



City of Westbrook
PLANNING BOARD MINUTES

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WESTBROOK PLANNING BOARD

TUESDAY, January 10, 2006, 7:00 P.M.

WESTBROOK HIGH SCHOOL, ROOM 114

MINUTES

Present: Ed Reidman, (Chair), Rene Daniel (Vice-Chair), Greg Blake, Brian Beatti, Luc Bergeron (Alternate), Anna Wrobel

Absent: Chris Parr, Paul Niehoff (Alternate)

Staff: Rick Gouzie, Brooks More

Chairman Reidman called the Westbrook Planning Board meeting to order at 7:00 p.m. in Room 114 of the Westbrook High School. Mr. Reidman explained that item #3 Fieldstone Subdivisions has been removed from the agenda. Mr. Reidman informed the audience of the purpose for the public hearing, and asked everyone who would speak to do so at the podium, being certain to speak clearly and provide the Board with their name and address. Mr. Reidman stated that the Board would hear a presentation accept any additional Staff comments, and then receive questions and commentary from the public. Mr. Reidman noted that any questions received by the Board would be answered at the end of the public presentation. Mr. Reidman explained that any action taken at this meeting would be dependant upon time constraints. Mr. Reidman explained that the scheduled workshop will be cancelled this evening.

Public Hearing - Final Site Plan - Eastern Excavation - Sebago Technics, on behalf of Robert Plummer, for the construction of two (2) multi-tenant light-industrial/industrial incubator buildings. The two buildings have a combined footprint of 31,500 S.F. The project is located at 81 County Road. Tax Map: 6, Lot: 9, Zone, IP.

Shawn Frank with Sebago Technics on behalf of Robert Plummer presented to the Board all aspects for the creation of two (2) multi-tenant light-industrial/industrial incubator buildings. The two buildings have a combined footprint of 31,500 S.F. The project is located at 81 County Road. Tax Map: 6, Lot: 9, Zone, IP.

No staff comments

Ed Reidman opened the floor for Public Comment.

Andy Charles the owner of Havens Candies approved of this project. He also said that Steve Brier, the owner of the Little Dolphin School is in favor of this project. Mr. Charles also spoke to the issue of drainage in this area. The City of Westbrook had corrected the drainage problem, but with the development of Dunkin Donuts, all that had been corrected was un-done.

Luc Bergeron asked the status of the land behind this project.

Shawn Frank explained that it is a flat gravel area.

Luc Bergeron asked about hazardous waste.

Shawn Frank could not answer this directly. This development would not be allowing any automobile repairs, so there would be no oils, gas or transmission fluid issues. If there were any small issues, this could be cleaned up with minimal effort.

No further comment.

1. Approval of Minutes - November 29th, 2005; December 6th, 2005

Rene Daniel moved to accept the minutes as written.

2nd by Luc Bergeron

The vote was unanimous in favor 6-0

2. Final Site Plan - Eastern Excavation - Sebago Technics, on behalf of Robert Plummer, for the construction of two (2) multi-tenant light-industrial/industrial incubator buildings. The two buildings have a combined footprint of 31,500 S.F. The project is located at 81 County Road. Tax Map: 6, Lot: 9, Zone, IP.

Greg Blake asked about green space versus pavement (gray space).

Shawn Frank explained that this will give flexibility to utilize the back of the buildings. Currently it is gravel and we are trying to stop the dust.

Rene Daniel asked about the tree growth on either side of this parcel and the future use of this land.

Shawn Frank currently we are not proposing any further development of this property. Should we have any new development we would request this from the Planning Board.

Rene Daniel asked for more clarification as to where the road widening project will end, is it near Havens, Little Dolphins or this site.

Brooks More said it would stop near Havens Candy and a center turn lane would start next to this site.

Brian Beattie asked about the lighting for this project.

Shawn Frank said the lighting will be directly on the buildings that are approximately one hundred and thirty (130) feet away...

Luc Bergeron moved the Site Plan application for Eastern Excavation on Tax Map 6, Lot 9, is to be **approved with conditions** with the following findings of fact and conclusions, as stated on Brooks More's memo dated January 10, 2006.

FINDINGS OF FACT

Utilization of the Site

- The development changes the use of the site from an earthen excavation business/staging area to a paved business incubator space.

Adequacy of Road System

- The project is estimated to produce 35 peak hour trips. This is below the 100 peak hour trips required for MDOT review. County Road will be able to handle the amount of trips generated by this project.

Access to the Site

- The site entrance is located where the center turn lane constructed by Dunkin' Donuts ends. As such, there is enough room in the turn lane for one car to wait. Additional automobiles will queue on the concrete pad that demarcates the beginning of the center turn lane.

Internal Vehicular Circulation

- The project provides for adequate internal circulation.

Pedestrian and Other Modes of Transportation

- Not applicable.

Storm water Management

- The City Engineer has approved the storm water management plan.

Erosion Control

- The City Engineer has approved the erosion control plans.

Utilities

- The public utility system will be able to accommodate the needs of this project.

Hazardous, Special and Radioactive Materials

- None have been identified in the application.

Technical and Financial Capacity

- A letter of financial capacity has been submitted.

Solid Waste

- Solid waste will be the responsibility of the property owner(s).
- A single dumpster enclosure has been provided. Due to the types of businesses proposed, a second dumpster should be required next to the rear building.

Historic, Archaeological and Botanical Resources

- Not applicable. The site is currently developed and being used as the staging area for Eastern Excavation.

Landscape Plan

- Landscaping has been proposed at the site's entrance and as a buffer between the rear of Haven's Candies and the project.

Others

- None.

CONCLUSIONS

1. The proposed site plan **will not** result in undue water or air pollution.
2. The proposed site plan **has** sufficient water available for the reasonably foreseeable needs of the site plan.
3. The proposed site plan **will not** cause an unreasonable burden on an existing water supply.
4. The proposed site plan **will not** cause unreasonable soil erosion or a reduction in the land's capacity to hold water so that a dangerous or unhealthy condition results.
5. The proposed site plan **will not** cause unreasonable highway or public road congestion or unsafe conditions with respect to the use of the highways or public roads existing or proposed.
6. The proposed site plan **will** provide for adequate sewage waste disposal.
7. The proposed site plan **will not** cause an unreasonable burden on the municipality's ability to dispose of solid waste.
8. The proposed site plan **will not** have an undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites, significant wildlife habitat identified by the Department of Inland Fisheries and Wildlife or the municipality, or rare and irreplaceable natural areas or any public rights for physical or visual access to the shoreline.
9. The proposed site plan **conforms** with a duly adopted site plan regulation or ordinance, comprehensive plan, development plan, or land use plan.
10. The developer **has** adequate financial and technical capacity to meet the standards of this section.
11. The proposed site plan **is not** situated entirely or partially within the watershed of any pond or lake or within 250 feet of any wetland, great pond or river as defined in Title 38, Chapter 3, subchapter I, article 2-B M.R.S.A.
12. The proposed site plan **will not** alone or in conjunction with existing activities, adversely 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 dependant upon, and limited to, the proposals and plans contained in the application dated November 15, 2005, as amended December 22, 2005, and supporting documents and oral representations submitted and affirmed by the applicant, and conditions, if any, imposed by the Planning Board, and any variation from such plans, proposals and supporting documents and representations are subject to review and approval by the Planning Board.
2. An enclosed dumpster must be added next to the rear building. This amendment must be added to the final Mylar.

2nd by Brian Beattie

The vote was unanimous in favor 6-0

3. Preliminary Final Subdivision Plan and Preliminary Final Site Plan – College Court Condominiums - Land Use Consultants, on behalf of Tony Vance, for the construction of 15 condominium units on a 0.91 acre parcel located at 243 Conant Street. Tax Map: 31, Lot: 34, Zone: City Center.

Tom Emery with Land Use Consultants, on behalf of Tony Vance presented to the Board all aspects for the construction of 15 condominium units on a 0.91 acre parcel located at 243 Conant Street. Tax Map: 31, Lot: 34, Zone: City Center.

Rene Daniel asked about open space where ten (10) children could go and play.

Emery on behalf of Tone Vance said yes.

Luc Bergeron, Anna Wrobel and **Greg Blake** are against this project. They feel the project lacks open space and is crammed in.

Ed Reidman explained that this is not a Public Hearing, so no Public input would be heard at this time. As this application is not complete the Planning Board will not take action on this project.

4. Sketch Subdivision Plan, Site Plan and Special Exception - Fox Knoll Condominiums - Land Use Consultants, on behalf of Tony Vance, for the construction of 7 condominium units on a 0.86 acre parcel of land located at 499 Cumberland Street. Tax Map: 43, Lot: 114, Zone: RGA1.

Tom Emery with Land Use Consultants on behalf of Tony Vance presented to the Board all aspects for the construction of 7 condominium units on a 0.86 acre parcel of land located at 499 Cumberland Street. Tax Map: 43, Lot: 114, Zone: RGA1.

Rene Daniel asked how much blasting will be required.

Tom Emery on behalf of Tony Vance said that there would be approximately fifteen hundred (1500) cubic yards. A large dump truck carries seven (7) cubic yards.

Rene Daniel is concerned about getting across Cumberland Street to the sidewalk as well as the traffic.

Anna Wrobel asked how long a time frame it would be to blast fifteen hundred (1500) cubic yards.

Tom Emery on behalf of Tony Vance said about a week and a half.

Ed Reidman explained to the Public in the audience that this project did not have a Public Hearing at this time. Should they have any concerns, please call Westbrook City Hall and you would be able to voice your concerns to the staff.

5. Sketch Subdivision Plan - Railway Subdivision - Pinkham & Greer, on behalf of ECM Properties, for the creation of a 12 lot subdivision on a combined 3.8 acre parcel located at 99 Tolman Street and 101 Tolman Street. Tax Map: 41, Lots: 24 & 25, Zone: RGA1.

Jeff Reed with Pinkham & Greer on behalf of ECM Properties presented to the Board all aspects for the creation of a 12 lot subdivision on a combined 3.8 acre parcel located at 99 Tolman Street and 101 Tolman Street. Tax Map: 41, Lots: 24 & 25, Zone: RGA1.

Ed Reidman asked if this subdivision was individual lots.

Jeff Reed yes

Luc Bergeron asked if there would be an association.

Jeff Reed said there is no association; these are single family-residential lots.

Anna Wrobel asked what the size range of these lots would be.

Jeff Reed seven-five hundred (7500) square feet and the largest is a little over half (1/2) an acre.

Rene Daniel inquired to the movement of an existing house.

Jeff Reed said that they would be moving the house to a lot a little further back as staff requested.

Jeff Reed also requested proposing waivers for granite curbing and sidewalks.

Ed Reidman said that this can be requested and the staff would make recommendations. If the City of Westbrook has plans for future improvements for curbing & sidewalks in this area then waiver would not be considered.

Rene Daniel asked to the cost of these residences.

Jeff Reed was unsure and was uncomfortable answering this question.

6. Adjourn

Respectfully submitted by Linda Gain PECE Secretary

MINUTES MAY NOT BE TRANSCRIBED VERBATIM. SECTIONS MAY BE PARAPHRASED FOR CLARITY. A COMPLETE RECORDING MAY BE OBTAINED BY CONTACTING THE ENGINEERING, PLANNING AND CODE ENFORCEMENT DEPARTMENT. THANK YOU