



City of Westbrook

DEPARTMENT OF PLANNING, ENGINEERING AND
CODE ENFORCEMENT

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WESTBROOK PLANNING BOARD TUESDAY, SEPTEMBER 19TH, 2006, 7:00 P.M. MINUTES

Present: Ed Reidman, (Chair), Rene Daniel (Vice-Chair), Greg Blake, Dennis Isherwood, Corey Fleming

Absent: Anna Wrobel

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. Call to Order

Continuing Business

2. Special Exception – T & M Development, LLC, Extractive Industry, Methodist Road – Sebago Technics, on behalf of T&M Enterprises, LLC for the creation of an extractive industry (A.K.A. Quarry) project on a combined 96 acre parcel located at 409 Small Hardy Road. Tax Map: 20, Lot: 10 and Tax Map: 17, Lots: 12 & 13, Zone: Rural.

Rene Daniel moved to find this application complete.

2nd by Corey Fleming

The vote was unanimous in favor 5-0

Rene Daniel moved to schedule a Public Hearing on October 3rd, 2006 at 7:00 P.M. in Room 114 at Westbrook High School.

2nd by Greg Blake

The vote was unanimous in favor 5-0

3. Request to Reconsider – Ladybug Lane Home Daycare – Suzanne Bearer for the site plan review fee waiver for a Home Day Care on the property located at 134 Park Road. Tax Map 44, Lot 91, Zone RGA2.

On September 5th, 2006 the Planning Board voted to deny the Site Plan Review fee waiver for the Ladybug Lane Home Day Care application. The Applicant is asking the Board to reconsider this decision. The Applicant's reasons for requesting the reconsideration are communicated in the enclosed letter dated September 13, 2006.

Suzanne Bearer explained the reason as to why she has requested a waiver for the Site Plan review fee. Ms. Bearer was not told about the application fee at the time of her application. She explained that the Site Plan fee has been waived for other Home Day Care providers; also the cost of installing a fence to buffer the parking for her Day Care causes a financial hardship. Please consider the favor for the Site Plan Fee.

Rene Daniel moved to reconsider prior motion to grant the waiver.

2nd by Corey Fleming

Corey Fleming mentioned that the Planning Board had set precedence for waiving the fee for other Day Cares.

Rene Daniel explained that he is uncomfortable waiving fees that the Westbrook City Council has set forth.

Greg Blake concurred with Rene Daniel, but is torn at this time. In light of item number 7; I am considering waiving the fee.

Dennis Isherwood agrees with Rene Daniel that the City Council has set the fee schedule. I can not approve the waiver at this time.

Ed Reidman explained that an approval of the Site Plan lasts for one year.

The motion on the floor is to waive the Site Plan Review fee.

The vote was 2 in favor and 3 opposed, (Corey Fleming and Greg Blake in Favor) (Ed Reidman, Rene Daniel and Dennis Isherwood opposed) motion stands.

New Business

4. Land Use Ordinance Amendment – Add Business Office to Residential Growth Area 1 – Referral from the City Council to add “Business Office” as a Special Exception in the Residential Growth Area 1.

Brooks More explained that the City Council’s Economic Development Committee referred a proposal to introduce “Business Office” as a Special Exception in the Residential Growth Area 1.

Business Office is currently allowed as a Permitted Use in the following Districts:

- Prides Corner Smart Growth Area
- Highway Services District
- Business/Professional Office District
- Gateway Commercial District
- Industrial Park District

Business Office is not currently listed as a Special Exception in any of the zoning districts. As you all know, the Special Exception review gives the Board the ability to look at projects on a case-by-case basis to determine if the use presents undue impacts on abutting properties.

Rene Daniel moved to schedule a Public Hearing on October 17th, 2006 room 114 Westbrook High School.

2nd by Corey Fleming

The vote was 4-0 in favor (Greg Blake recused)

5. Land Use Ordinance Amendment - Village Review Amendments – Text amendments to clarify the review standards and allow administrative approval of some projects that encompass less than 3,000 S.F.

Brooks More explained the proposed amendments are intended to simplify and clarify the Village Review Process. The goal is to expedite minor projects through an administrative review process. This will shorten the time required to process applications and remove minor projects from the Planning Board’s agenda.

Larger projects within the district will continue to come before the Planning Board. These include new buildings in the Downtown and major renovations or additions greater than 3,000 S.F. in area.

Erik Carson said we need to clarify the process for applicants. Some of the smaller projects could be reviewed by staff.

Ed Reidman mentioned concerns about the 3,000 S.F. additions.

Erik Carson offered that any changes that would make radical alterations to the building would require Planning Board review.

Greg Blake moved to schedule a Public Hearing on October 17th, 2006 in room 114 at Westbrook High School.

2nd by **Rene Daniel**

The vote was unanimous in favor 5-0

6. Land Use Ordinance Amendment – Downtown Housing Overlay District – Proposal to allow greater residential density in the area generally defined by Spring Street, William Clarke Drive, Presumpscot River and Saco Street. The proposed standards would allow for a density of approximately 87 units per acre of property.

Brooks More explained this proposal was brought before the Board at the August meeting. Staff would like to move forward with this proposal.

The goal is to promote housing in the Downtown core. At the same time, the additional density bonus would advance the Comprehensive Plan goal of creating ground floor commercial space.

Rene Daniel moved to schedule a Public Hearing on October 17th, 2006 in Room 114 at Westbrook High School.

2nd by **Dennis Isherwood**

The vote was unanimous in favor 5-0

7. Land Use Ordinance Amendment – Review of Day Care Applications - Proposal to remove the Site Plan Review requirement for Home Day Care applications.

Brooks More explained this amendment proposes to remove the Site Plan Review requirement for Home Day Care applications. In addition, we are proposing several minor changes to be consistent with State requirements and to provide more enforcement ability.

Greg Blake moved to schedule a Public Hearing on October 17th, 2006 in room 114, Westbrook High School

2nd by **Corey Fleming**

The vote was unanimous in favor 5-0

8. Adjourn

Respectfully submitted by Linda Gain PECE Secretary

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