



# City of Westbrook

DEPARTMENT OF PLANNING, ENGINEERING AND  
CODE ENFORCEMENT

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## WESTBROOK PLANNING BOARD TUESDAY, NOVEMBER 21<sup>st</sup>, 2006 MINUTES

Present: Ed Reidman, (Chair, Ward 5), Rene Daniel (Vice-Chair, Ward 1), Dennis Isherwood (Ward 2), Cory Fleming (At-Large), Evan Carroll (Ward 3), Carmen Dolloff (Alternate)

Absent: Michael Taylor (Alternate), Greg Blake (At-Large), and Anna Wrobel (Ward 4)

Staff: Rick Gouzie, Brooks More

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 work shop 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 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. Chair Reidman introduced the new Planning Board members and explained the voting procedures for the Alternate Members.

### **Workshop – 6:30 p.m. - Public comment will be accepted during the workshop.**

#### **A. Comprehensive Plan Amendment – Amend the Future Land Use Map to reclassify the property at 471 Stroudwater Street from Industrial II to Residential Growth Area 1 and amend the text of Chapters 8 and 12 to reflect the proposed map amendment. Tax Map: 9, Lot: 19, Comprehensive Plan District: Industrial District II.**

**Stan Sawyer** Westbrook School Superintendent explained to the Planning Board the request for the Zone Change and introduced Dan Cecile from Harriman Associates.

**Dan Cecile** from Harriman Associates (on behalf of the Westbrook School District) presented to the Planning Board all aspects of the request for the Zone Change including the site selection process.

**Staff Comments** for the past year the Site Selection Committee for the new Junior High School has been meeting with the State Department of Education and State Planning Office to obtain funding for the new facility. The State Planning Office is requiring that the new facility be built in a “growth area” of the City. A growth area is a comprehensive plan and zoning term for those areas of the community that have been identified and zoned for more intensive residential or commercial/industrial development. Typically, these growth areas are served by municipal services such as sewer, water, street infrastructure, etc...

As you may be aware, the City Council purchased the property at 471 Stroudwater Street as a possible location for the new Junior High School. At this time, the Department of Education will not move forward with the funding request until a decision has been made on whether this property will be included in Westbrook’s identified growth areas. If the area is not rezoned as a growth area, the Junior High School will lose its position on the Department of Education’s funding list.

The proposed Comprehensive Plan amendments are designed to separate the North Side and South Side of the “Stroudwater Character Area.” For those members who were on the Board at the time, this is what was essentially accomplished with the zoning ordinance that was enacted. As you can see on the zoning map, the South side of the street was zoned as Rural, while the North side was partially retained as Business-Office (Industrial II in the Comp. Plan), and partially zoned Rural. Going beyond the zoning, the Comprehensive Plan’s text in Chapter 8 and 12 will now classify the site being examined for the Junior High School as Residential Growth Area 1. This change will also be reflected on the Future Land Use Map. If what I have described is confusing, do not be concerned. We will be discussing the concepts in greater detail at the workshop on Tuesday evening.

**B. Contract Zone Request – 471 Stroudwater Street – City of Westbrook and Westbrook School Department for a contract zone of the 65 acre parcel located at 471 Stroudwater Street. The contract zone is being requested to rezone the property to a growth area district, with conditions to ensure appropriate development of the site, for the purpose of potential construction of a school or recreational facility. Tax Map: 9, Lot: 19, Zone: Rural.**

The contract zone has been drafted to allow for the construction of a Junior High School. At the same time, the proposal allows for the uses and standards in the Residential Growth Area 1 if the City Council approves them.

Staff has been working very hard, and on a short deadline, to draft the proposed standards. As a result, we may make revisions to the draft prior to the meeting. If this is the case, the revisions will be delivered to the Board either first thing next week or prior to the workshop.

**Ed Reidman** explained that the Planning Board understood the time constraints that this Zone Change Request requires and turned the Floor over to Natalie Burns (Legal Staff).

**Natalie Burns** explained what is required of the Planning Board concerning the recommended changes to the Ordinance for approval by the Westbrook City Council.

**Andrew Gattine** desired stronger language on the revision of what will be permitted on that parcel and more language on the intent of the contract zone.

**Rene Daniel** moved to adjourn to regular session

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

The vote was unanimous in favor 6-0

Regular Meeting – 7:00 p.m.

1. Call to Order

2. Approval of Minutes:

Cory Fleming moved to accept the minutes as written

2<sup>nd</sup> by Dennis Isherwood

The vote was unanimous in favor 6-0

New Business

3. Comprehensive Plan Amendment – Amend the Future Land Use Map to reclassify the property at 471 Stroudwater Street from Industrial II to Residential Growth Area 1 and amend the text of Chapters 8 and 12 to reflect the proposed map amendment. Tax Map: 9, Lot: 19, Comprehensive Plan District: Industrial District II.

Rene Daniel moved to schedule a Public Hearing on December 5<sup>th</sup> following any previously scheduled Public Hearings.

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

The vote was unanimous in favor 6-0

**4. Contract Zone Request – 471 Stroudwater Street – City of Westbrook and Westbrook School Department for a contract zone of the 65 acre parcel located at 471 Stroudwater Street. The contract zone is being requested to rezone the property to a growth area district, with conditions to ensure appropriate development of the site, for the purpose of potential construction of a school or recreational facility. Tax Map: 9, Lot: 19, Zone: Rural.**

Rene Daniel moved to schedule a Public Hearing on December 5<sup>th</sup> following the previously scheduled Public Hearing

2<sup>nd</sup> by Dennis Isherwood

The vote was unanimous in favor 6-0

**Public Hearing - 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. \*Request to be tabled\***

*Maritimes & Northeast has requested to be tabled at the November 21<sup>st</sup>, 2006 meeting. The Applicant will have to request a new hearing date from the Planning Board.*

Maritimes & Northeast Pipeline is seeking to expand the size of their compressor station in Westbrook. The station is located along the CMP power line corridor that crosses Methodist Road near the White Brothers quarry. The properties will enable the expansion of the compressor and the conservation of a forested buffer. Several issues are worth noting in this description. First, the current compressor station is taxed by the City of Westbrook and requires very little in the way of municipal services. Thus, it is a net tax gain for the City. Second, as a utility, Maritimes & Northeast has the authority to utilize eminent domain. As with other entities that have this authority, eminent domain is not their stated preferred means for the acquisition of land. Third, the expansion of the compressor station is regulated by the Federal Energy Regulatory Commission (FERC). According to Federal law, there will be no municipal review of the development (i.e. Site Plan Review).

**No Public Comment**

Chairman 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

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

Staff Comments - Steven & Rachel Johns – Mr. and Mrs. Johns are requesting to purchase a portion of land that has frontage on Methodist Road. My recommendation is that this property be retained by the City of Westbrook at least until the completion of the Recreation and Open Space Plan.

**Steven Johns** 910 Methodist Road wishes to purchase the land for preservation, not to develop it.

**Ed Reidman** read the letter from Recreation and Conservation into the record. The Recreation and Conservation Board is opposed to any sale of City owned property until the Open Space Plan has been completed and is in place.

**Public Hearing Closed**

**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.**

**Staff Comments** - Mr. Grimason is requesting to purchase a piece of property that the City acquired as part of the construction of Dale Avenue. The owner's stated purpose is to improve his side yard.

**Tim Grimason** 48 Dale Avenue requested the purchase of Dale Avenue, Land at end of Dale Ave on North side of the street.

**Public Hearing Closed**

**Public Hearing - 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.**

**Staff Comments**

1. Complete Application: The application was found to be complete on November 7<sup>th</sup>, 2006.

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 requesting additional analysis and information from the applicant as part of the storm water management plan. The City Engineer's specific comments are listed in Section C Soil Erosion, below.

**Chairman Reidman** recused himself

**Rene Daniel** chaired this item of the Agenda.

**Isaiah Plant** with Blackstone Consultants on behalf of Mountain View, LLC presented all aspects of the Final Subdivision Plan 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.

**Mr. Gaudette** Longfellow Street went on the Site walk with the Developer and was concerned with the fill to the wetland piece of this parcel and how the run-off to the surrounding properties will be handled, with one (1) or two (2) retention ponds. Mr. Gaudette affirmed that he was not opposed to the project; he needed more information on the plans.

**Brooks More** explained there is a drainage path that runs through the middle of the site. The project proposes to fill a portion of the drainage path.

**Eric Dudley** is requesting additional analysis and information from the applicant as part of the storm water management plan. Mr. Dudley explained the peak run-off rate.

**Dennis Isherwood** was concerned about the wet lands on this lot and how it will be drained.

**Isaiah Plant** with Blackstone Consultants on behalf of Mountain View addressed all the Engineering concerns.

**Public Hearing closed**

**Continuing Business**

**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. \*Request to be tabled\***

Rene Daniel moved to table Maritimes & Northeast Pipeline – Land Northwest of Methodist Road. Tax Map: 17, Lots: 8, 9, and 11, Zone, Rural indefinitely

2<sup>nd</sup> by Carmen Dolloff

The vote was unanimous in favor 6-0

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

Rene Daniel moved to recommend to the City Council to consider not selling this parcel until the Open Space Plan has been completed.

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

The vote was unanimous in favor 6-0

**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.**

Evan Carroll moved to table this item to the next meeting

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

The vote was in favor 5-1 (Rene Daniel opposed)

Chairman Ed Reidman recused himself

Vice-Chair Rene Daniel chaired this item

**6. 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.**

Cory Fleming moved to table the 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.

**2<sup>nd</sup> by Dennis Isherwood**

**The vote was in favor 5-0 (Chairman Reidman recused)**

**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*