



# 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, NOVEMBER 7<sup>th</sup>, 2006, 7:00 P.M.

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

Absent: Rene Daniel (Vice-Chair)

Staff: Rick Gouzie, Brooks More, Captain Charles Jarrett

Chairman Reidman called the Westbrook Planning Board meeting to order at 7:00 p.m. in Room 114 of the Westbrook High School.

### 1. Call to Order

### 2. Approval of Minutes: Sept. 5, 2006 (amended); Sept. 19, 2006 (amended); Oct. 3, 2006; Oct. 17, 2006

Dennis Isherwood moved to accept the minutes as written.

2<sup>nd</sup> by Corey Fleming

The vote was unanimous in favor 5-0

### New Business

### 3. Downtown Parking Study – Presentation of the Downtown Parking Study by the Downtown Parking Study Committee.

**Brooks More** explained to the Planning Board the Downtown Parking Study overview. The study represents over a year's worth of work by the members of the Downtown Parking Committee, the consultants and City Staff. The Committee will be presenting the study and kindly requesting that a public hearing be scheduled for the December 5<sup>th</sup> meeting.

**Cindy Murphy** from the Brown Street area spoke about the flexibility of the Parking Study and explained the different phases of the proposed Parking Study if implemented.

**Anna Wrobel** asked about the reasoning to place the parking corrections for Dana Warp Mill in phase two.

**Brooks More** said that this correction could be costly and added that the listing of the phases is not final.

**Dennis Isherwood** explained some concerns for Parking Meters and shared Parking.

**Greg Blake** applauded addressing the parking problems, before additional development has started down town.

**Ed Reidman** explained the schedule of expenditures and the changes to the parking ordinance are concerns of the Westbrook City Council. Chairman Reidman recommend to the staff and committee to move this item forward to the Westbrook City Council.

**No objections from the Planning Board**

**4. Preliminary Final Subdivision Plan – Grayce Estates – Mountain View, LLC for the creation of a thirteen (13) lot subdivision on a 3.78 acre parcel located at 133 Longfellow Street. Tax Map: 27, Lot: 119, Zone: RGA1.**

**Chairman Reidman** explained that he has a potential conflict with this proposal and will recuse himself. Anna Wrobel will chair this portion of the Agenda.

**Isaiah Plant** with Blackstone Consultants on behalf of Gary Goldberg Mountain View, LLC presented to the Planning Board amended aspects of the final subdivision plan for Grayce Estates for the creation of a thirteen (13) lot subdivision on a 3.78 acre parcel located at 133 Longfellow Street. Tax Map: 27, Lot: 119, Zone: RGA1.

**SUBDIVISION REVIEW**

**Staff Comments**

1. Complete Application: The application should be found complete.
2. Jensen Lane: Based on our attorney's review, Jensen Lane is a public street via an easement that was accepted by the City Council in 1975. In light of this discovery, the subdivision plan and legal documents should be amended/created to transfer fee ownership of the ROW to the City.
3. There is a drainage path that runs through the middle of the site. The project proposes to fill a portion of the drainage path. In addition the proposed street crosses the drainage path in two locations. This is the most complex part of the design. As such, the City Engineer is still reviewing the storm water management plan to assess the impacts of proposed fill and installation of road culverts.

**Greg Blake moved to find the application complete**

**2<sup>nd</sup> by Corey Fleming**

**The vote was unanimous in favor 4-0 (Ed Reidman recused)**

**Greg Blake moved to schedule the Public Hearing on November 21, 2006**

**2<sup>nd</sup> by Corey Fleming**

**The vote was unanimous 4-0 (Ed Reidman recused)**

**Greg Blake moved to schedule the Site Walk on November 18, 2006 at 10:00 A.M.**

**2<sup>nd</sup> by Corey Fleming**

**The vote was unanimous favor 4-0 (Ed Reidman recused)**

**Anna Wrobel turned the Chair position back to Ed Reidman.**

**Anna Wrobel moved to adjourn to Workshop**

**2<sup>nd</sup> by Corey Fleming**

**The vote was unanimous in favor 4-0 (Greg Blake out of the meeting room)**

**Workshop – Public comment will be accepted during the workshop.**

Chairman Reidman informed the audience of the purpose for the workshop session 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 Public and 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 presentation. Mr. Reidman explained that no action can be taken in a workshop session.

**5. Sketch Subdivision Plan – Kirck Property - George Kirck for the creation of a four (4) lot cluster subdivision on a 12.03 acre parcel located at 360 Duck Pond Road. Tax Map: 21, Lot: 36, Zone: RGA3. This application is being brought back as a sketch plan to request more direction on the issue of a waiver request for a dead-end street to be connected to an existing dead-end street.**

**Brooks More** explained to the Planning Board that this sketch plan previously came before the Board at the Sept. 5<sup>th</sup>, 2006 meeting. At that time, it was not adequately clear how the Board viewed the waiver request for connecting the proposed street to the existing Old Farm Road. As is always the case, Board members are not bound to their comments during the Sketch Plan review phase. However, information on the best course of action is helpful to both Staff and the applicant in the design engineering of the final plans.

The applicant has proposed constructing a dead-end street off of an existing dead end street. This is not allowed per section 502.5C(1)(c) of the Land Use Ordinances. However, a waiver of this standard may be granted by the Planning Board. The Fire Inspector and Code Enforcement Officer do not recommend the granting of a waiver. The City Planner and City Engineer recommend the granting of a waiver. Updated letters have been provided by the applicant's consultant, the Fire Inspector and Code Enforcement Office, the City Engineer and I.

**John Whitten** with Caridine Consultants representing George Kirck reviewed this proposal and asked the Planning Board for their thoughts on the request for a waiver.

**Anna Wrobel** is concerned about the Public Safety issues due to a dead end road.

**Rick Gouzie** explained his code concerns on the issuance of a waiver having a dead end off a dead end. This could cause complications with future development if the waiver is granted.

**Greg Blake** spoke in favor of the waiver due to neighborhood inter-connectivity reasons.

**Dennis Isherwood** spoke against granting the waiver for the Dead-end Road off a Dead-end in this project.

**Captain Charles Jarrett** explained his reasons for not granting this waiver; as to public safety standards.

**Corey Fleming** spoke in favor of this waiver request.

**Ed Reidman** explained that the purpose of granting waivers is written in the Code ordinance for this reason. This gives the members of the Planning Board a small fraction of flexibility for smaller projects, such as this one.

Currently the Planning Board cannot act in a workshop session. Unfortunately you do not have a strong indication as to which way the vote results will be on the granting of this waiver.

**Jock Carter** 350 Duck Pond Road was in favor of the waiver.

**Ralph Hat** 12 Willow Drive was opposed to the waiver. Mr. Hat suggested connecting Duck Pond to Stone Wall Way and outlay funds to connect Duck Pond to Route 302, otherwise there is a potential of more dead end roads.

**Julie Kenyon** 25 Old Farm Road spoke in opposition to this project as the new road would create conflict with her driveway. Ms. Kenyon requested a buffer be installed.

**Ed Reidman** explained that if this application goes forward, the abutters will receive notification.

**6. Sketch Site Plan – St. Anthony’s du Padua – Anthony L. Muench, on behalf of the Catholic Bishop of Portland, for site improvements to St. Anthony’s Catholic Church. The property is approximately 1.25 acres and is located at 295 Brown Street. Tax Map: 33, Lot: 261, Zone: RGA1.**

**SITE PLAN REVIEW**

**Staff Comments**

1. The Catholic Church in Westbrook has consolidated three (3) parishes into one location at St. Anthony’s. As a result, it is logical to conclude that there will be more patronage of the church by parishioners that must travel by automobile. As a result, there will be more demand for parking during periods of peak religious services. This sketch plan review is primarily

being conducted to review the proposed parking and landscaping requirements. As a companion piece, the City is interested in opportunities to develop parking on the City owned lot between St. Anthony's and the Presumpscot River.

Is this a change that is grandfathered, or will a waiver be required?

**Anthony Muench** a landscape architect on behalf of the Catholic Bishop of Portland explained aspects of site improvements to St. Anthony's Catholic Church. The property is approximately 1.25 acres and is located at 295 Brown Street. Tax Map: 33, Lot: 261, Zone: RGA1.

**Nancy Barba** from Barba Landscape Architects explained revisions to the site improvements other than the plan provided to the Planning Board.

**Anna Wrobel** questioned if there is a problem with parking currently?

**Brooks More** said no problem currently.

**Greg Blake** asked to have the easement request pointed out on the map.

No comments from the Public.

**7. Land Use Ordinance Amendment – Create an Overlay District in the Residential Growth Area 1 to allow limited business office uses, and create a definition for limited business offices. Areas identified for this zone include sections of Main Street and Stroudwater Street. Maps and proposed text of the zone will be posted in the Planning Division section of the City's website during the week prior to the meeting.**

**Greg Blake** recused himself

**Brooks More** explained that following the last Planning Board meeting, I have developed an overlay zone to allow limited business office operations in the RGA1. This includes limited the overlay zone to lower Main Street and Stroudwater Street near William Clarke Drive, and creating a definition for Business Office 2.

**Doug Wallace** 170 Merritt Street spoke in favor of this proposal, but requests an inclusion of properties on the other side of the street.

**Tami Blake** 91 Wildwood Circle spoke in favor of the proposed Overlay District and would like to bring her Office (currently located in South Portland) to Westbrook if the proposed revisions are granted.

**Margaret Lowell** 327 Main Street spoke in favor of the projects, but has concerns about parking.

**Steve Rand** 55 Stroudwater Street (business address) spoke in favor of the proposal.

**Bill Sherman** 176 Merritt Street spoke in favor of the revisions. Mr. Sherman recommended including desktop printer after computers in the second sentence of the definition.  
Mr. Sherman was concerned about the broad based definition of Home Occupation.

**Rick Gouzie** read the definition of Home Occupation into the record.

**Jim Violette** 7 Crestwood Drive spoke in favor of the proposed addition of the Overlay District.

**Anna Wrobel** asked Brooks More why the District was not included across the street.

**Brooks More** looked at the District and decided that less would be more restrictive.

**The Planning Board requested adding Desktop printers.**

**Ed Reidman asked to schedule a Public Hearing on December 5, 2006.**

**Corey Fleming moved to Adjourn to Regular Session**

**2<sup>nd</sup> by Anna Wrobel**

**The vote was unanimous in favor 4-0 (Greg Blake absent for vote)**

**8. Adjourn to Regular Session**

**9. Adjourn**

Westbrook Planning Board Minutes

11-7-2006

Approved 11-21-2006

*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*