



**City of Westbrook
PLANNING BOARD MINUTES**

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WESTBROOK PLANNING BOARD

TUESDAY, February 21, 2006 7:00 P.M.

WESTBROOK HIGH SCHOOL, ROOM 114

MINUTES

Present: Rene Daniel (Vice-Chair), Anna Wrobel, Luc Bergeron (At-Large), Paul Niehoff (Alternate)

Absent: Ed Reidman, Chair, Greg Blake, Brian Beatti

Staff: Rick Gouzie, Brooks More

Vice-Chair Rene Daniel called the Westbrook Planning Board meeting to order at 7:00 p.m. in Room 114 of the Westbrook High School. Mr. Daniel informed the audience that item number two (2) will be presented, but will have no Public Comment time allotted.

1. Approval of Minutes - February 7th, 2006

Luc Bergeron moved to accept the minutes as written

2nd by Paul Niehoff

The vote was unanimous in favor, 4-0

2. Preliminary Final Subdivision Plan and Preliminary Final Site Plan - Gateway Condominiums (formerly College Court Condominiums) - Land Use Consultants, on behalf of Tony Vance, for the construction of 12 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 Planning Board all aspects for the construction of three buildings with a total of 12 condominium units on a 0.91 acre parcel located at 243 Conant Street. Tax Map: 31, Lot: 34, Zone: City Center.

Luc Bergeron asked if a sprinkler system will be installed.

Tom Emery confirmed that a complete sprinkler system would be installed.

Anna Wrobel asked when Land Consultants will receive the information on the other sewer line.

Tom Emery is expecting the other sewer information soon.

Rene Daniel explained that an eighteen (18) inch culvert will be installed as stated in the memo from Eric Dudley.

Anna Wrobel referenced the memo from Eric Dudley mentioning the site distance needs to be added to the plan. Has the site distance been considered?

Tom Emery said that a traffic report has been submitted and in that is the site distance.

Luc Bergeron expressed his appreciation that the applicant listened to the Planning Board's concerns and has scaled back the development.

Anna Wrobel moved to find this application complete.

2nd by Luc Bergeron

The vote was unanimous in favor 4-0

Luc Bergeron moved to set a Public Hearing for the Gateway Condominiums on Tuesday, March 7, 2006 at 7:00 pm, room 114 at Westbrook High School.

2nd by Anna Wrobel

The vote was unanimous in favor 4-0

Anna Wrobel moved to schedule a site walk for the Gateway Condominiums on Saturday, March 4, 2006 at 10:00 am.

2nd by Paul Niehoff

The vote was unanimous in favor 4-0

Luc Bergeron moved to adjourn to the workshop for the Land Use Ordinance.

2nd by Paul Niehoff

The vote was unanimous in favor 4-0

3. Adjourn to Workshop

Workshop - Review of an amendment to the Land Use Ordinance establishing a review and public notice process and standards for the development of paper streets

Rene Daniels (vice chair) relinquished the floor to Brooks More Westbrook City Planner.

Brooks More introduced Natalie Burns Westbrook Legal Counsel and Jeff Edelstein an independent consultant who facilitated the Paper Street Committee.

Jeff Edelstein explained that the Paper Street Committee started in November with ten (10) members in attendance with diverse backgrounds. All the members came to consensus as referenced in the 2 page recommendations that were provided in the Planning Board's packet.

- The committee looked at the standard for storm water, water, sewer, open space and minimum lot size for the particularities of paper streets. The next item discussed was process. The Ordinance language has also been agreed to by the committee.

Natalie Burns expressed appreciation to Jeff Edelstein and the Paper Street Committee for the clear and concise recommendations that was given to the Legal Staff.

- The first section establishes that a review is required when any development is planned on a paper street. As the Planning Board is aware, a paper street development would not come before this Board as the plan is grandfathered. Under the law people are allowed to develop the streets that go along with development. Currently there is nothing in the ordinance that requires a review. The review process was a point that the committee wanted added.
- Section 406.2 is a lengthy section that sets forth rules for the application process.
- Section 406.3 discusses the application fee
- Section 406.4 it is the applicant's responsibility for the cost of notice to abutters
- Section 406.5 encourages a pre-application meeting with the City Staff, the planner and the engineer.
- Section 406.6 Twenty-one (21) days of receipt of an application, the City Planner has to send out notice to abutters within five hundred (500) feet of a proposed paper street development. The Planning Office needs to keep a

- record of the notice and the date it was mailed. An additional provision states that if an abutter does not receive notice, this does not invalidate the process.
- Section 406.7 Within Thirty (30) days of the date the notice was sent, an abutter may request in writing to have the plan reviewed by the Planning Board. If no request is made, the review may be completed by the City Staff. The City Planner has 21 days to determine if the plan is complete.
 - Section 406.9 After the 21 days, the City Planner and the City Engineer must review the project. If there are any questions and with agreements between all parties, the Planner can extend the 21 days in writing. After thirty (30) days the Planner and the Engineer need to review the plan. The City Planner has to issue a written decision for completeness. The City Planner may set conditions to ensure that the ordinance standards are met. The Planner can set hours of construction or related issues. If the Planning Board reviews a project, the planner will submit to the Planning Board proposed findings of fact as done now. If there is a paper street review, it will be presented to the Board as a consent agenda. There will be an opportunity for public comments, for all of the items on the consent agenda.
 - Section 406.11 Review standards. Paper Street lot development requires a buffer be retained along the rear set back of the paper street project. The buffer does not have to remain there, but must stay during the construction. Once the certificate of occupancy has been given the buffer may be removed. Open Space recommendations are mentioned. Then another provision stating if you are required to get a review from the City, State or Federal facility what ever standards are more stringent those standards prevail.

Rene Daniel asked if an abutter was missed due to a title not changed.

Natalie Burns explained that the assessing records are set as of April 1st of the prior year. Any title changes for notification could be handled by the added term as "Or Current Resident". An honest attempt should be made for notification purposes to new owners.

Anna Wrobel expressed appreciation to her fellow Paper Street Committee members.

Brooks More requested a Public Hearing be moved to the regular session of the Planning Board.

Luc Bergeron moved to adjourn to the Regular Session

2nd by Anna Wrobel

The vote was unanimous in favor 4-0

4. Adjourn to Regular Session

5. Land Use Ordinances - Set a date for a public hearing on an amendment to the Land Use Ordinance establishing a review and public notice process and standards for the development of paper streets.

Paul Niehoff moved to set a date for a public hearing on an amendment to the Land Use Ordinance establishing a review and public notice process and standards for the development of paper streets, on March 7th, 2006.

2nd by Luc Bergeron

Paul Niehoff asked for clarification on the notice process.

Brooks More explained that due to the Paper Street issue not being zone specific, the hearing will be advertised in the newspaper and advertised on the City Web Site.

The vote was unanimous in favor 4-0

Luc Bergeron moved to adjourn the meeting

2nd by Anna Wrobel

The vote was unanimous in favor 4-0

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*