



WESTBROOK PLANNING BOARD  
TUESDAY APRIL 20, 2021  
WESTBROOK MIDDLE SCHOOL



**WESTBROOK PLANNING BOARD  
TUESDAY, APRIL 20, 2021, 7:00 P.M.  
MINUTES**

**Present:** Rene Daniel (Chair) (At Large), Rebecca Dillon (Vice-Chair) (Ward 1), Jason Frazier (Ward 2), Robyn Tannenbaum (Ward 4), Ed Reidman, (Ward 5) (via Zoom), Nancy Litrocapes (Alternate)

**Absent:** John Turcotte (At Large), Larry McWilliams (Alternate)

**Staff:** Jennie Franceschi, Planning & Code Director; Rebecca Spitella, Associate Planner; David Finocchietti, Code Enforcement Officer, Linda Gain, Office Coordinator

MINUTES MAY NOT BE TRANSCRIBED VERBATIM. SECTIONS MAY BE PARAPHRASED FOR CLARITY. A COMPLETE RECORDING MAY BE OBTAINED BY CONTACTING PLANNING AND CODE ENFORCEMENT at 207-854-0638 ext. 1220 and [lgain@westbrook.me.us](mailto:lgain@westbrook.me.us).

**Rene Daniel called the March 16, 2021 Planning Board meeting to order.**

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

**Rebecca Dillon move to approve April 6, 2021 Planning Board minutes as presented**

**2<sup>nd</sup> by Robin Tannenbaum**

**The vote is unanimous in favor 6-0**

**NEW BUSINESS**

**Rebecca Spitella introduce item:**

- 3. 2020.21 – Site Plan Amendment – 84 Warren Ave – Atlantic Transport Systems: The applicant is proposing a +/- 37,500 sf expansion to an existing building to include a maintenance garage, additional loading bays and an expanded parking area located on units H & G of the approved Fairlane 500 Industrial Drive Commercial Condominium. Tax Map: 047 Lot: 005 Units: H&G Zone: Gateway Commercial, Industrial Park District Use: Service Business**

**Patrick Gere** with St Germain, on behalf of Atlantic Transport Systems. Provided aspects of the proposing a +/- 37,500 sf expansion to an existing building to include a maintenance garage, additional loading bays and an expanded parking area located on units H & G of the approved Fairlane 500 Industrial Drive Commercial Condominium. Tax Map: 047 Lot: 005 Units: H & G Zone: Gateway Commercial, Industrial Park District Use: Service Business. Presentation on file at the Westbrook Planning Department and on the Westbrook Website link shown below:

<https://westbrooktv.viebit.com/player.php?hash=gm9dMUMN5M9n>

**Rene Daniel** staff comments

**Jennie Franceschi** updated the Planning Board with Staff Comments.

## **PUBLIC HEARING**

### **Staff Comments:**

1. Hydrant must be relocated and operational before work commencing on building expansion.
2. Solid waste – loading bay for cardboard. Office waste hauled to eco Maine in daily pickup. Trash collection may not be stored outside/uncontained. Any future use of a dumpster must be fully enclosed.
3. Update parking space label & plan note – 20 spaces provided on southerly stretch; 65 total spaces provided, 55 standard and
4. Signage – Due to the number of businesses within the complex, better delineation of the driveway is required to deter public from unintentionally entering business sites.
  - a. Provide stop and driveway signage at both Warren Ave and Chabot Street ends of Fairlane 500 Drive. Intersection of Warren Ave and Fairlane 500 driveway may need additional paint to designate centerline and edge of driveway.
  - b. Better delineation required to indicate the left curve of Fairlane 500 Drive when approaching the ATS site (as entering from Warren Ave). Potential for providing a ‘curve ahead’ sign prior to the gravel wetland? Look to project engineers for other options to achieve this.
5. ATS site entrance
  - a. Stop sign/bar is located approximately 10 feet from the edge of driveway. Is there a reason this is so far removed? Concern this will impede site distances when existing ATS site and recommend pushing stop bar and sign closer to driveway.
  - b. Concern the corner is too tight to maneuver a right turn from the site onto Fairlane 500 Drive - May need to widen the exit lane
6. Stormwater/Gravel Wetland
  - a. Concern noted with alignment of spillway as water is directed around the edge of berm from the OCS. Funds from performance guarantee will be held throughout construction to ensure edge of berm does not erode.
  - b. Proposed species of plantings (New England Erosion Control/Restoration Mix) is not appropriate for standing water. Provide wetland plant selection for use in areas of full saturation.
7. Cost estimate edits (Cost estimates are reflective of City costs in the event the City is required to complete any unfinished work and not necessarily indicative of the cost of any individual contractor. Please edit the provided cost estimate sheet as stated below as these are reflective of current bid pricing.)
  - a. Water main - \$150
  - b. Utility trench & conduit wiring - \$50/each

- c. Catch basin - \$3,500
- d. Subbase gravel - \$50
- e. Base/Finish gravel - \$40

**Rene Daniel** opened Public Hearing

No Comments

**Rene Daniel** closed Public Hearing

Board comments?

No comments

**Rebecca Dillon move** That the Site Plan amendment application for Atlantic Transport Systems for a +/- 37,500 sf expansion to an existing building located at 84 Warren Ave, Units H & G Tax Map: 047 Lot: 005 Zone: Gateway Commercial and Industrial Park District is **approved with conditions** and the following findings of fact, conclusions and conditions as stated on pages 2 through 5 of this Staff Memo dated April 15, 2021 are adopted in support of that approval.

**Site Plan – Finding of Fact**

<b>Standard</b>	<b>Finding</b>
Utilization of the site	The site is currently fully developed without a clearly defined vehicle/truck parking area. This results in unorganized parking that exceeds the site’s stabilized cover. The proposed design improves existing site layout and improves the stormwater management to support the increase in impervious cover. Plan meets the intent of the ordinance.
Handicap Access	Site provides for ADA parking spaces located throughout the site at locations appropriate for each building in compliance with ADA standards.
Appearance Assessment	Site ingress/egress is enhanced via landscaping, lighting and signage to further differentiate the business site with the driveway. A photometrics plan has been provided to demonstrate adequate site lighting throughout the ATS site. Directional and regulatory signage is shown on the site plan. Any new or additional commercial signage will require a sign permit from Code Enforcement. Criteria 1-5 have been met. Criteria 6 is not applicable as the site is not located within the Village Review Overlay Zone.
Landscape Plan	A landscape plan has been provided showing enhanced landscaping at the site entrance from Fairlane 500 Drive.
Odors	No adverse impact known or anticipated.

Noise	The proposed project is an expansion of an existing permitted use within the Gateway Commercial District. No adverse or increased impact is known or anticipated.
Technical and Financial Capacity	The applicant has provided a letter from Evergreen Credit Union dated January 29, 2021 to demonstrate financial capacity. The applicant has retained the services of St Germain which demonstrates technical capacity.
Solid Waste	Waste removal will be privately hauled to eco Maine for daily pickup. Trash collection may not be stored outside/uncontained. Any future use of a dumpster must be fully enclosed.
Historic, Archaeological and Botanical Resources or Unique Features	None known
Hazardous Matter	None known
Vibrations	No adverse impact known or anticipated
Parking & Loading Design and Site Circulation	The projects provides for adequate off-street parking that is excess of Ordinance requirements. Truck parking has been provided on the westerly side of the site, separated from standard vehicle traffic and parking which demonstrates an improvement on the existing conditions.
Adequacy of Road System	Adequate
Vehicular Access	Access to the condo complex is existing via Warren Ave on the northerly side and Chabot Street on the southerly side of the site. Access to the business site is via the existing Fairlane 500 driveway and has been defined through signage and landscaping.
Pedestrian and Other Modes of Transportation	Adequate. Employee parking is located at the southeast corner of the site at a location that is not in conflict with other forms of thru or truck traffic.
Utility Capacity	Water and electric services are available at the site. Underground power to the project is shown on the plans in accordance with Ordinance requirements. An ability to serve letter from PWD dated January 21, 2021 has been provided as part of the application.
Stormwater Management, Groundwater Pollution	Stormwater quality and quantity is provided on site via a roof dripline, gravel wetland and Focal Point system. The application has received preliminary approval by the delegated review for the amendment to the site's
Erosion and sedimentation Control	Adequate erosion control measures are shown on the plan for project construction.

### 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 March 11, 2021 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. *The signed Subdivision Plan must be recorded within 90 days of Planning Board approval or the approval shall be null and void.*
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. Review of building elevations to be consistent with submitted documentation or testimony.
  - d. The applicant shall provide the digital data as required by Section 504.5.B.12 and 13. – verification with GIS coordinator.
  - e. 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.
  - f. 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.
  - g. Copy of approved Maine DEP permit provided to the Planning Office
4. Prior to 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, striping, sidewalks, directional signage etc.)
  - b. All site improvements must be installed unless a performance guarantee amount is held for the full amount of any remaining improvements.
  - c. Hydrant to be operational.
5. 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.
6. Best management practices shall be adhered to during all ground disturbance operations.
7. The applicant shall comply with the requirements of local and state authorities for life and safety requirements.
8. The applicant shall comply with Chapter 37, the local Post Construction Stormwater Management Ordinance. A copy of the maintenance log for the previous year for the stormwater treatment features associated with this project needs to be provided to the Planning Office in accordance with Chapter 37 requirements

**2<sup>nd</sup> by Jason Frazier**

**The vote is unanimous in favor 6-0**

### **WORKSHOP**

**Rebecca Spitella introduced item:**

4. **2021.11 – Site Plan, Subdivision – 21 Saco Street - Storage Realty Corporation: The applicant is proposing a mixed-use development with first floor commercial and 29 units on the second, third and fourth floors. Tax Map: 028 Lot: 075 and 077 Zone: City Center District, Residential Growth Area 1 Use: Dwelling, Multiple-Family**

**Kaleb Bourassa** with Gorrill Palmer, on behalf of Storage Realty Corporation. Provided aspects of the proposing a mixed-use development with first floor commercial and 29 units on the second,

third and fourth floors. Tax Map: 028 Lot: 075 and 077 Zone: City Center District, Residential Growth Area 1 Use: Dwelling, Multiple-Family. Presentation on file at the Westbrook Planning Department and on the Westbrook Website link shown below:  
<https://westbrooktv.viebit.com/player.php?hash=gm9dMUMN5M9n>

**Ryan Senatore** with RSA Project Architect explained building mixed uses. Presentation on file at the Westbrook Planning Department and on the Westbrook Website link shown below:  
<https://westbrooktv.viebit.com/player.php?hash=gm9dMUMN5M9n>

**Rene Daniel** Staff Comments?

**Jennie Franceschi** presented staff Comments.

## **WORKSHOP**

### **Project Description:**

The applicant is proposing a mixed-use development with first floor commercial and 29 units on the second, third and fourth floors.

### **Project History**

April 14, 2021 – Neighborhood Meeting

April 20, 2021 – Planning Board Workshop

1. Noticing Fees: \$116.96
2. Open Space Requirements: 2,700 or \$4,525 fee-in-lieu
3. Provide planning board application signed by property owner or agent letter authorizing GP to sign on their behalf.
4. Standard boundary survey required with final submission.
5. Provide landscaping plan with final submission
6. Verify parking required/provided and state on plan
7. Will need clarity on proposes uses of commercial space with submission of final application.
8. Construction in Main St. limited to 9a – 3p. Lane closures may require nighttime work.
9. FD comments
  - a. Fire alarm & sprinkler system required with building permit
  - b. Provide a 5” Storz connection to building
  - c. Provide exterior access to sprinkler room
  - d. Final location of knox box to be reviewed by FD
10. Turning template on plan to demonstrate adequate emergency access.
11. More information needed on site lighting – Provide photometric plan with final submission
12. Coordinate with CMP on Ability-to-Serve
13. Work with Public Services on rerouting of storm and sewer lines and development of new 30-foot easements to convey to City. Show easement area on plan. Water and electric lines may need rerouting as no other utilities are permitted within sewer or SD easements.
14. Solid waste and recycling to be provided internal to the building
15. Provide traffic statement with final submission

16. Provide stormwater quality, where feasible
17. Site requires 2 additional ADA parking spaces.
18. Clarity needed on project addressing - Saco St vs named driveway. If requesting named driveway, provide three potential driveway names for review by E-911 Coordinator
19. Internal mailroom subject to approval by USPS.
20. Provide low level landscaping along property line of 28/76
21. 27 Saco driveway shared/crosses property line. Will this remain or will the project reloam the portion that is located on the 028/075 parcel?
22. 27 Saco fence and possibly shed crosses property line – Is this being removed/relocated?
23. Provide documentation of neighborhood meeting (attendance sheet and minutes)

**Board Action:**

Provide feedback to applicant & a virtual Site walk can be provided during the meeting.

**Rene Daniel open Public Comment**

**Suzanne Goodine** 27 Saco Street right in the middle of this project. I noticed a couple of things, one is that he mentioned was the trees. A wood pecker has been pecking at the tree and an arborist said the tree is in poor health and eventually will be falling into the parking lot. I wanted to mention that. The other concern is the traffic. There have been many accidents in that area. It is hard to go in and out onto that location.

One thing I think I heard, is there only one entrance going in and out? With being said, it will be right beside my house. I am wondering if I will have any space. As it is now it is tight with the neighbors.

If it were me I would say no because my house is in the middle of the project.

I like the presentation and the looks of the building but I am worried about traffic. Across the street on Quimby coming onto Saco Street, there has been tons of accidents.

Those are my concerns, the traffic and only one entrance to get in and out of the project.

**Neil Jandreau** 15 Edna Joy Lane, just south of the property. I think the building looks beautiful but my concern is they plan on removing half the trees that buffer between my lot and the project. I appreciate the trees as they sit now and I do not know what they are proposing for a fence. I do like the building and I appreciate the foliage that is most important to us.

**Arthur Leighton** 11 Edna Joy Lane, my property abuts is on the North and the East. I think it is a lovely project but my concern is the fencing for a little bit of privacy. The pine trees that abut my property, I would like to see them cleaned up a little. I want to be a good neighbor and I want them to be a good neighbor also.

**Neil Jandreau** 15 Edna Joy Lane mentioned drainage. We have an easement on my property that does not affect anything but what I have noticed in the Spring and Winter water pools in the back by our fence. I assume that part of my property sits lower than the parking lot and there is a lot of brush that does not get cleaned up on their side of the fence. I hope whatever they do with the foliage will mitigate that pooling of water on our property. Thank you

**Rene Daniel** someone else?

**Ray Goldberg** 26 Longfellow Street, I have a question. I am right on the easement of the sewerage and I would like to know what kind of buffer is going to be between my area and this whole project. Also I have the same problem with drainage and would like to know how that will be addressed.

**Rene Daniel** anyone else?

No comments

### **Rene Daniel Closed Public Comment Section**

**Rene Daniel** I heard at least three comments about trees.

**Kaleb Bourassa** what we are planning is to try to preserve as many trees as we can. In doing so, I think the only ones we will be losing, starting at the southerly portion of the property will be four (4) pines in this area and smaller deciduous trees, in total nine (9) trees. Around the corner of Suzanne's property there will be one (1) or two (2) trees and three (3) or four (4) along this property edge here to make way for the twenty-four (24') foot drive isle that we do have. In the north westerly portion of the property there is one (1) tree that we will lose that is a pine tree.

What we plan to do on our final submission, where we are doing some re-routing of the sewer we may lose one (1) tree. But we would like to get replacement of trees within that area.

**Rene Daniel** how many total trees are you losing?

**Kaleb Bourassa** in total I think I counted ten (10) or twelve (12) trees. I will have the exact number the next time I come before the Board.

**Rene Daniel** are you replanting trees in other places?

**Kaleb Bourassa** we have not prepared a final landscape plan. We will enlist a landscape architect to help with the plan. We will be emphasizing the buffering to the southern sides as well.

**Rene Daniel** there were two comments about drainage, could you explain how that will be handled?

**Kaleb Bourassa** we understand that there is some drainage issues in this general area. It serves as a watershed with one (1) existing catch basin in the center of the lot 77 site, in the shape of a bowl. We will utilize same shape for drainage as well.

What I did not mention in the presentation in the middle of the green area, there is a tan area that will serve as a stormwater management feature, essentially a rain garden and will be a nice landscape feature and also serve as a drainage to filter, contain and send out storm water as it comes and goes. On top of that we will have larger overflow pipe that will connect into the twenty-four inch pipe that goes to the property. As you can imagine that pipe has plenty of capacity and we will make sure that we are not impeding flow of the areas without disturbing the property areas as they exist.

**Rene Daniel** there have been comments about buffering and fencing.

**Kaleb Bourassa** we have a few portions of fence that is added into this site plan along the southerly boundaries that will not have trees or do not have fence currently as well. Pointing on the westerly boundary that does not currently have a fence. I think that will add on the lower level of mature pine trees that has no under growth. That will add lower buffering as well. We may look into some shrubs that are medium level to help with that buffering.

**Rebecca Spitella** can you clarify the site entrance and how many locations there are?

**Kaleb Bourassa** this will be a much safer entrance as far as this site shows. Understanding as I mentioned there are four (4) driveway entrances on the existing site, two (2) to the duplex lot that will not have much traffic on a daily basis as it exists today. By pushing this driveway back from the intersection as we can will help to alleviate any concerns and provide a much longer site distance than exist today.

**Rene Daniel** suggested to have a dialog with the neighbors.  
Board comments and discussions?

**Rebecca Dillon** I like the project and and is an appropriate building program for that location. I think the architecture is appropriate, I like how the building is stepping back. I think you need to work a little more with the neighbors on buffering and fencing. I think it is going to be a great project.

**Rene Daniel** anyone else?

**Nancy Litrocapes** I like the building, I like the design. I like the addition of modern architecture for the downtown. I like the pedestrian ownership downtown.

**\*\*Editor's note** inaudible comments

**Nancy Litrocapes** I like the balconies. Looking at the green space I would love to see a sculpture or something in that area that would draw people from the downtown over to the building.

I have a question about the patio, the picture shows tables and chairs, how many can fit out front?

**Kaleb Bourassa** do not have a final number of tables and chairs.

**Ryan Senatore** eighteen (18) to twenty (20) tables could fit.

**Rene Daniel** anyone else?

**Robin Tanenbaum** I echo what my colleges have said I think it is a lovely project, one of the nicer ones that has come to downtown Westbrook in a long time. I think the architecture is terrific and appropriate.

I have a few questions and comments, I am curious about eighty (80) parking spots seems like a lot I am all about reduce parking. I guess it is because of the condos and you need 1 1/2 per unit but I am certainly open to reducing that if that comes up. But I am curious for the commercial parking or if there is designated parking for them. Say there is a restaurant with the outdoor seating, where on earth are they going to park to get there? It is a hard street to cross to from the other side of Saco or William Clarke Drive. I am curious what the plan is there.

Are you differentiating between commercial and tenant parking?

Going back to the hard scape in front of the building, it would be nice to have a planted buffer between the patio and the street. It would soften the entrance and be desirable. I would advocate for that.

Going back to the one in and out, I am aware how backed up that gets. Should that be no left turn during certain hours? That is not our decision, but that is decided by the traffic engineer. I would encourage you to look at that more.

I do not know if there is an open space requirement or in lieu of, but you could use the triangle like Nancy said with a nice sculpture remembering it should be low maintenance as that could be a forgotten area.

Those are my comments and I really like this project.

**Rene Daniel** Kaleb

**Kaleb Bourassa** first on the parking and differentiating between the two. We do not currently have restrictions of parking for residential and commercial around the site. We envision that the

residents will park under the building over hang covered space. That has not yet been vetted out how those will be separated or be left as is.

As far as the overall parking spaces, what we are actually providing from the calculation of the City Code would be eighty-seven (87) required. There will also be public parking at the parking garage that is going to be built on Mechanic Street, near CVS.

The DOT project plan shows three painted cross walks.

Regarding landscaping and open space my current vision is you have the central green space in the middle that has a rain garden that serves two purposes and where we have the walkway that connects the furthest parking spaces, that would be a good spot for a couple of benches and a place to sit. The same idea with the northerly corner triangle location, we can do something good with it. The grade changes and we are going to level it off and it would be a good area for some benches. To your point it could be a focal point to draw people in. That will be something we address on our final landscape plan.

**Robin Tannenbaum** I am thinking of the restaurant in the corner and the box trucks that make deliveries and how they will maneuver, you will need a plan for that.

**Rene Daniel** anyone else?

**Jason Frazier** I am happy to see more mixed use coming to Westbrook. It is going to be a great project. When you do the landscape plan, I am hoping to see you soften the parking lot a bit and provide privacy for the abutting neighbors.

One thing on the design, I am not sure of the overhang. I love modern buildings but I am not sure about that part of the design. Maybe you can add some deck trees to give is some presence.

Those are my comments.

**Rene Daniel** Ed do you have comments?

**Ed Reidman** no

**Rene Daniel** I am pleased you remembered my comment about the gateway. This new building that you are creating is going to be the first commercial and residential building with that height and structure in the Gateway that people will see at that intersection.

The building will be eye catching. I agree with what everyone has said, I like the modern approach with all the angles of the building.

I agree with Nancy about the importance to have people downtown but to also have home ownership of the downtown.

I do like the project very much but I am concerned about the neighborhood and with you having one on one with the neighbors you can better explain to them how it will make their home their homes safer. I am anxious to see how this will turn out.

Staff comments?

**Jennie Franceschi** nothing further

**Rene Daniel** what is the next move on this project?

**Jennie Franceschi** the applicant provides a final plan, we will schedule them for a Public hearing and all the abutters will again be noticed.

**Rene Daniel** Kaleb, do you have any timeline in mind?

**Kaleb Bourassa** we hope to come back for the June 1<sup>st</sup> meeting.

**Rene Daniel** this will be a good project

**Rebecca Spitella** introduced item:

5. **2021.12 - Site Plan, Subdivision, Conditional Use – 216 Lincoln Street – WORC, LLC:**  
**The applicant is requesting to present a master plan of the Lincoln Street residential development consisting of a mix of single-family, two-family and multifamily dwellings on an existing 91-acre site. The project proposes approximately 63 acres to be preserved in its natural state as open space or as on-site recreational amenities, 4 miles of sidewalk and trails internal to the site and a sidewalk on Lincoln Street. Tax Map: 037 Lot: 001 Tax Map: 010 Lot: 002 Zone: Residential Growth Area 1, Lincoln Street Overlay District Use: Dwelling, Single-Family; Dwelling, Two-Family; Dwelling, Multiple-Family**

**Al Palmer** with Gorrill Palmer, on behalf of WORC, LLC. Is requesting to present a master plan of the Lincoln Street residential development consisting of a mix of single-family, two-family and multifamily dwellings on an existing 91-acre site. Tax Map: 037 Lot: 001 Tax Map: 010 Lot: 002 Zone: Residential Growth Area 1, Lincoln Street Overlay District Use: Dwelling, Single-Family; Dwelling, Two-Family; Dwelling, Multiple-Family.  
Presentation on file at the Westbrook Planning Department and on the Westbrook Website link shown below: <https://westbrooktv.viebit.com/player.php?hash=gm9dMUMN5M9n>

**Rene Daniel** Staff comments?

**Jennie Franceschi** presented the Staff comments,

## **WORKSHOP**

### **Project Description:**

The applicant is requesting to present a master plan of the Lincoln Street residential development consisting of a mix of single-family, two-family and multifamily dwellings on an existing 91-acre site. The project proposes approximately 63 acres to be preserved in its natural state with the majority of that area to be used as open space or as on-site recreational amenities, including 4 miles of sidewalk and trails internal to the site and a sidewalk along Lincoln Street to Bridge St.

This project will be phased due to the size of the development. Incorporated into those phases will be the phasing of the site improvement components as well.

The applicant has provided this concept plan to receive feedback on WORG's overall intent to address the general Lincoln Street Overlay ordinance requirements in advance of submitting for the Phase I portion of this project, which is proposed to be the house lots with the public road, the northern duplexes, the single-family houses on Lincoln and the interior roads to the Westbrook Housing project. The Westbrook Housing project will be a separate phase unto itself.

Staff find the concept plan to be in keeping with the intent of the ordinance and incorporated elements that were also discussed in the City Council phase of the ordinance development, such as the changing of the multifamily structures along Lincoln St to single-family to be more in keeping with the adjacent neighborhood.

The applicant is working with PRLT on addressing the public access requirement per the Overlay as well as the Open Space requirement for Subdivision review, which both parties find to be a very important element to this project and for the community. Since the initial submission for this Master Plan review, The applicant has been working with PRLT and the City on revisions to the proposed open space plan which increase the area of donation to PRLT. This new plan will be displayed on the night of the meeting for public viewing and comment.

Items such as traffic, utilities, landscaping, architecture, etc., will be part of each Phase submission, so there is limited information to comment on at this time. The main focus of staff's comments were on site access, connections, emergency access, and general compliance with the Overlay's intent.

### **Project History**

- April 8, 2021 – Neighborhood Meeting (15 members of the public attended)
- April 20, 2021 – Planning Board Workshop

### **Staff Comments**

1. Noticing fees due: \$229.84
2. Maximum distance between hydrant locations is 800-feet. 8" water mains required to serve hydrants.
3. Current proposal is to provide a reduced width of pavement of the gated access drives between the duplex and multi-family units with expanded gravel shoulders to allow for emergency vehicle access. Concern this will become a maintenance issue during winter months. Additional stabilization measures may be required along edges of pavement.
4. The rear unit within the 12-unit quad does not have sufficient emergency access and will require either a stabilized surface along the northerly or westerly side of the quad or consider relocating the unit.
5. Horseshoe configuration of 4-unit structures. Explore options to increase connectivity for emergency vehicles.

- a. Possibility of connecting back into the Lincoln/Mayberry intersection with crash bar access
  - b. Possibility to provide a connection road from the last parking pod to travel behind the community building connect with the first parking lot.
6. Knox boxes required on all gates
7. Extend the dead end following the single-family condominiums to connect to Lincoln Street for. Lincoln street connection can be gated so as to be for emergency vehicles only.
8. Wayfinding/Directional and Street signage will be required throughout the complex. Show appropriate locations for signage on final plan
9. Ability to serve letters for water & sewer required with final submission. Sewer will need to be extended down Lincoln Street to service the complex.
10. Area along Presumpscot may need invasive species removal. Low impact species removal required so as to not disturb areas within the Shoreland Overlay Zone.
11. Upgrades to Mayberry and Lincoln to manage traffic will be determined during site/subdivision review
12. Adequate lighting provided throughout project. Site/Subdivision review to include photometrics plan. Refer to City Standards for lighting on the public street
13. Street Trees – two street trees per lot required along Public Street. Trees to be placed within the right of way.
14. Each spur of the driveway and the public street will require individual names which will be used for emergency identification and addressing. Driveway/Street names required on plan – provide potential names as soon as able for E-911 review.
15. One side of driveway/street should be signed as no parking. Staff recommend the no parking side coincide with the fire hydrants.
16. Evaluation of crosswalk at intersection of Bridge and Lincoln Street by a traffic engineer to determine if any additional measures are needed.
17. Project to include installation of public sidewalk to connect with existing infrastructure on Bridge Street
18. Provide a wastewater demand model with complete application to assess Lincoln and Bridge Street sewer main
19. Hammerhead and final duplex lot. Extend ROW to allow for snow storage. Consider extending the road to widen the building envelope and allow for more space between roadway and structure.
20. Potential for a formalized school bus stop at/around Mayberry-Lincoln intersection
21. Solid waste management. Single-family and duplex lots are eligible for public collection. All condo associations required private waste management. Any dumpsters on site to be fully enclosed per Ordinance requirements.
22. There is an existing deeded drainage easement from Rivermeadow condos that crosses the 216 Lincoln parcel. Final site design will need to accommodate on backside of the single-family condos adjacent to Lincoln Street
23. Mail Delivery to be approved by USPS. Possibility for PO boxes in community room?

**Board Action:**

1. Provide feedback to applicant on the Master Plan.

No vote is necessary for a Master Plan review.

Pleased with the applicants to show the Master Plan and overall vision of open space plan.

Read into the Letter from Rachelle Curran form Presumpscot Regional Land Trust open space plan approval.



# Presumpscot Regional Land Trust

To: Planning Board, City of Westbrook

From: Rachelle Curran Apse, Presumpscot Regional Land Trust Subject: Open Space Plan for Rivermeadow Development

April 20, 2021

The Presumpscot Regional Land Trust supports the open space plan for the proposed Rivermeadow development. The open space plan will allow for miles of trails free and open to the public that connect with trails throughout the region including:

- Along the Presumpscot River (adjacent to the city owned Lincoln Street boat ramp),
- Connecting to the Sebago to the Sea Trail (Mountain Division rail corridor),
- Future connection to the proposed Riverwalk North in downtown Westbrook.

The open space plan provides about 43 acres of land, which is almost 50% of the total property, for donation to the Presumpscot Regional Land Trust to be forever conserved for wildlife and for the public to access for education and trails.

The open space plan for the Rivermeadow development will increase forever conserved lands and low-impact recreational trail access in Westbrook, which supports a thriving city into the future.

Sincerely,

A handwritten signature in cursive script that reads "Rachelle C. Apse".

Rachelle Curran Apse Executive Director

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### **Rene Daniel** opened Public Comment Period

**Ronald Trufant** 48 Mayberry Road spoke about the 100 year flood plain that goes through the middle of the project, all the way up to the Mayberry. I would like to know if the flood plain has been researched and how the placement of the dwellings are proposed. Has a traffic study been done on Lincoln Street and Mayberry Road? If it has been done, did they consider the children on road? I have asked for years to have speed bumps put in on Mayberry Road to no avail. I did not hear anything about water lines and sewer lines. Do we know where are they coming from? What is the lot size of the single family dwellings and duplexes? My biggest concern is the 100 year flood plain and how does that effect site? I am looking forward to seeing how things are proposed to be developed.

**Arthur Gilbert** 52 Emery Street, looking at the map it is the last lot abutting the corner of the development. I noticed it was stated that the sixty (60) unit building will be built furthest from Mayberry and are ending up close to my single family house in the back and am wondering which block will be the sixty unit building. Also between the last lot that I own and the next lot there is a drainage swale from all the run off from above, Wilson Street, Cumberland Street that drains along my property line into the golf course. Seventeen years ago when I went to build my house, the City Engineer said I needed an engineer to design a culvert that would accept a fifty (50) to seventy-five (75) year storm. I had to pay to have a small concrete bridge built about a two by six opening to permit the water that flows from up above to come safely down without washing down my driveway. While we have lived there along the property line into the golf course there was an open drainage swale. The golf course but in a two foot drain and buried it and ran it underneath the fairway,

located on the map where the single family houses end near Bell Street. On one of the zoom meetings, I depicted that area was in a flood zone. I know one of the Planning Board members down played it as the river is lower and will not make much of a difference. Up there, the flooding area was from up above not from the river that came down into the golf course. It did not come up the river that far. I think that needs addressing.

I really would like more information about the four buildings that are near my property and am not sure if they are single family, duplexes.

**Rene Daniel** someone else?

**Justina Magno** 40 Emery Street I am not a lifelong resident, when I purchased my home I looked for the perfect neighborhood in a traditional neighborhood. One where I could walk the streets and say hi to my neighbor, walk my dog, go into the woods if I can and this neighborhood hit the mark for it.

I am a little upset that there is three hundred and fifty (350) units going into this area. They are not just single family homes, there are three stories high. This neighborhood is all single family homes with condos here and there but still has the charm of the old neighborhood we all grew up in.

I did attend the zoom meeting and everyone mentioned the flooding. I am in the golf course walking my dog and most of the time there are certain areas where you can go because it is all wet. I do not understand how it is okay for big development to fill in wet lands but it not okay for like Mr. Gilbert. People mentioned about flooding and I understand that you are all engineers but what people are concerned about is it is not from the river up it is from the hill coming down. Right near the City's parcel, is usually always flooded, around that corner it is always flooded form the run off coming from Mayberry.

I do not know if you have been to our neighborhood but it has narrow streets with a lot of people walking on them and our neighborhood is a throughway hence why we would like speed bumps on our part of Mayberry.

You are talking about three hundred and fifty (350) units with two (2) car per unit that is seven hundred extra vehicles, and we are not even factoring in visitors for the units or the people that walk past that property. I think it is too much.

Everyone knows what people feel about the Spring Street project that has more single family homes than this one and that was not even a traditional neighborhood.

I hope our concerns are addressed and hope there can be some scaling back on this project. Let's keep it this neighborhood attractive with single family homes.

**Rene Daniel** anyone else?

No comments

**Rene Daniel closed public comments**

Al can you mention a traffic plan and traffic study, anything on that.

**Al Palmer** as part of the initial Site and Subdivision application that will come after this package we would be completing a traffic study. That is part of the next step as part of the formal application and will be presented to the Board.

**Rene Daniel** how about water and sewer lines?

**Al Palmer** water and sewer will be extended along Lincoln Street and then extended east on Mayberry to serve the development. We are in discussions with Unutil for potential of extension of natural gas to the area.

**Rene Daniel** how about the water flow from Cumberland Heights to Emery, to Bell and to the golf course? How is that going to be handles?

**Al Palmer** that water flow is why we have what is classified as the stream going through the site. That design has been incorporated and will be detailed as we progress. As Mr. Gilbert mentioned there is a relatively long culvert that across that fairway that will be removed and replacing with and appropriately sized culvert. The other culverts in the area are all undersized and we will increase the capacity, we will be improving it by removing a lot of the culverts that are undersized on the golf course and install appropriately sized culverts and revert the additional drainage channel the natural condition vs being piped. We recognize that it is readily apparent as you go through the site and will be detailed in the storm water report for review of the Engineering Department.

**Rene Daniel** Rebecca can you show the slide that has the master plan on it?

**Al Palmer** Mr. Gilbert asked the question about the size of the single family lots that range from seventy five hundred (7500) square feet to close to ten thousand (10,000) square feet. The lots that can accommodate duplexes are all a ten thousand (10,000) square feet minimum. The sixty (60) unit building is the l shaped building that is located in the North West quadrant of the site. These buildings that Mr. Gilbert questioned are all duplex units, we tried to increase the density as we progressed into the site. He asked about flood insurance all the units are outside the flood plain maps. None of the structures will be required to get flood insurance.

**Rene Daniel** what portion of the site in the master plan is in flood plain?

**Al Palmer** explained the flood plain line shown on the plan. The plan accepted by the Planning Board with the removal of the dam is estimated to drop by four feet. There has been no map amendment done by the City relative to the removal of the dam. Long term I think you will see map amendments being filed. The design has been based on the current flood plain map.

**Rene Daniel** Board comments and discussion?

**Rebecca Dillon** I like having the single family dwellings towards Lincoln Street and Bell Street neighborhood. Has your landscape architect been involved in the layout of this master plan?

**Al Palmer** the landscape architect will be involved during the detailing of the separate phases as detailed. We expect that there will be a few phases of the build out of this plan. They have been involved and then their input will accelerate once we move into the various phases.

**Rebecca Dillon** it seems nicely organized throughout the single family dwellings lots and duplex condominiums and then it gets a little not quite as organized and I recognize you are working through the flood plain areas trying to get the buildings to fit in different areas and was wondering if the land scape architect has been involved to help organize the four unit townhouses and the twelve (12) unit condominiums. They stand out to me as being different then the organization of the smaller units that goes towards the traditional neighborhood and how this will fit into the fabric of the neighborhood.

My last question is to City Staff, what triggers an upgrade to Lincoln Street from a project to this size, as I know Lincoln Street is in rough shape. Will it be the traffic study? What triggers something there?

**Jennie Franceschi** current state of Lincoln Street is because there is knowledge that development will occur in this area at some point. The road needs to be rebuilt, with drainage and a sidewalk. The applicant is committed to provide the sidewalks all along Lincoln to Bridge Street.

The improvements to Lincoln Street is we are in discussion with City Administration for funding and how we can partner on with this particular project.

**Rebecca Dillon** I like the variety of housing options here, I think there is a little more work to do with how it is organized. Hopefully we will not the same twelve units that are on the other side of town and in other areas of the town as well. I would like to see something more appropriate for this property.

**Rene Daniel** anyone?

**Jason Frazier** when the landscaping plan comes out, I am hoping that it comes out sort of park-like and offer privacy between the buildings. I that can be done it will be an incredible development.

I am happy to hear that there will be sidewalks all the way down Lincoln Street that is badly needed, especially with the increase of traffic.

**Robin Tannenbaum** I appreciate the gradation of single family homes to the larger units. When we get to the larger units all I see is parking, parking, and parking. I do not know the way around that because you need parking.

I think when Rebecca asked about the Landscape Architect and when that was put into the Ordinance, one of the intent was not just to have them come in later but to have them involved early on.

Jason, you hit it on the head with the mention of park like landscaping. That will add character and I hope to see some of that.

Looking at the parking plan I see an off chute of parking on the left. I like pocket parking spots instead of constant mass of lots.

I also do not want to see the large square building that is also on Cumberland Heights building as well.

It is a lot to digest and will be a significant change to the neighborhood. Help the existing neighbors feel that there is some character of the neighborhood with safety and speed control.

**Jennie Franceschi** there is no stop at the intersection, it is a continuance of flow. This project will create a stop ad that will have an intersection that is used as speed control. We have the opportunity to have a development improve the street infrastructure. Not just this development, all developments we like to cease those opportunities.

**Robin Tannenbaum** the stand of pines that run left right on the page are staying, what about the ones against the road?

**Al Palmer** there are some pines along the road in this area that will remain. The vegetation along Lincoln is non-specimen trees and with the construction of the sidewalk will be on the site side of Lincoln Street and those trees will be removed, but there will be landscaping developed between the buildings and the sidewalk that will break up that frontage.

**Robin Tannenbaum** it is too bad in a way because keeping that would be a nice buffer.

**Al Palmer** every house will have a connection to the sidewalk.  
One thing I would like to note, currently there is an Agricultural use on site we would anticipate that may remain during the initial phase of the project. The applicant is looking at the timing when that use will be removed from the site.

**Rene Daniel** anyone else?

**Nancy Litrocapes** I see so many buildings with so much surface parking. I appreciate the number of housing opportunities that will bring into the community.  
My concern at this stage of the project is working with the natural environment make it feel ideal to the community and does not rub against the grain of the community members that already live in the area.  
I would like to see the use of big rocks, boulders or things like that in the landscape as it is organic and interesting.

**Rene Daniel** Ed any comments?

**Ed Reidman** not at this time.

**Rene Daniel** I like what is presented so far. Just for clarity we talked about sidewalks on Lincoln Street, I am assuming there will be sidewalks in the area inside the project.

**Al Palmer** showed sidewalk locations on plan that total about four (4) miles of sidewalks and trails.

**Rene Daniel** will there be small parking areas for the trails?

**Al Palmer** have not looked at that but is something we can incorporate on the next phase of the plans.

**Rene Daniel** a couple of Board members spoke about getting a Landscaping Architect on board sooner.

How many units are you expecting when this is all done?

**Al Palmer** approximately three hundred and fifty (350) units.

**Rene Daniel** what is the next step Jennie?

**Jennie Franceschi** at this point the applicant will come together with a phase one plan, with a portion of the site that they wish to move forward and try to get that under construction in the near term.

**Rene Daniel** what is your time line Al to come back to the Board?

**Al Palmer** we were anticipating a subdivision application I believe on June 11<sup>th</sup>. The subdivision will create the single family and two family lots, and create access to the Westbrook Housing unit or lot that is something that needs to be worked on and anticipating that on the July meeting.

**6. Planner's Business: Discussion on Planning Board Appointments related to Wards & Ch. 7 Art I**

<https://westbrooktv.viebit.com/player.php?hash=gm9dMUMN5M9n>

**Jennie Franceschi Staff Comments:**

Over the past 5 years, Staff has been reviewing the ordinance section as it relates to the appointments on Planning Board members. When the Planning Board was established in 1951, there was a ward set up and a phasing of term years for that initial Board. The wording in this section of the ordinance has not been altered substantively since its initial set up in 1951 and should be upgraded to the present practice of staggering terms.

The philosophy of a Planning Board's role is to operate not on behalf of a section of a City, but rather on behalf of the whole City. It should not matter what ward a Planning Board member resides in because they are not elected officials, but rather appointed for the task of upholding the Code of Ordinances that the Council approves.

We have researched 27 communities in the area and Statewide to review their PB appointment process. The results of the survey confirmed staff's thoughts on the appointment process, where Planning Board are not a warded board within any community we reached out to. (In some communities in the area, even their Councils are un-warded.)

Staff has reached out to the administration on this issue as well as the Planning Board Chair to discuss the proposal for the Council to amend the Planning Board section to eliminate the warding requirement. The ZBA Board is an un-warded Board currently, which is in line with the thought process that it should not matter what ward you represent when you hear a ZBA appeal.

A major issue with the Warding requirement from a Board functionality is the transition of Alternate Members to Full Members. As Full members leave, the process should be that the senior most Alternate should be allowed to transition as a Full member, thereby rewarding their service as an alternate and providing for the ability for growth of our Board. What has actually occurred when we have had an openings on our Planning Board, we first have to look at the wards of all the current members, see if we can shift people to different Seats to address the warding requirements, and if the alternates are not the correct ward where a vacancy has occurred, we have had to bring in new members to fill the “ward” seat and hop over those veteran alternates. We have actually lost Alternate members because of this practice of being overlooked to fill a Full Member seat because of the warding process.

We feel it is time to address this matter which is consistent will every municipality we have contacted in the region, and true to the intent of what a Planning Board really is, which is a Board that collectively looks out for the Entire City on all applications.

In reviewing these sections, we will also be proposing term limits on both the ZBA Chair and the Planning Board Chair duration. The premise of this change is to further the growth of all the Planning Board members to take a more active role on the Board over their duration on the Board. This will help with more members being educated in running meeting, motions, etc. We see this as a way to evolve the Board over time, and if a member happens to be a really good Chair, there is nothing to say they can’t return to the position in the future, but it allows others an opportunity for growth.

We are also proposing altering the duration of the term from 5 years to 3 year in keeping with our other Boards and commissions, such as Zoning Board of Appeals and Recreation & Conservation.

Additionally, the setting of agendas and public hearing dates is a staff function, in consultation with the Chair, so the statement that the Chair sets the Public Hearings has been stricken as this is not our current process.

Below are the text amendments.

***Ordinance Amendment proposal:***  
Chapter 7 - Art I Planning Board

**7-1 – Created; Composition; qualification of members.**

Pursuant to 30-A M.R.S.A. § 3001, there is hereby created a Planning Board, which shall consist of seven members who must be residents and registered voters of the City of Westbrook. A municipal officer shall not be a member of the Board.

**7-2 Appointment and tenure of members; ~~municipal officers ineligible.~~**

“The seven members and two alternate members of the Planning Board shall be appointed by the Mayor, subject to the approval of the City Council. one from each of the City's five wards, and two from the City at large. ~~The initial members from the City's five wards shall be appointed for terms of one, two, three, four and five years, and the initial members from the City at large shall~~

be appointed for terms of three and five years. Thereafter, all subsequent appointments, ~~Except~~ to fill vacancies, ~~terms~~ shall be for ~~a term of five~~ three years and until a successor is appointed. Appointments shall be staggered to retain a majority of the Board, thus no more than 3 members should expire per year. ~~Additionally, the Mayor shall appoint two alternate members to the Planning Board, with terms of five years. A municipal officer shall not be a member of the Board.~~

#### **7-4 Vacancy:**

A vacancy shall occur upon the resignation or death of any member of the Planning Board, or when a member ceases to be a resident ~~of his respective ward for ward members, or a resident of the City for members at large,~~ or when a member fails to attend four consecutive regular and special meetings, or who fails to attend at least 75% of all meetings during the preceding twelve-month period. ~~When a vacancy occurs, the Chair of the Board shall immediately so advise the Mayor and Council, in writing.~~ City Staff will notify the administration of all vacancies. The Board may recommend to the Mayor and Council that the attendance provision be waived for cause, in which case no vacancy will then exist until the Council disapproves the recommendation.

#### **7-6 Election of Officers:**

Upon the appointment of the members to the Planning Board, they shall meet and elect a Chair and a Vice Chair and such other officers as they may deem advisable to serve for a period of one year and until a successor is elected, and they may succeed themselves in office if so elected for a period not to exceed 3 consecutive one year terms.

#### **7-12 Interrelation of the City Council & Board**

The Planning Board shall be an advisory body to the City Council, and Chapter 335, Land Use, of the City Code shall not be revised or amended until the Board has made a careful investigation of all proposed revisions or amendments in conjunction with the City's Comprehensive Plan. When the Council directs the Planning Board, in writing, to study and report back on proposed revisions or amendments to ordinances, the Board shall make its official report to the City Council within 60 days unless a longer period of time has been granted by the Council. The failure of the Board to issue its report within the allotted time span shall be deemed to be a negative report. Any proposed revisions or amendments to Chapter 335, Land Use, of the City Code which have been approved or disapproved by the Board may be enacted only by a majority (four votes) of all the members of the Council. The Chair of the Planning Board will schedule any required public hearings.

*Staff has discussed these items with the Chair and we wanted to have a discussion with the Board prior to submission of this document to the City Council.*

Feedback from the Board? Discussion prior to City Council

**Rene Daniel** feedback from the Board?

**Rebecca Dillon** Jennie you mentioned language and I am not finding it about not having more than three members form one ward.

**Jennie Franceschi** under section 7.2 I made a mistake on the memo provided to you and I would put in the sentence at the very end of it, “Not more than three Planning Board Members shall reside in the same ward.

**Rebecca Dillon** if we find someone that is appropriate and lives in the same ward as three current members, that is limiting too much. To me it is more important to have a Board Member have experience in their type of field, then where they live.

**Jennie Franceschi** I agree with you and my preference would be to put no limitations on the Wards, but there may be some level of concern related to that. If you want to change that number, it is up for discussion.

**Rebecca Dillon** My other question is what if the Chairman’s term is up within five years, and what if no one else on the Board wants that position.

**Jennie Franceschi** I think that is where I think the Board should step up, honestly. There should be some level of progression within the Board. There should be a level of discussion within the group of who is interested in that position. The Vice Chair would be the obvious person to take on the role of the Chair and then who would want to be the next Vice Chair. It is trying to create the succession plan. That is the intent of what is being proposed.

**Rene Daniel** someone else?

**Ed Reidman** my first concern when I read this is you lose the historic references to what happened in the past.

The other one is that it limits Municipal Officers from participating. The term is always, who is a municipal officer?

The Board was reorganized in 1973 or 74 by the dictation of the State of Maine and Charlie Henderson was the Chair of the Board until I joined the Board. You could lose the long stability on the Board.

I think we look to provide representatives from the ward districts so the person in favor or opposed to a project as an advocate or a deterrent on the Board.

I am totally opposed to the changes.

**Rene Daniel** Robin

**Robin Tannenbaum** what Rebecca concerns the Chair position is a real extreme to where we have been. That is a super hard swing. I would be curious as to what other Municipalities do. It gives me comfort to understand the Wars system and what other Municipalities do. Should my ears be perked if the project is my area? I am not supposed to talk to people about open projects, but why do I represent a Ward if I cannot take input for people.

The number of three members from the same Ward, I want to make sure we are not shooting ourselves in the foot. I do not remember what Ward representatives are on the Board, if we took a survey now.

**Jennie Franceschi** we had three members from Ward 3, which was Joe Marden, and all other Wards are less than three members.

**Robin Tannenbaum** it is really crap shoot to have that happen again. You are trying to lessen the number of same Ward members. I am trying to rationalize that in my mind. Then the issue of an alternate not being able to move up with the no more than three regulation.

**Jennie Franceschi** the number three is to start a conversation and it is what other municipalities have used. If it is a strong feeling to have four or five, then that recommendation can be taken to the City Council. When we were in Biddeford there was a similar re-right of the Ordinance, they put term limits on the Chairs position and the Board member and in that option we did lose the history.

If we have more from one area, is that a problem, from my prospective it should never be an advocate for a specific Ward. It should be, does the Ordinance allow it, does the Comp Plan guide it and that should be the guidance for the Board.

**Robin Tannenbaum** it could be a perception thing.

**Jennie Franceschi** that is why we came up with a number understanding that change sometimes is hard and going to the City Council to explain this change is going to be a process. If we go through this step and find that it is still problematic we can go back to the City Council and make the request at that time.

**Rebecca Dillon** I guess what I am struggling with is our votes are based on the Ordinance so there should not be any swaying of votes.

**Jennie Franceschi** so in the City of Portland statement is says that the Planning Board is made up of residents of the City of Portland.

**Rene Daniel** Nancy you had your hand up.

**Nancy Litrocapes** I would like to speak to getting on a Board like this as an Alternate first. From my experience I would have not approached the City for an open Ward chair unless it was an alternate because I would think that I did not know enough. I feel that being able to enter into the role as an alternate and being able to learn is great. I like that I started as an alternate. If you told me that you were going to put me in Ward two or three as a full member, I might have run away.

**Jennie Franceschi** in some cases it is a necessity to fill the Board. Jason was thrown right into the wolves. It was nice for people to have the transition to full board member but how our current Ordinance reads, you would have to take over the seat to fill the Board which is why we are making these recommendations.

**Rene Daniel** since Jennie and I have been talking about this, the areas that concerns me is not necessarily five from the same area, what concerns me is what Ed brought up is the history and also all the training over the years. One of the better things we have done is have alternates so

they can learn and if a position opens up they can step in and they are pros unlike the beating that Jason got.

I mentioned to Jennie this morning that she is the ninth Planner I have worked with, and it seems that Planners change more than the Board Members change.

A time limit concerns me with, and I think the educational portion is a good learning experience and if we are lucky enough to find someone who wishes to be on the Board and for a while the members sat on the Planning Board and the next election they were City Councilors, Planning was just a pass through. That makes it hard, I think Jennie's ideas are good and I think we need to start to think outside the box.

**Nancy Litrocapes** I would like to add that being an alternate it almost feels like an apprenticeship, which is helpful to think of it in those terms that gives us time to learn what happens on the Board.

**Robin Tannenbaum** some limit is good there is some role of not overrepresentation on the Board.

**Robin Tannenbaum** Rene I definitely do not have a fear of losing history, this re-write does not threaten the loss of history in my mind. The chair piece is a much bigger thing, and I cannot come up with a reaction tonight. You are not saying that the Chair will have to leave after the Chair term is up, so you will still have the historic member on the Board. But on the same token, I see that is a radical swing and it seems troublesome to me.

**Robin Tannenbaum** I would like to know what the twenty-seven communities do for the chair's position. That will be helpful.

**Jennie Franceschi** I do not know

**Rebecca Dillon** I am fine with re-warding because I have seen over the years how that poses challenges. I think three is too restrictive and I am not a fan of Chair term limits. It could be that Ed was our Chair for so long and he did such a great job and I think Rene is doing a great job and if that is something he wants to continue I do not feel that diminishes my role. I think that it will deter members knowing the need to have to step up to that kind of a role. Someone might be comfortable being an alternate and someone might be comfortable being on the Planning Board but not want one of the more leadership roles. There are people who do not want leadership roles. That is what I am thinking.

I think it is hard enough to get people to be on the Planning Board, I think that might deter people from wanting to be on the Board.

**Rene Daniel** anything else?

**Jennie Franceschi** if all other elements except the Chair's term limits and maybe increasing three to five within the same Ward is causing anxiety maybe we can recommend that to the City Council and we can strike that chair's term limits piece.

**Rene Daniel** you will also have to stagger the terms.

**Jennie Franceschi** that is included so we always have the majority of the Board.

**Rene Daniel** will this be on the next agenda?

**Jennie Franceschi** not the next Agenda. We will have to send the portion the un-warding piece to the Council, as Nancy moves into Joe's seat, and it works this time we do not want to wait too long before the Board makes a recommendation on this subject to the City Council.

**Rene Daniel** with no other business, may I have a motion to adjourn?

**Rebecca Dillon** move to adjourn

**2<sup>nd</sup> by Jason Frazier**

**Adjourn unanimous in favor 6-0**

**ADJOURN**

*THANK YOU, respectfully submitted by Linda Gain [lgain@westbrook.me.us](mailto:lgain@westbrook.me.us)*