8869, subsection 14.

### Conditions of Approval

1. Approval is dependent upon, and limited to, the proposals and plans contained in the application dated May 12, 2022 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 the review and approval by the City Planner or the Planning Board.
2. Prior to the sale of any units for the project
  - a. Provide a copy to Planning Office of recorded Homeowners association by laws & Declaration of Covenants and Restrictions for the lot included in that association.
  - b. Copy of the recorded subdivision plan must be provided to the Planning Office
3. Prior to issuance of any building permits:
  - a. All Staff comments must be addressed or are considered conditions of approval
  - b. Copy of the recorded subdivision plan must be provided to the Planning Office
  - c. An inspection fee for lots/condo units associated with this approval shall be made payable to the City of Westbrook, for inspection of road/site improvements conducted by the appropriate City staff. This fee is required per the Land Use Ordinances in order to cover the costs of inspection of project related improvements. (2% of Performance guarantee amount.)
  - d. The applicant shall file a performance guarantee with the City of Westbrook. The amount of the guarantee shall be agreed upon with the City of Westbrook and shall be of an amount to ensure completion of all on- and off-site improvements necessary to support the proposed project.
  - e. The applicant shall provide the digital data as required by the Land Use Ordinance. – verification with GIS coordinator.
  - f. Arnie’s Alley must be constructed to a vehicular passable standard for Code Enforcement and Public Safety access (Base Gravel)
  - g. Building elevations reviewed by Planning Department to ensure compliance with site plan application
  - h. Confirmatory deed provided to Assessing Department to document merging of Map/Lots 37/1 and 10/2
4. Prior to any combustible products being brought on-site, a review of the Fire Hydrants within 800 feet of the staging location and/or location of a structure under construction must be done to ensure they are charged and if new, tested in compliance with the parameters below.
  - a. Required flow rate: 1,000 gal/minute
  - b. Documentation provided to City’s satisfaction. (Coordinate with Fire Department – Mike Corey)
5. Prior to the issuance of the first Certificate of Occupancy:
  - a. All conditions applicable to first lot sold must be addressed
  - b. A site inspection of the required improvements by the City to ensure public health & safety is addressed and compliance with the approval. (to include but not limited to sidewalks, lighting (installed & lit), striping, signage (no parking, etc.), stormwater management features, off-site improvements as applicable in accordance with this approval, etc.)
  - c. Documentation (signed contract) of private curbside trash hauling service to be provided for all lots served by the associated road system.
  - d. Documentation (signed contract) of private plowing service to be provided for all lots served by the associated road system.
  - e. Arnie’s Alley must be constructed to a base pavement
  - f. All water and sewer lines fully tested and approved.
  - g. Documentation of maintenance contractor for Stormwater Best Management Practices for the project.
  - h. All site improvements must be installed, unless a performance guarantee amount is held in the amount of the remaining improvements.

- i. Street signs, stop signs, and any other signage as stated in the outstanding comments and stop bars at all intersections as shown on the site plan for the associated road system.
  - j. Mailbox installed at a location approved by USPS
- 6. **Prior to the issuance of the final certificate of occupancy for Arnie's Alley:**
  - a. Arnie's Alley shall be final paved.
- 7. **Prior to release of the Performance Guarantee**
  - a. All conditions of approval associated with the approval of Arnie's Alley, Planning ID 2021.12 shall be met
- 8. Best management practices shall be adhered to during all ground disturbance operations. All Street Catch basins in the vicinity of earthwork operations shall have silt sacks installed & maintained for the duration of the work. Additional BMPs may be required to address erosion and sediment control during construction. Determination of the need for additional measures are at the sole discretion of City Staff.
- 9. The applicant shall comply with the requirements of local and state authorities for life and safety requirements.

## 5. 2022.29 – Site Plan, Subdivision – 891 Bridgton Road – PTG Properties, Inc

### WORKSHOP

Tax Map: 021 Lot: 029c  
Zone: Prides Corner Smart Growth Area  
Use: Dwelling, Single-Family

#### Project Description

The applicant is proposing the addition of 4 single-family residential units to the parcel, which currently has two existing residential dwellings.

#### Project History

September 1, 2022 – Neighborhood Meeting  
September 6, 2022 – Planning Board Workshop

#### Staff Comments:

1. Noticing Fees: \$53.20
2. HHE-200 required with final submission for existing and new structures
  - a. Relocate leach field to rear of parcel
3. Provide color elevations for new units
4. Open Space Req – 1,200sf (fee in lieu: \$2,011.00)
5. Provide some level of outdoor amenity for residents on site
6. Final submission requirements
  - a. Full boundary survey
  - b. Landscape plan
  - c. Survey stamp on sub plan
  - d. Draft condo docs
7. Provide lighting plan with final application – recommend residential-style light post along driveway – coordination with CMP on pole/fixture type depending on ownership. Provide cut sheets for lighting proposed
  - a. Verification needed light across 302 is sufficient intersection lighting. Provide photometrics
8. Show cluster mailbox on plan. Final mailbox location to be approved by USPS
9. Private Waste management & snow removal required.
  - a. Clarity needed on dumpster vs toter system
10. Units 1/2 and 3/4 have 8' separation – given the size of the parcel recommend providing more separation between units or altering design to duplex development.
11. More information needed on condition of driveway culvert – may need to be replaced as part of project.
12. Site drainage needs to be diverted so to avoid trespassing on southerly parcels
13. Final application will include relocated power pole with underground utilities to all (existing and new) structures
14. Show turning template to demonstrate adequate emergency access.
15. Provide three options for driveway name for E-911 review. Appropriate driveway signage required – show on final site plan.
16. Driveway requires driveway permit and must meet MDOT standards for retrograde arterial highway access/egress
17. Documentation of neighborhood meeting (attendance sheet and minutes) to Planning Department.

#### Board Action:

1. Provide feedback to Staff and Applicant

## 6. 2022.30 – Site Plan – 860 Spring Street – Boulos Asset Management

### WORKSHOP

Tax Map: 003 Lot: 101A  
Zone: Industrial Park District

#### Project Description

The applicant is proposing a 15,240sf building addition for commercial use.

#### Project History

August 26, 2022 – Neighborhood Meeting  
September 6 – Planning Board Workshop

#### Staff Comments:

1. Noticing Fees: \$42.00
2. Final application should provide a site plan showing full parcel (as well as blowup of site)
3. Provide clarity on proposed use – need more information than ‘industrial-flex’ for approval
4. Turning template to show emergency access
5. Existing layout does not provide adequate access for fire – consider possibility of relocating landscaping to County Rd frontage and providing stabilized surface along the easterly side of building. This would require the proposed parking spaces to be designated as fire lane.
6. Building requires sprinkler and fire alarm system.
7. Building addition will require fire separation from existing building
8. Review addressing with E-911 coordinator for building addition.
9. Provide landscaping plan with final submission showing enhanced landscaping along Rte. 22
10. Expansion needs to coordinate with LCWMD permit
11. Provide lighting plan
12. Review of signage on site
13. More information needed on waste management for site. Currently, dumpsters are not centrally located and are not screened. Site Plan should show dumpster location(s) for all new and proposed structures and provide detail for dumpster enclosure.
14. Building addition requires separate sewer/water/electric service.
  - a. Sewer may not connect directly to FM; Will require connection at Thomas Drive or Spring Street.
15. Need information on existing building sewer service, where connection comes into building
16. Provide sidewalk along Spring St frontage from driveway to Metro stop
17. Documentation of neighborhood meeting (attendance sheet and minutes) to Planning Department.

#### Board Action:

1. Provide feedback to Staff and Applicant