



# City of Westbrook

## DEPARTMENT OF PLANNING

2 York St. Westbrook, Maine 04092 (207) 854-9105 Fax: (866) 559-0642

**WESTBROOK PLANNING BOARD  
TUESDAY, MAY 4, 2010, 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), Cory Fleming (At Large), Rebecca Dillon (Alternate), Scott Herrick (Ward 3), Michael Taylor (Alternate), Greg Blake (At Large)

Absent: Robert Morrill (Alternate)

Staff: Molly Just, Richard Gouzie

**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**

**Rene Daniel moved to accept the minutes for January 5, 2010, January 19, 2010, March 2<sup>nd</sup>, 2010, March 16, 2010 as presented.**

**2<sup>nd</sup> by Michael Taylor**

**The vote was unanimous in favor 6-0**

**3. Subdivision Amendment – 4<sup>th</sup> Amended Subdivision Plan for the County Road Business Park and Glassworld Industrial Park - Request from Sebago Technics Inc., on behalf of Maine Wetlands Bank, LLC, in order to combine Lot 3 and Lot 5 (Map 2, Lot 52 and Map 2, Lot 54) along with the access and utility easement, into a single parcel. This would consolidate the existing development of this area into a single parcel. This request is to amend lot boundaries and no new construction is proposed for the larger subdivision and specifically for the two lots, totaling 3.9 acres, and generally located at 5 Karen Drive. Tax Map: 2, Lots: 52 and 54, Zone: Industrial Park District.**

Overview. This is the fourth amendment of this subdivision that was originally established in the 1980s. The purpose of this amendment is to combine lots 3 and 5, along with the access and utility easement, into a single parcel. The applicant has provided additional background on this subdivision amendment in their

Westbrook Planning Board Minutes  
May 4, 2010

narrative accompanying the application. Given that this application does not include additional development, many of the standard application requirements are not applicable and therefore are reflected as such herein.

**Owen McCullough** Sebago Technics on behalf of Maine Wetlands Bank, LLC, presented aspects of the combination of Lot 3 and Lot 5 (Map 2, Lot 52 and Map 2, Lot 54) along with the access and utility easement, into a single parcel.

This will consolidate the existing development owned by Maine Wetlands Bank predominately as mitigation area benefitting the City of Portland and some of the work the Jetport did, as well as Maine DOT and others.

What you see here is under a conservation easement. What we are going is putting the existing building that Maine Wetlands Bank owns and this piece under one entity called 5 Karen Drive Associates, LLC and the rest of the mitigation area stays as Maine Wetlands Bank. This cleans up the ownership and gets most of the mitigation lands separate from the developed area.

This is essentially what we are doing. The reason we added the other piece to that one is that there might be an opportunity down the road for an expansion here. By adding these pieces it allows for more flexibility for side yard set backs. We are not proposing anything at this time. Mr. Dunham is just planning for the future. There is no new construction, no material changes for the developed area at all.

**Ed Reidman** questions by the Board?

**Cory Fleming** just to understand, the two parcels outlined in red on the GIS map are being combined into one.

**Owen McCullough** that is correct

**Ed Reidman** since I do not see any questions, the Staff has recommended that the application is complete, may I have a motion?

**Dennis Isherwood** moved to accept the application as complete

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

**The vote is unanimous in favor 6-0**

**Ed Reidman** does anyone want to take a site walk to look at this one? Seeing none... Does anyone want to hold a public hearing on this? Seeing none... If you look at Molly's memo there is a proposed motion with the findings of fact, etc.

Any Staff comments?

**Molly Just** if you look at the recommended motion it should actually have the strike through on denied. Staff recommends that the project be approved with conditions.

**Michael Taylor** moved the amended subdivision application for County Road Business Park/Glassworld Industrial Park on Tax Map 2, Lot(s) 52 and 54 is to be **approved with conditions** with the following findings of fact and conclusions.

## **POLLUTION AND SEWERAGE DISPOSAL**

- The subdivision is connected to the municipal sewer system and as this amendment does not propose additional development it should not produce undue amounts of groundwater pollution.

### **B. WATER**

- Not applicable.

### **C. SOIL EROSION**

- Not applicable.

### **D. TRAFFIC**

- The changes proposed to the existing subdivision should not increase traffic nor alter the traffic patterns at the site's ingress/egress.

### **E. SEWERAGE**

- The project is connected to the municipal sewer system.

### **F. SOLID WASTE**

- Solid waste is the responsibility of the property owners.

### **G. AESTHETICS**

- Wildlife Habitat – the subdivision is the site of preserved and restored wetlands as a result of the National Resources Protection Act.
- Appearance Assessment:
  - (1) Project to Site - Not applicable
  - (2) Project to Surrounding Property - Not applicable
  - (3) Landscape Design – Not applicable
  - (4) Lighting – Not applicable
  - (5) Signs – Not applicable

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

- Comprehensive Plan – Not applicable as this is an existing subdivision.
- Land Use Ordinances – The plan meets the performance standards of the zoning ordinance.
- Recreation & Open Space – Not applicable. In addition, the subdivision is the home to a number of wetland conservation easements.

Westbrook Planning Board Minutes  
May 4, 2010

- Community facilities impact analysis – Staff does not recommend that a study be required.
- Fire Code – The applicant has provided for emergency vehicle access between Lot 3 and Scott Drive.

I. FINANCIAL AND TECHNICAL CAPACITY

- Not applicable.

J. RIVER, STREAM OR BROOK IMPACTS

- Not applicable.

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 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/will not** 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 application dated April 13, 2010, the plans dated November 15, 2004 and amended to April 13, 2010, 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. Prior to the Planning Board signing the mylar, the applicant shall pay the cost of the required notice to abutters.
3. Prior to the Planning Board signing the mylar, the City Council shall accept an easement for access to the public utilities located in Jonathan Drive.

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

**The vote was unanimous in favor 6-0**

**4. Adjourn**

*Respectfully submitted by Linda Gain PECE Administrative Assistant  
MINUTES MAY NOT BE TRANSCRIBED VERBATIM. SECTIONS MAY BE PARAPHRASED FOR CLARITY. A COMPLETE RECORDING MAY BE OBTAINED BY CONTACTING ENGINEERING, PLANNING AND CODE ENFORCEMENT at 207-854-9105 ext. 220 and lgain@westbrook.me.us. THANK YOU*