



City of Westbrook

DEPARTMENT OF PLANNING

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

WESTBROOK PLANNING BOARD TUESDAY, JUNE 1, 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), Rebecca Dillon (Alternate), Scott Herrick (Ward 3), , Robert Morrill (Alternate)

Absent: Greg Blake (At Large), Michael Taylor (Alternate), Cory Fleming (At Large)

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 approve minutes as written

2nd by Robert Morrell

The vote was unanimous in favor 5-0

Continuing Business

3. Subdivision Plan Amendment – Spring Crossing - 789 Main Street – Westbrook Housing for the division of the subject property into two lots. No additional development is proposed with this application. Tax Map: 33, Lot: 142A, Zone: City Center District, General Development Shoreland Zone, Downtown Housing Overlay District and Village Review Overlay Zone.

Summary. At its December 15, 2009 meeting, the Planning Board approved a Site Plan, Subdivision and Village Review Overlay Zone application for Westbrook Housing's Spring Crossing project, to be located at 789 Main Street. The approved new construction would be located at a new 19 Ash Street, behind two existing multi-family residential buildings fronting on Main Street and to the west of the Post Office. The project includes a 4-story cement clapboard and brick multi-family building with vinyl windows and an asphalt shingle roof. The building is intended to provide rental housing for the elderly. The existing multi-family buildings also include rental housing.

Update. Since Planning Board approval, the applicant has sought financing through Maine State Housing Authority. In order to streamline the financing process the applicant proposes to subdivide off the area of the approved new building. *The purpose of this application is to obtain approval of this subdivision. No additional development or site changes are proposed.*

4. John Gallagher executive director of Westbrook Housing presented an overview of 789 Main Street – Westbrook Housing for the division of the subject property into two lots. No additional development is proposed with this application. Tax Map: 33, Lot: 142A, Zone: City Center District, General Development Shoreland Zone, Downtown Housing Overlay District and Village Review Overlay Zone.

ED any question – site walk – public hearing

RD If the Board so recluse employee of Westbrook Housing

ER any objections to Rene Daniel voting?

No objections

Dennis Isherwood moved the Subdivision Plan application for Westbrook Housing on Tax Map: 33, Lot: 142A, is to be **approved with conditions** with the following findings of fact and conclusions.

FINDINGS OF FACT

A. POLLUTION AND SEWERAGE DISPOSAL

- Adequate.

B. WATER

- Adequate.

C. SOIL EROSION

- Adequate.

D. TRAFFIC

- No changes proposed.

E. SEWERAGE

- Sewerage would be via the municipal wastewater system.

F. SOLID WASTE

- Trash would be the responsibility of the landowner.

G. AESTHETICS

- Appearance Assessment. Adequate, no changes are proposed.

H. CONFORMITY WITH LOCAL PLANS AND ORDINANCES

- Comprehensive Plan – Adequate, no changes are proposed.
 - Recreation & Open Space – Adequate, no changes are proposed.
- Community facilities impact analysis – N/A.

I. FINANCIAL AND TECHNICAL CAPACITY

- Adequate

J. RIVER, STREAM OR BROOK IMPACTS

- N/A

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.

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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 (amended only to reflect updated applications and plans depicting the proposed subdivision)

1. Approval is dependant upon, and limited to, the proposals and plans contained in the applications dated September 15, 2009 and updated to May 24, 2010 and plans dated April 7, 2009 and revised to May 21, 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 City Planner or Planning Board.
2. Prior to issuance of the first building permit for the project, a fee in the amount of two percent (2%) of the project's total cost shall be made payable to the City of Westbrook for site inspections made by the Code Enforcement Officer and/or other appropriate City staff. If the project requires both Site Plan and Subdivision approval, this fee shall only be paid once.
3. Prior to issuance of the first building permit the applicant shall grant to the City an easement between the edge of the proposed parking lot and the existing City easement in the area of the Riverwalk path. The easement area is depicted on Sheet C 102 revised to December 9, 2009. The applicant shall be responsible for maintenance of the easement area.

2nd by Robert Morrell

The vote was unanimous in favor 5-0

5. 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*