



Westbrook Planning Board

May 2, 2006

Approved May 16, 2006

City of Westbrook

DEPARTMENT OF PLANNING, ENGINEERING AND
CODE ENFORCEMENT

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WESTBROOK PLANNING BOARD

TUESDAY, May 2, 2006 7:00 P.M.

WESTBROOK HIGH SCHOOL, ROOM 114

MINUTES

Present: Ed Reidman, (Chair), Greg Blake, Anna Wrobel, Luc Bergeron (At-Large), Paul Niehoff (Alternate), Dennis Isherwood

Absent: Rene Daniel (Vice-Chair), Brian Beatti, Corey Fleming,

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 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.

1. Approval of Minutes: April 4th, 2006

Luc Bergeron moved to accept the minutes as submitted.

2nd by Greg Blake

The vote was unanimous in favor 6-0

Continuing Business

2. Village Review - Stephen W Manchester Post #62 of the American Legion – Darryl Wright, for the Stephen W Manchester Post #62 of the American Legion, for the remodeling and improvement to the Legion Hall located at 17 Dunn Street. Tax Map: 33, Block: 1, Lot: 192, Zone: CC.

Anna Wrobel moved to take this item off the table

2nd by Greg Blake

The vote was unanimous in favor 6-0

William Currier the chairman of the Stephen W Manchester Post #62 of the American Legion presented all aspects of the renovation of the Stephen W Manchester Post #62 American Legion on Tax Map: 33 Block: 1.

Luc Bergeron moved The Village Review application for the Stephen W Manchester Post #62 of the American Legion on Tax Map: 33, Block: 1, Lot: 192 is to be approved with conditions

(1) Scale of the Building. The scale of the building depends on its overall size, it's mass in relationship to the open space around it, and the size of its doors, windows, porches and balconies. The scale of a building must be compatible with its site and neighborhood.

- A change in the scale of the building has not been proposed.

(2) Height. Change in the building height can have a negative impact on how a street appears. While maintaining a particular height is not required, changes in height must be visually compatible with the streetscape and the neighborhood.

- A change in height has not been proposed.

(3) Rhythm of Front Facades. In reviewing any facade, the pattern of doors, windows and wall surface, their height and width, should be visually compatible with the neighboring structures.

- The front façade will not be significantly altered by the addition of a half-moon window above the existing center windows.

(4) Relationship of Facade Shapes and Materials. The relationship of facade shapes and materials should be considered in relation to the surrounding neighborhood. In particular, the rhythm of shapes, pitch, and orientation to the street on which the structure fronts should be maintained.

- The use of vinyl siding will not reduce the appearance of the building as compared to the existing siding material. The granite steps on the front of the building will be a significant improvement. The proposed replacement windows should be a marked improvement over the existing windows.

CONDITIONS

1. Approval is dependant upon, and limited to, the proposals and plans contained in the application dated March 17, 2006 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.

2nd by Greg Blake

The vote was unanimous in favor 6-0

New Business

- 3. Final Site Plan – McDonalds Restaurant – Nobis Engineering, Inc., on behalf of McDonald’s Corporation and TMM, Inc., for the demolition of the existing building and subsequent construction of a 4,597 S.F. building and associated parking on a 0.92 acre site located at 95 Main Street. Tax Map: 42A, Lot: 7, Zone: GC.**

Chris Nedeau with Nobis Engineering, Inc., on behalf of McDonald’s Corporation and TMM, Inc., Engineering presented to the Planning Board all aspects of the demolition of the existing building and subsequent construction of a 4,597 S.F. building and associated parking on a 0.92 acre site located at 95 Main Street. Tax Map: 42A, Lot: 7, Zone: GC.

Anna Wrobel moved to find the application complete

2nd by Luc Bergeron

The vote was unanimous in favor 6-0

Luc Bergeron moved the Site Plan application for McDonalds Restaurant on Tax Map 42A, Lot 7, is to be approved with conditions with the following findings of fact and conclusions.

FINDINGS OF FACT

Utilization of the Site

- The project is an upgrade of the existing McDonalds restaurant on the site. No change of use has been proposed.

Adequacy of Road System

- The use of the site will remain the same. The road system has proven able to accommodate the traffic generated by the use.

Access to the Site

- The project proposes a significant upgrade to the access management on the site.
- The curb cuts will be reduced to one (1).
- The new entrance point will be further from the Larrabee/Main intersection. This will reduce conflicts at the entrance to the site.

Internal Vehicular Circulation

- The parking lot has been designed to improve internal circulation.

Pedestrian and Other Modes of Transportation

- Internal walkways have been provided.
- Handicapped parking spaces and ramps have been provided.
- A crosswalk has been provided between the Main Street sidewalk and the entrance to the restaurant.

Stormwater Management

- The City Engineer has approved the stormwater management plan.

Erosion Control

- The City Engineer has approved the erosion control plan.

Utilities

- The existing use is currently being served by the Portland Water District.

Hazardous, Special and Radioactive Materials

- None have been identified in the application.

Technical and Financial Capacity

- The applicant has the technical and financial capacity to complete the project.

- A performance bond must be supplied for all work within the public right-of-way.

Solid Waste

- Solid waste will be the responsibility of the property owner.

Historic, Archaeological and Botanical Resources

- The site is currently used as a restaurant.

Landscape Plan

- The landscape plan improves the conditions on the site.

Others

- Gateway Commercial performance standards – The project does not represent a change of use. Thus, the drive-through will continue to operate as a non-conforming use in the district. Similarly, the project's not meeting the 25% landscape factor of the district also constitutes the continuance of a non-conforming use.

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 March 22, 2006 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.

2ND by Greg Blake

The vote was unanimous in favor 6-0

Luc Bergeron moved to adjourn to workshop

2nd by Paul Niehoff

The vote was unanimous in favor 6-0

4. Adjourn to Workshop

Workshop

Note: Public Comment will be accepted as part of the following reviews.

5. Sketch Subdivision Plan, Site Plan and Village Review – Hay Property Condominium – Goduti Thomas Architects and Land Use Consultants, on behalf of Westbrook Housing, for the construction of a 9 unit condominium on an approximately 1.44 acre parcel located at 789 Main Street. Tax Map: 33, Lot: 142A, Zone: CC, Overlay Zone: Village Review.

John Gallagher with the Westbrook Housing presented to the Planning Board an overview of the construction of a 9 unit condominium on an approximately 1.44 acre parcel located at 789 Main Street. Tax Map: 33, Lot: 142A, Zone: CC, Overlay Zone: Village Review

Tom Emery with Land Use Consultants on behalf of Westbrook Housing presented to the Planning Board all aspects of the construction of a 9 unit condominium on an approximately 1.44 acre parcel located at 789 Main Street. Tax Map: 33, Lot: 142A, Zone: CC, Overlay Zone: Village Review.

Paul Niehoff questioned the Main Street exit in reference to Spring Street.

John Gallagher explained the exits to the Planning Boards satisfaction.

Carson Wood 20 Foster Street spoke in favor of the project, but is concerned about the additional traffic on Foster Street.

Luc Bergeron moved to adjourn to regular session

2nd by Dennis Isherwood

The vote was unanimous in favor 6-0

6. Adjourn to regular session

7. 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