



**City of Westbrook**

**DEPARTMENT OF PLANNING, ENGINEERING AND  
CODE ENFORCEMENT**

2 York Street Westbrook, Maine 04092 207-8540638 Fax 1-(866) 559-0642

**WESTBROOK PLANNING BOARD  
TUESDAY, MAY 1<sup>ST</sup>, 2007, 7:00 P.M.  
WESTBROOK HIGH SCHOOL, ROOM 114  
Minutes**

Present: Ed Reidman, (Chair) (Ward 5), Rene Daniel (Vice-Chair) (Ward 1),  
Dennis Isherwood (Ward 2), Anna Wrobel (Ward 4), Greg Blake (At Large)

Absent : Cory Fleming (At Large), Michael Taylor (Alternate), Scott Herrick (Alternate)

Staff: Rick Gouzie, Brooks More, Eric Dudley

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 – April 3<sup>rd</sup>, 2007**

Rene Daniel moved to approve the minutes as written

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

The vote was unanimous in favor 4-0

**Continuing Business**

**3. Final Subdivision, Final Site Plan and Special Exception – Stroudwater Landing – Land Use Consultants, on behalf of Stroudwater Landing, LLC, for the creation of a 103 unit condominium project on a 65.3 acre parcel located on 449 Stroudwater Street and on a vacant parcel of land between 300 and 328 Spring Street. Tax Map: 9, Lot: 20 and Tax Map: 8, Lot: 3A, Zone: Residential Growth Area 1.**

Rene Daniel moved to remove this item from the table

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

The vote was unanimous in favor 4-0

Greg Blake arrives

Overview – The plan has been revised to the now proposed 103 unit condominium development on two parcels of land located between Spring Street and Stroudwater Street. The applicant received a zone change from the City Council for a large portion of the property currently owned by the Animal Refuge League at 449 Stroudwater Street. The extent of the zone change from Rural to Residential Growth Area 1 covers the area between the remaining Oxford-Cumberland Canal on the East and the property boundaries to the North, South and West. The area that was rezoned is identified on the zoning map. In sum, the applicant received the zone change from Rural to RGA1 to increase the allowable density for this project.

Staff was supportive of the requested zone change for the following reasons:

1. Age-restricted properties are net tax gains for their host communities. This is due to the fact that full taxes are assessed, but residents are not requesting public school education.
2. Street Connectivity – Staff has predicated its support on the construction of a through road connecting Spring Street and Stroudwater Street. This is not a design feature that the applicant desired. Staff of Planning, Engineering, Police, Fire and Public Services strongly believe that this is an important opportunity for the City to increase the connections in its street network without the need to take private property, expend public funds for construction (though maintenance will be the City's responsibility), or go through the extremely lengthy and uncertain federal funding process. Furthermore, a subdivision of this size must have two access points for safety purposes. A more detailed discussion on the street connectivity issue is attached in a memo that was originally provided to the City Council as part of the rezoning process.
3. The project is a master planned community rather than an incremental subdivision of land. Master planned communities typically result in projects that provide a better product. For instance, this project accomplishes the following:
  - a. Takes into consideration the topography of the site,
  - b. Provides a street connection between Spring and Stroudwater,
  - c. Utilizes "Low Impact Development" (LID) techniques being advocated by the Department of Environmental Protection,
  - d. Creates well designed neighborhoods that branch off from the public street.

*Update as of 3-29-07:* Both the Planning Board and City Council brought up issues relating to the phasing of Landing Road and whether the project will be age-restricted. Upon direction from both the Board and Council, Staff worked with the applicant to develop a formal proposal on these issues.

- Age-Restricted v. Age-Targeted: In the March 20<sup>th</sup>, 2007 submittal, the applicant has agreed to make the project “age-restricted.” In light of the importance of this issue, it is Staff’s recommendation that a final draft of the homeowner’s association documents be submitted prior to a final vote by the Planning Board.
- Phasing of Roadway: In regards to the phasing of the roadway, the Applicant and Staff agreed that the roadway will be base-paved from Spring Street to the pump station. From there Landing Road will be constructed of gravel and gated/blocked. During Phase III, the remainder of Landing Road will be base-paved. It has been agreed that the City will not issue a Certificate of Occupancy for the 51<sup>st</sup> unit until the entire length of Landing Road has been base-paved and the gate/blockage removed. A note must be added to the phasing plan that the CofO for the 51<sup>st</sup> unit will not be issued prior to installation of base-pavement on the entire length of Landing Road and the removal of any gate or blockage.

### SUBDIVISION REVIEW

Staff Comments: The Planning Board approved the subdivision application with conditions on April 17<sup>th</sup>, 2007.

1. Waivers:
  - a) The Planning Board granted a waiver of Section 502.5F(1)(a)-(b) on 01-02-07. This is a waiver request of the peak discharge reduction requirement.
  - b) The Planning Board denied a waiver of Section 502.5C(1)(f) on 01-02-07. This is a waiver request of the granite curbing requirement for the proposed public street.
2. Complete Application: The application was found complete on February 6, 2007.
3. Public Hearing: A public hearing was held on April 17<sup>th</sup>, 2007.
4. Site Walk: A site walk was held on March 10, 2007.

The Subdivision application for Stroudwater Landing on Tax Map: 9, Lot: 20 and Tax Map: 8, Lot: 3A is to be **approved with conditions** with the following findings of fact and conclusions.

**A. POLLUTION AND SEWERAGE DISPOSAL**

- The municipal wastewater system will be utilized. This includes the construction of a pump station and associated forcemain lines.
- A full set of drawings for the pump station must be reviewed and approved by the City Engineer prior to the commencement of construction.

**B. WATER**

- The Portland Water District will require system improvements to serve this project. In the letter dated October 3, 2006, David Coffin, PLS has identified two alternative design options for the system. In accordance with the plans, the applicant will run an 8" line along the length of Landing Road.

**C. SOIL EROSION**

- The Cumberland County Soil and Water Conservation District reviewed the plans on April 9<sup>th</sup>, 2007.
- The DEP is requiring this project to use its new LID stormwater regulations. The DEP is conducting an in-depth review of the stormwater management system.
- In light of the LID approach to this project, the Planning Board granted a waiver of the peak discharge rate requirements of the subdivision ordinance.
- Catch basins have been shown on the plans and approved by the City Engineer.
- Underdrain has been added beneath Landing Road due to soil conditions on the site. The City Engineer has approved these plans.
- The design of the Filterra Systems must be modified for Northern New England conditions as discussed in a meeting between the manufacturer and Staff. The construction details of the Filterra System do not currently meet City specifications. The applicant must discuss this issue with the City Engineer.

**D. TRAFFIC**

- A traffic study has been submitted by the Applicant.
- Based on the recommendations of the traffic study, the egress of Landing Road onto Spring Street must show left and right turn lanes.

- The location of any proposed traffic calming measures must be shown on the plans.
- Landing Road is proposed to be completed in phases. The Applicant and Staff agreed that the roadway will be base-paved from Spring Street to the pump station. From there Landing Road will be constructed of gravel and gated/blocked. During Phase III, the remainder of Landing Road will be base-paved. It has been agreed that the City will not issue a Certificate of Occupancy for the 50<sup>th</sup> unit until the entire length of Landing Road has been base-paved and the gate/blockage removed. A note must be added to the phasing plan that the CofO for the 50<sup>th</sup> unit will not be issued prior to installation of base-pavement on the entire length of Landing Road and the removal of any gate or blockage. This agreement is being presented for Planning Board approval.
- Sight distance figures have been determined for each internal drive's connection to Landing Road. This information has been reviewed and approved by the City Engineer.

#### E. SEWERAGE

- Sewerage will be via the municipal wastewater system.
- The plans have been revised so that each dwelling unit has its own direct connection to the sewer main.
- The sewer slopes have been added to the street and internal drive profiles. A finding on the revised plan is that the sewer manhole at station 120+83 needs a drop manhole detail. Public works requires that manhole drops be placed inside of the manhole.
- On sheet 8, units 34 to 38 and the community center should gravity feed to a shared private pump station. The risk with the proposal as designed is that the failure of a "back-flow preventer" will result in a basement flooded with sewage from the force main.
- Cleanouts of the sanitary sewer service are required every 100 ft. and at all bends in service by City Ordinance. This should be added as construction note 18 on sheets 8, 9 and 10.
- Unit 77 needs to have its sewer service re-routed. The applicant should contact the City Engineer.
- The plan match lines must be fixed for units 47-58 to avoid utility installation errors during construction.

#### F. SOLID WASTE

- Solid waste will be the responsibility of property owners. This information must be included in the condominium association documents. Staff is requesting that the final draft of the documents be submitted prior to the Planning Board's final vote.

#### G. AESTHETICS

- A statement from the Maine Department of Conservation has confirmed that no rare botanical features have been documented on the project site.
- A statement that no significant wildlife habitat exists has been obtained from the Maine IF&W.
- Appearance Assessment:
  - (1) Project to Site – The plan appropriately takes into account the shape and topography of the parcel.
  - (2) Project to Surrounding Property – Overall, the plan provides considerable buffer to abutting properties. A vegetative buffer has been provided on sheet 20. This provides a buffer to the residents on Laffin Drive.
  - (3) Landscape Design – Root control barriers must be revised to 18 feet in horizontal length on public streets.
  - (4) Lighting – Lighting is proposed along Landing Road.
  - (5) Signs – A project sign has been proposed. The Code Enforcement Office must approve the final design.

#### H. CONFORMITY WITH LOCAL PLANS AND ORDINANCES

- Comprehensive Plan:
  - The project meets the use requirements of the RGA1 district.
- Land Use Ordinances – The plan meets the setback and net residential density standards of the zoning ordinance.
- Recreation & Open Space – The Recreation & Conservation Commission reviewed the project at its March 15th meeting. The Commission made a motion to recommend approval of the project. A formal motion will be presented to the Planning Board either at the April 3<sup>rd</sup> meeting, or prior to the public hearing.
- Granite Curbing: Notes should be placed on sheets 11 or 12 to identify granite curbing on Landing Road. The identification of bituminous curbing should be removed from the construction details and replaced by the type of granite curbing that will be installed.
- Community facilities impact analysis – While there are minor points that could be interpreted differently, Staff agrees with the overall findings of the impact analysis if the project is age-restricted to 55+. The finding of this study is in accordance with the experience of other dedicated senior housing projects. Namely, that these projects produce a net increase in tax revenue for their host community.

- Fire Code
  - The plan should identify the location of internal directional signage.
- Others:

I. FINANCIAL AND TECHNICAL CAPACITY

- The applicant has submitted documents of financial and technical capacity.

J. RIVER, STREAM OR BROOK IMPACTS

- The impacts to Beaver Brook are being reviewed by the Department of Environmental Protection.

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 **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** 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** 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. If any lots in the proposed subdivision have shore frontage on a river, stream, brook, or great pond as these features are defined in Title 38, section 480-B, none of the lots created within the subdivision **have** a lot depth to shore frontage ratio greater than 5 to 1.
18. The long-term cumulative effects of the proposed subdivision **will not** unreasonably increase a great pond's phosphorus concentration during the construction phase and life of the proposed subdivision.
19. For any proposed subdivision that crosses municipal boundaries, the proposed subdivision **will not** cause unreasonable traffic congestion or unsafe conditions with respect to the use of existing public ways in an adjoining municipality in which part of the subdivision is located.
20. Timber on the parcel being subdivided **has not** been harvested in violation of rules adopted pursuant to Title 12, section 8869, subsection 14.
21. The proposed subdivision **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 December 12, 2006, as amended March 20, 2007 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.
2. A full set of drawings for the pump station must be reviewed and approved by the City Engineer prior to the commencement of construction.
3. A final draft of the Homeowners Association Documents must be presented to the Planning Board prior to the signing of the Mylar.
4. The applicant shall revise the plans prior to the signing the Mylar to include the six (6) soil erosion items listed by the Cumberland County Soil and Water Conservation Districts' letter, dated April 9<sup>th</sup>, 2007.

Greg Blakes arrives

### **SITE PLAN REVIEW**

### **STAFF COMMENTS**



1. Waivers:
  - a) The Planning Board granted a waiver of Section 504.5 B on 01-02-07. Waiver of the maximum sheet size of 30"x40".
  - b) The Planning Board denied a waiver of Section 504.5B(4) on 01-02-07. Waiver of the map requirement to display all trees greater than 10" in diameter. *Note:* In response to this submission requirement, the applicant has provided an additional plan set depicting the limit of clearing in relation to the existing tree cover on the site. Staff worked with the applicant to develop this means to define the limit of tree clearing.
2. Complete Application: The application was found complete on February 6, 2007.
3. Phasing: The applicant must propose completion dates for the proposed development phases.

### **Findings of Fact and conclusions for the**

#### **Westbrook Planning Board,**

**Anna Wrobel** moved the Site Plan application for Stroudwater Landing on Tax Map: 9, Lot: 20 and Tax Map: 8, Lot: 3A is to be **approved with conditions** with the following findings of fact and conclusions.

### **FINDINGS OF FACT**

#### **Utilization of the Site**

- The property is currently forested and contains ravines, uplands, wetlands and Beaver Brook.
- The project has been master planned to take into consideration the site's topography, environmental constraints, potential street connections and internal neighborhood livability.

#### **Adequacy of Road System**

- See Subdivision Review

#### **Access to the Site**

- Access to the site will be via Spring Street and Stroudwater Street.

#### **Internal Vehicular Circulation**

- The project has been designed to provide adequate internal vehicular circulation.

#### **Pedestrian and Other Modes of Transportation**

- A sidewalk has been included on the entire length of Landing Road.

#### **Stormwater Management**

- See Subdivision Review.

#### **Erosion Control**

- See Subdivision Review.

#### **Utilities**

- Portland Water District: See Subdivision Review.

#### **Hazardous, Special and Radioactive Materials**

- No hazardous materials have been proposed.

#### **Technical and Financial Capacity**

- The applicant has submitted documents on its technical and financial capacity to complete this project.

#### **Solid Waste**

- Solid Waste will be the responsibility of the property owners. See Subdivision Review.

#### **Historic, Archaeological and Botanical Resources**

- No resources have been identified.

#### **Landscape Plan**

- See Subdivision Review.

#### **Others**

- None

## 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 December 12, 2006, as amended March 20, 2007, 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.

2. The Applicant expects to construct the project in phases including infrastructure relating to each phase in accordance with the following Phased Completion Schedule. The scope of each phase is set forth on Sheet 4 "Overall Development" dated 3/16/07 which is part for the plan set referenced in this approval:
  - Phase 1 shall commence upon the posting of required completion security and recordation of the subdivision plat and site plan following receipt of all applicable local, state and federal permits ("Construction Commencement"), the approval of which permits shall be pursued diligently to decisions and obtaining the last of them, the developer shall notify the Planning Board with a date certain specified and with written back up materials to confirm the final approval date and shall be completed within three (3) years thereof; provided, in no event shall the initial Construction Commencement date be later than five (5) years from the Planning Board's final initial approval of the Plan.
  - Phase 2 shall be completed within 5 years of Construction Commencement
  - Phase 3 shall be completed within 6 years of Construction Commencement
  - Phase 4 shall be completed within 10 years of Construction Commencement

The completions dates for each phase shall be extended by 6 months if Maine Department of Environmental Protection or the Army Corps of Engineers limits Applicant's construction of the Beaver Brook Crossing between July 15<sup>th</sup> and October 1<sup>st</sup> of any year, provided, the developer shall notify the Planning Board of any and all such DEP and/or Army Corps restrictions with written back up materials to confirm the same so that the developer and the City can agree to the same in writing.

In addition, Landing Road construction phases shall be completed according to the following phasing schedule:

- Phase 1: base-paved from Spring Street to the pump station as shown on the Plan; gravel surface from pump station to Stroudwater Street. Gravel surface section shall be gated/blocked to preclude public access.
- Phase 3: base-paved from pump station to Stroudwater Street. A certificate of occupancy shall not be issued for the 51<sup>st</sup> unit until the entire length of Landing Road has been based paved and the gates/blockages are removed.

**2<sup>nd</sup> by Rene Daniel**

**The vote was unanimous in favor 5-0**

SPECIAL EXCEPTION REVIEW

Staff Comments:

1. The Planning Board approved the special exception application with conditions on April 17<sup>th</sup>, 2007.
2. The special exception review is triggered by the proposed multi-family units within the project. As we have learned from past experience, the Board should vote on the Special Exception standards as they also vote on the subdivision and site plan review standards in cases where the standards cover the same issues.

The Special Exception application for Stroudwater Landing on Tax Map: 9, Lot: 20 and Tax Map: 8, Lot: 3A is to be **approved with conditions** based upon the following conclusions:

A. Certain Requirements Met. That the use requested meets the dimension, parking, loading, and sign requirements of this Ordinance. Otherwise, the applicant must also request an appropriate variance.

- The use meets the dimension, parking, loading and sign requirements of this Ordinance.

B. Value. That the use requested will not significantly devalue abutting property or property across public or private way. In making its determination, the Board shall take into consideration the type of structure proposed, the topography of the area, the market value of the surrounding real estate, the availability of utilities, traffic conditions, and other relevant factors.

- The construction of dwelling units and a private community facility will not significantly devalue abutting properties.

C. Effects of Land Use. That the use granted will:

(1) Maintain safe and healthful conditions,

- The project has been engineered to address the safety and health issues identified in the subdivision and site plan review ordinance.

(2) Not cause water pollution, erosion, or sedimentation

- The peer review by Cumberland County SWCD is complete.

- The DEP is conducting an in-depth Site Location of Development review of this project.
- (3) Not have an adverse impact on spawning grounds, fish, aquatic life, bird or other wildlife habitat,
- See Subdivision Review.
- (4) Conserve shared tree cover and visual, as well as actual, access to water bodies,
- See Subdivision Review.
- (5) Not burden on-site septic or off-site waste disposal,
- See Subdivision Review.
- (6) Not burden existing public ways.
- See Subdivision Review and enclosed traffic analysis.

D. Performance Standards. That the use granted is compatible with adjacent land uses and that it meets the following performance standards:

- (1) Landscape Environment and Enhancement. The landscape must be preserved in its natural state insofar as practicable. It must be designed so as to stabilize the slopes and buffer the site, where necessary,
- The applicant has developed a design that keeps development on the site's high-ground. Steep slopes have been avoided, except where needed for the path of Landing Road.
- (2) Surface Water Drainage. Surface water drainage must not have an adverse effect on surrounding properties, downstream water quality, soil stability, or the storm drainage system,
- The MDEP will review the surface water drainage system.
- (3) Water, Air, Soil Pollution. The development will not cause unreasonable water, air, or soil pollution,
- The project will be connected to the municipal sewer system.
  - The project will not produce unreasonable air or soil pollution.
- (4) Soil Integrity. The development will not cause unreasonable soil erosion or reduction in the capacity of the soil to hold water,
- The MDEP will review the erosion control and storm water management plans.
  - The Cumberland County Soil and Water Conservation District review is complete.

- (5) Natural Environment. The development must not have an unreasonably adverse effect on a historic site or irreplaceable natural areas,
  - See Subdivision Review.
- (6) Nuisance Factor. The development must not cause unreasonable noise, odors, dust, gas, fumes, smoke, light or other annoying or dangerous emissions,
  - No Issues.
- (7) Special Features. Exposed storage areas, machinery installation, service and loading areas, and similar facilities must be set back, screened, or buffered so as to minimize any possible adverse effect on the surrounding uses,
  - No Issues.
- (8) Vehicular Access. The site layout must provide for safe vehicular access and egress, including that for emergency vehicles,
  - See Subdivision Review.
- (9) Parking and Circulation. The layout of vehicular and pedestrian traffic patterns must provide for safe interior circulation, separation of pedestrian and vehicular traffic, and storage of plowed snow,
  - See Subdivision Review.
- (10) Public Services. The development must not impose an unreasonable burden on the water supply and sewage disposal systems, fire or police services, public ways, schools, recreational facilities, and other public services or facilities.
  - See Subdivision Review.

## CONDITIONS

- 1 Approval is dependant upon, and limited to, the proposals and plans contained in the application dated December 12, 2006, as amended March 20, 2007, 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.

## New Business

### 4. Amended Final Site Plan – Cintas Corporation – DeLuca-Hoffman Associates, on behalf of Cintas Corporation, for the installation of a

**30,000 gallon water storage tank and screening wall on the east side of the building located at 88 Spiller Drive. Tax Map: 4, Lot: 307, Zone: IP.**

**Steve Bushey** with DeLuca-Hoffman Associates, on behalf of Cintas Corporation, presented to the Planning Board aspects of the installation of a 30,000 gallon water storage tank and screening wall on the east side of the building located at 88 Spiller Drive. Tax Map: 4, Lot: 307, Zone: IP.

Overview – Cintas is seeking an amended site plan to install a 30,000 gallon water storage tank on the northeast side of the building. The plans include a wall on two sides of the tank to provide screening.

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

2<sup>nd</sup> by **Rene Daniel**

The vote was unanimous in favor 5-0

**Findings of Fact and conclusions for the**

**Westbrook Planning Board,**

**Greg Blake** moved the Amended Site Plan application for Cintas Corporation on Tax Map 4, Lot 10 and Tax Map 1, Lot 1, is to be **approved with conditions** with the following findings of fact and conclusions.

## **FINDINGS OF FACT**

### **Utilization of the Site**

- The project is consistent with the goals of the Westbrook Heights Business Park (WHBP).

### **Adequacy of Road System**

- The traffic improvements required of the WHBP incorporate the trips generated by Cintas Corporation.

### **Access to the Site**

- The proposed driveway has adequate sight distance.



### **Internal Vehicular Circulation**

- The plan provides adequate space for internal passenger and emergency vehicle circulation and access.

### **Pedestrian and Other Modes of Transportation**

- A sidewalk has been placed between the parking spaces and the front entrance.
- A sidewalk and crosswalk provide access to the rear of the building.

### **Stormwater Management**

- The City Engineer has approved the stormwater management plans.

### **Erosion Control**

- The City Engineer has approved the erosion control plans.

### **Utilities**

- All utilities are underground.
- The Portland Water District confirmed its ability to serve the project.

### **Hazardous, Special and Radioactive Materials**

- Not applicable.

### **Technical and Financial Capacity**

- A list containing a bank affiliation and trade references has been provided. Additional financial information on the company is requested to ensure that the project can be completed.

### **Solid Waste**

- Solid Waste will be the responsibility of the property owner.
- A dumpster pad has been provided on the plans. *The dumpster pad must include screening and a construction detail must be added to the plans.*

### **Historic, Archaeological and Botanical Resources**

- No resources were identified in the WHBP subdivision review.

### **Landscape Plan**

- Landscaping is focused on the street frontage. Additional landscaping is located in several of the parking islands.
- Staff recommends that the row of parking spaces on the far West side of the parking lot be pervious pavement. Additional shade trees should be installed where possible to reduce exposure of the large parking areas.

#### Others

- Parking: 195 parking spaces have been provided. With 70 employees on site during the peak shift, the number of parking spaces exceeds the requirement for 0.6 per employee at the largest shift.
- Water Storage Tank Addition: The water storage tank addition will not result in any impacts to the sight. The applicant is requested to describe how the proposed screening walls will blend into the existing building.

#### 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 2, 2005, as amended April 10, 2007, 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.

**2<sup>nd</sup> by Rene Daniel**

**The vote was unanimous in favor 5-0**

**5. Final Site Plan Approval – IDEXX Laboratories, Inc. – DeLuca-Hoffman Associates, on behalf of IDEXX Laboratories, Inc., for a 129,000 S.F. building expansion on the property located at 80 Eisenhower Drive. Tax Map: 5B, Lot: 5, Zone: IP.**

**Chris Osterrieder** with DeLuca-Hoffman Associates, on behalf of IDEXX Laboratories, Inc., presented to the Planning Board all aspects of a 129,000 S.F. building expansion on the property located at 80 Eisenhower Drive. Tax Map: 5B, Lot: 5, Zone: IP.

**Overview – This proposal is to construct a 129,000 S.F. expansion on the west side of the building. In addition, IDEXX is proposing to construct additional parking that is closer to the building than the existing parking.**

Process Administration:

1. Complete Application: The application should be found to be complete.

**Anna Wrobel moved to find the application complete**

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

The vote was unanimous in favor 5-0

Rene Daniel moved to schedule a site walk on May 19, 2007 at 10:00 am

2<sup>nd</sup> by Greg Blake

The vote was unanimous in favor 5-0

Greg Blake moved to schedule a Public Hearing on June 5, 2007 at 7:00 PM

2<sup>nd</sup> by Rene Daniel

The vote was unanimous in favor 5-0

**6. Village Review – 511 Main Street – Michael Chestnutt, on behalf of JR Squared Enterprises, Inc., for modifications to the exterior of the property located at 511 Main Street. Tax Map: 40, Lot: 198, Zone: CC, Overlay Zone: Village Review.**

Michael Chestnutt, on behalf of JR Squared Enterprises, Inc., presented to the Planning Board aspects of modifications to the exterior of the property located at 511 Main Street. Tax Map: 40, Lot: 198, Zone: CC, Overlay Zone: Village Review.

Rene Daniel moved to table 511 Main Street. Tax Map: 40, Lot: 198, Zone: CC, Overlay Zone: Village Review until May 15, 2007.

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

The vote was unanimous in favor 5-0

**7. Land Use Ordinance – Village Review Overlay Zone Amendments – Amendments to enable the review of village review applications by a newly established Village Review Overlay District Commission.**

Staff has amended the initial proposal based on comments by the Planning Board at the April 3<sup>rd</sup>, 2007 meeting. Erik Carson will describe the proposed changes at the upcoming meeting.

Background from the April 3<sup>rd</sup>, 2007 Staff memo:

Staff is working on the establishment of a Commission to review and approve Village Review applications. This Commission will be comprised of professionals in the design, construction and historic preservation fields. At this time, we have

three resident architects that are interested in serving on the commission. In addition, Staff will seek members from the Historical Society and the building trades field.

The purpose of the Commission is to assist the Planning Board and City Staff with architectural and historic review by bringing in professionals in related fields. In addition, the Commission members will provide applicants with better design alternatives than either Staff or the Planning Board can currently offer.

The Planning Board does not need to make a recommendation on the Commission's by-law language as this will be installed in the general Code of Ordinances. That being said, I expect the Council would like to know whether you support this concept and how the Commission is structured. The Planning Board will need to make a recommendation on amendments to the Village Review Overlay Zone text that relates to the new Commission reviewing applications.

**Erik Carson** explained the Village review Overlay District Commission structure.

**Rene Daniel** moved to schedule a Public Hearing on June 5, 2007

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

**The vote was unanimous in favor 5-0**

## **8. 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*