



City of Westbrook

DEPARTMENT OF PLANNING, ENGINEERING AND
CODE ENFORCEMENT

2 York Street Westbrook, Maine 04092 (207) 854-0638 Fax: (207) 854-0635

WESTBROOK PLANNING BOARD MINUTES TUESDAY, OCTOBER 17th, 2006

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

Absent:

Staff: Rick Gouzie, Brooks More

Presentation – John Duncan, Director of the Portland Area Comprehensive Transportation Committee (PACTS) will be presenting on regional transportation planning in Greater Portland. Topics will include *Destination Tomorrow*, which is the region's transportation plan, how transportation projects are funded and issues facing transportation in the PACTS member communities (including Westbrook).

John Duncan Director of the Portland Area Comprehensive Transportation Committee (PACTS) presented to the Planning Board a regional transportation funding plan, project scoping and engineering for Greater Portland.

1. Call to Order

Chairman Reidman called the Westbrook Planning Board meeting to order at 6:30 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.

Public Hearing - 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 (City of Westbrook Planner) explained the Planning Board the City Council's Economic Development Committee referral for 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.

Mrs. Foster read a letter in favor of adding "Business Office" as a Special Exception in the Residential Growth Area 1, referring to increasing City revenue.

Doug Wallace 170 Merritt Street read a letter of opposition to the addition of Business Office to Residential Growth Area 1. Mr. Wallace also suggested an alternative to add the definition of Business Class 2 or suggested a new overlay zone.

Bill Sherman 176 Merritt Street spoke in opposition of the Business Office to Residential Growth Area 1. Mr. Sherman expressed more specific definition of where the office can be located, or change the definition of business office.

Rita Lane spoke in opposition for this addition of Business Office to Residential Growth Area 1, due to drainage and signage. Ms. Lane asked if more construction will be allowed.

Bob Thiel 22 Clifford Street spoke in opposition to the Business Office to Residential Growth Area 1, due to traffic, noise and devaluation of Residential Areas. While reviewing the Comprehensive Plan, commercial use is incompatible with Residential Growth Area 1. This change allows too much commercial use.

Tim Crellin 150 Merritt Street spoke in opposition to businesses on Main Street, from Webster Street to the Cumberland Mills area, in the RGA1 Zone.

Tami Blake 91 Wildwood Circle spoke in favor of text amendment change. Ms. Blake said the amendment would complement existing listed uses.

Jim Violette 7 Crestwood Drive spoke on support of adding the text amendments of the Business Office to Residential Growth Area 1.

Public Hearing Closed

Ed Reidman read the Ordinance section 204. This section explained the definition of a Special Exception, including the Planning Board Members responsibilities.

Public Hearing - 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 that 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.

Doug Wallace 170 Merritt Street suggested removing lower Main Street from the Village Review District. This is too far into the residential zone.

Evan Carol 108 Arlington Avenue asked what the time frame for an abutter is for the appeal process. Would there be a notification process?

Public Hearing Closed

Ed Reidman asked what the time frame would be for an appeal.

Richard Gouzie said thirty (30) days.

Ed Reidman expressed concerns about the lack of notification process, for staff projects for less than 3,000 S.F. in area.

Anna Wrobel asked if there will be any form of notification for an administrative review.

Brooks More said the amendment as written does not include a notification process for an Administrative review.

Ed Reidman asked staff to add a notification process to this amendment, before the Planning Board can recommend this to the City Council.

Public Hearing - 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 that 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.

John Gallagher Director of Westbrook Housing spoke in favor of the proposed amendments.

Public Hearing Closed

Public Hearing - 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 that 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.

Kay Mishkini 95 Scammon Street, South Portland and a Day Care Provider spoke in favor of the changes, for the benefit of any Family Day Care Centers.

Suzanne Bearor 134 Park Road spoke in favor of amending the requirements.

Public Hearing Closed

Ed Reidman asked Natalie Burns (Legal Staff) if the Planning Board were to accept Mr. Wallace's suggestions on the Business Office in an RGA1 Zone, would we have to re advertise.

Natalie Burns said yes due to substantial changes that would require new public notice.

Continuing Business

1. 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.

Greg Blake reclude himself

Direction is creation of the overlay districts where business office would be allowed.

Rene Daniel moved to send this proposed amendment back to staff:

1. Create more refined Business Office definition.
2. More narrowly defined areas.

2nd by **Corey Fleming**

The vote was 5-0 in favor (Greg Blake reclude)

2. 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.

The Planning Board requested Notification upon submittal

Rene Daniel Moved to recommend to the City Council with the notification modifications added the text amendments to clarify the review standards and allow administrative approval of some projects that encompass less than 3,000 S.F.

2nd by **Anna Wrobel**

The vote was unanimous in favor 6-0

3. 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.

Greg Blake moved to recommend 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 to the City Council as proposed.

2nd by Dennis Isherwood

The vote was unanimous in favor 6-0

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

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

2nd by Corey Fleming

The vote was unanimous in favor 6-0

5. Requests to Purchase City Owned Property – The following parties have made requests to purchase property owned by the City of Westbrook. These requests have been referred by the City Council’s Committee of the Whole to the Planning Board. The properties requested for purchase are listed following the names of the applicants.

A. Maritimes & Northeast Pipeline – Land Northwest of Methodist Road. Tax Map: 17, Lots: 8, 9, and 11, Zone, Rural.

B. Steven & Rachel Johns – Land West of Methodist Road. Tax Map: 17, Lot: 6, Zone, Rural.

C. Tim Grimason - 0 Dale Avenue, Land at end of Dale Ave on North side of the street. Tax Map: 30, Lot: 41X, Zone: RGA1.

Rene Daniel moved to schedule a Public Hearing for Maritimes & Northeast Pipeline – Land Northwest of Methodist Road. Tax Map: 17, Lots: 8, 9, and 11, Zone, Rural, on November 21st, 2006 at 7:00 PM.

2nd by Corey Fleming

The vote was unanimous in favor 6-0

Rene Daniel moved to schedule a Public Hearing for Steven & Rachel Johns – Land West of Methodist Road. Tax Map: 17, Lot: 6, Zone, Rural, on November 21st, 2006.

2nd by Corey Fleming

The vote was unanimous in favor 6-0

Corey Fleming moved to schedule a Public Hearing for Tim Grimason - 0 Dale Avenue, Land at end of Dale Ave on North side of the street. Tax Map: 30, Lot: 41X, Zone: RGA1, on November 21st, 2006.

2nd by Rene Daniel

The vote was unanimous in favor 6-0

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