



City of Westbrook

DEPARTMENT OF PLANNING

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

WESTBROOK PLANNING BOARD TUESDAY, MARCH 15, 2011, 7:00 P.M. WESTBROOK HIGH SCHOOL, ROOM 114 MINUTES

Present: Rene Daniel (Vice-Chair) (Ward 1), Dennis Isherwood (Ward 2), Greg Blake (At Large), Rebecca Dillon (Alternate)

Absent: Ed Reidman, (Chair) (Ward 5), Scott Herrick (Ward 3), Cory Fleming (Ward 4), Michael Taylor (At Large)

Staff: Molly Just, Richard Gouzie

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

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.

- 1. Public Hearing – Adoption of Vision Statements – Comprehensive Plan Update** - On behalf of the Westbrook Comprehensive Plan Update Task Force, the Department of Planning requests a Planning Board recommendation of approval for City Council adoption of proposed vision statements for individual areas of Westbrook and citywide which will serve as a guide to the Task Force as they write the update of the Comprehensive Plan as required by the State Planning Office.

Rene Daniel Molly your presentation?

Molly Just In the months of October, November and December a stakeholder Task Force appointed by the Westbrook City Council worked with the public to develop a vision statement for Westbrook for the next 10-20 years. The vision statement should be adopted by the City Council so that the Task Force may use it as guidance for writing the Comprehensive Plan update as required by the Maine State Planning Office. Required topics include: A Future Land Use Plan • Economy • Housing • Transportation • Recreation • Water Resources • Critical Natural Resources • Historical Resources • Agriculture • Public Facilities/Services • Fiscal Capacity/Capital Improvement Program.

Westbrook's current Comprehensive Plan was adopted early in 2001 and was found consistent with the State of Maine requirements at that time. We are in the process of updating the Comprehensive Plan to conform with current requirements. The Comprehensive Plan stake holders Task Force includes residents from the City, downtown businesses, other businesses, large land owners, representation from the City Council, Planning Board, the Zoning Board of Appeals, the School Committee and Recreation Conservation Commission. The Task Force has been working since September and will be engaged until the Comprehensive Plan has been adopted.

The public has also been engaged throughout the process. In October and November the Task Force engaged the public in small stakeholder or "town hall" style meetings. The purpose was to engage

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residents and businesses with common interests and/or geography in a discussion around a series of questions developed by the Task Force for the purpose of determining community preferences for the future of individual areas of the City and for Westbrook as a whole. A questionnaire was also distributed and posted on the project web page in order to reach a wider audience on these questions.

This effort culminated in a communitywide visioning session on Saturday, December 11. Break-out sessions based on geography and the required topics to be covered in the Comprehensive Plan were conducted in an effort to help ensure productive and satisfying participation. The public process generated the vision statement before you now.

I would like to thank the Comprehensive Plan Task Force, particularly Dave Haskell the Chair of the Task Force and Molly Sinclair the Vice Chair.

The Task Force has been at many meetings together and work together very well. This is a very diverse group of people which is exactly what we wanted. We have had Craig Freshly working with us from Good Group Decisions, who is a professional meeting facilitator. He has done a lot of work with Municipalities with diverse groups on making sure that they function well as a group and get the most out of their individual participation.

What we are looking for right now is not a Comprehensive Plan amendment officially. We are looking for a recommendation from the Planning Board that the City Council adopt the vision statement as written. What will happen later when we have the full Comprehensive Plan we will ask the Planning Board to have a public hearing and make another recommendation but this time it will be a Comprehensive Plan amendment to essentially replace the current Comprehensive Plan. It will be the more formal process but what we want right now is to make sure that the public input and the Task Force work is really in the right direction.

I am very proud of what is before you and would appreciate a vote of recommendation.

Rene Daniel is there anyone who wishes to speak about the vision statement?

Michael Foley 30 Lincoln Street Unit 105 and also am a member of the City Council and a member of the Task Force. I just wanted to express my support for the Comprehensive Plan process so far. The Task Force has worked at great length to make sure that we address every aspect of the Comprehensive Plan in a fair manner. We have had tremendous public input and tremendous public outreach; hopefully as time goes on we will have even more public outreach. At this point I want to express my support with what the Board is deciding this evening.

Thank you for considering this and thank you to the Task Force for participating. Thank you to Molly for all the work she has done and to our facilitator, Craig Freshly who has been a tremendous asset to organize this process.

Mayor Colleen Hilton I am also a member of the Task Force, I also am here to support and hopefully request your endorsement on the vision statement that you have. One thing I do want to mention in case you are wondering; we have also talked about what are the next steps after the whole plan is completed which is still a process. We know that the plan is only as good as educating the entire community about the plan and about the vision statement. We still have plans to turn this into something that is easily digested by the general public so they too will understand. Hopefully in the future we will avoid some of the conflicts we have seen in the past.

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As the incoming Mayor a couple of years ago I looked to the vision to guide myself in my leadership role. I said before that I do not think the vision should fluctuate from elected official to elected official. It should really be what the community wants and this process has been what the community wants.

I would really appreciate your support as Molly mentioned it does reflect a great deal of debate and hard work. Great thanks to Molly on her leadership through this process and to Craig Freshly our facilitator and all the committee members that are here this evening.

Margaret Inness I am the Ward 3 representative for the Task Force. I would like to encourage you to approve this vision statement because a lot of hard work has gone into it.

What you do not see hear is the compromise and the push and pull that has happened during these meetings which best reflects what we heard in the public forum and our own ideas about representing the particular groups and we have a very diverse group on the Task Force. I would like to urge you to approve this.

Philip Brown 259 Hardy Road and I am a member of the Task Force. I do not know that I can add significantly to what has already been said but I do want to make it clear that I do support this vision statement.

To date it has been a very well led process, there has been ample public input, there has been discussion and debate and I believe the vision statement before you has been thoughtfully constructed and I support it.

Public Hearing Closed

2. Call to Order
3. Approval of Minutes

Greg Blake moved to approve the minutes as written.

2nd by Dennis Isherwood

The vote was unanimous in favor 4-0

Continuing Business

4. **Adoption of Vision Statements – Comprehensive Plan Update** - On behalf of the Westbrook Comprehensive Plan Update Task Force, the Department of Planning requests a Planning Board recommendation of approval for City Council adoption of proposed vision statements for individual areas of Westbrook and citywide which will serve as a guide to the Task Force as they write the update of the Comprehensive Plan as required by the State Planning Office.

Rene Daniel I would entertain a motion to send this recommendation to the City Council.

Dennis Isherwood I would like to recommend that we send this vision statement to the City Council to be adopted as the vision statement for the City in our Comprehensive Plan.

2nd by Rebecca Dillon

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Rene Daniel any discussion?

Dennis Isherwood as a member of the Comprehensive Plan Task Force I feel that we came up with a good vision statement for the City and I do recommend this to the City Council for adoption.

Rene Daniel Molly, I am very impressed by your leadership. I believe that Task Force brought a lot of talent to the diverse group and I think Mr. Haskell did an excellent job. I am in total favor of it.

Rene Daniel I need to read a letter from Mike White how could not attend this evening.

Westbrook Planning Board c/o
City of Westbrook
2 York Street
Westbrook, Me. 04092

Attn: Mr. Edward Reidman Chairman, and Planning Board Members

Re: Vision Statement from the Comprehensive Plan Update Task Force

Dear Mr. Reidman; I would request the following be entered into the record regarding my thoughts on the vision statement as presented. I also want to be clear that I'm a member of the Comprehensive Update Task Force.

I learned many things during this process and found it to be worthwhile effort. With the vision portion complete we now move onto the details over the next year or so. What have I learned; there are a lot of very good people in Westbrook and they care about our City. Westbrook is a city not a town, that very fact creates many competing uses and interests. This shows Westbrook is on the move even in this recession there is activity in the City. We should count our blessings. The public responded to our outreach for input and it's reflected in our vision. If the vision looks busy, it's because it is, we're a city, not a sleepy quaint fishing village on the coast. There were strong varying opinions on the Task Force, but at the end of the day we produced a document that all voted to support. That's another example of people working together for the good of our City.

I would encourage your acceptance and approval of this Vision Statement as presented. I apologize for not offering these thoughts in person but my schedule has me way.

Thank you for consideration of my thoughts.

Sincerely
Michael S. White

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**The vote was unanimous in favor 4-0**

- 5. Site Plan Amendment – One Thomas Drive** – Terrence J. DeWan & Associates, on behalf of The Cumberland County Soil & Water Conservation District, for floodplain restoration in the Long Creek Watershed. This amendment includes no new on property located at 1 Thomas Drive. Tax Map: 3, Lot: 125. Zone: Industrial Park District.

Background. The subject property is located within the Long Creek Watershed and Long Creek has been designated an “urban impaired stream” by the Maine Department of Environmental Protection (DEP) because it fails to meet certain State of Maine water quality standards due to the effects of stormwater runoff from developed land. The US Environmental Protection Agency (EPA), under its Residual Designation Authority (RDA) under the federal Clean Water Act (“CWA”), is requiring certain owners of land located within the Long Creek Watershed to address stormwater runoff into the creek. The EPA has delegated to the Maine DEP permitting authority and the DEP has issued a “General Permit – Post Construction Discharge for Stormwater in the Long Creek Watershed” regarding stormwater discharge into the Long Creek Watershed. The General Permit requires the owners of parcels from which there is a Designated Discharge (a post-construction stormwater direct discharge from a parcel into the Long Creek Watershed on which there are impervious surfaces or impervious areas equal to or greater than one acre)

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to enter into the General Permit or obtain individual permits, and requires that certain remediation work be done and improvements constructed, installed and/or implemented in and along Long Creek and within its watershed which are intended to cause Long Creek to comply with Water Quality Standards. This application seeks to comply with these standards.

**Keith Smith** I am a landscape architect with Terrence J. DeWan & Associates. Today I am representing Long Creek Watershed management district as well as the Cumberland County Soil & Water Conservation District (CCSWCD). We are overseeing the Long Creek improvements for an “urban impaired stream” that flows through this property. This stream has been designated an “urban impaired stream” by the Maine Department of Environmental Protection (DEP) because it fails to meet certain State of Maine water quality standards due to the effects of stormwater runoff from developed land. This proposed project consists primarily of planting improvements to provide buffer and shading for Long Creek and potentially an irrigation system to protect this investment. The plants will be installed individually to minimize the amount of soil disturbance on the site. This application only reflects changes being proposed in order to conform to the Long Creek Management Plan. No other site changes and no building changes are proposed. The Long Creek Watershed Management District will manage and maintain the improvement area.

**Rene Daniel** any questions from the Board?

**Greg Blake** having worked across the street from there for a number of years, the plantings that you are proposing, are they hardy in terms of flooding?

**Keith Smith** most of them are moisture friendly plants especially in the lower corridor. They are all designed to withstand the moisture that they will be getting.

**Greg Blake** in terms of drainage studies...they have also had problems with the cross culvert underneath the entrance to Idexx. Do you have any drainage studies showing how this may impact the area?

**Keith Smith** what we are doing will not affect the flows at all.

**Greg Blake** so you are saying that it will slow the water down before it reaches the culvert.

**Keith Smith** correct and the plantings that we are putting there should stabilize it.

**Rene Daniel** what kind of perennials are you planting?

**Keith Smith** there is some Echinacea, coreopsis, daylilies, cone flower, irises, bee balm, Russian sage and black-eyed susan.

**Rene Daniel** any other questions?

No questions

**Rene Daniel** I am extremely pleased with this project.

**Greg Blake moved** the Site Plan amendment application for One Thomas Drive on Tax Map 3, Lot 125, is to be **approved with conditions** with the following findings of fact and conclusions.

***FINDINGS OF FACT***

**Utilization of the Site**

- Adequate

**Adequacy of Road System**

- Adequate.

**Access to the Site**

- Adequate.

**Internal Vehicular Circulation**

- No change.

**Pedestrian and Other Modes of Transportation**

- No change.

**Stormwater Management**

- To be improved with the proposed amendment.

**Erosion Control**

- To be improved with the proposed amendment.

**Utilities**

- Adequate.

**Hazardous, Special and Radioactive Materials**

- N/A

**Technical and Financial Capacity**

- Adequate.

**Solid Waste**

- Solid waste is the responsibility of the property owner.

**Historic, Archaeological and Botanical Resources**

- N/A

**Landscape Plan**

- This amendment seeks to enhance the existing landscaping on the site in order to reduce the impacts of using the site on the natural environment.

Others

**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.

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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 OF APPROVAL

1. Approval is dependant upon, and limited to, the proposals and plans contained in the application dated March 9, 2011 and plans dated March 7, 2011, 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. Within 45 days of Planning Board approval the applicant shall pay a fee in the amount of two percent (2%) of the project's total site improvement costs (\$100,000 x 2% = \$2,000) for site inspections made by the Code Enforcement Officer and/or other appropriate City staff.
3. The applicant shall pay the required notice of abutters within 45 days of Planning Board approval.

**2<sup>nd</sup> by Rebecca Dillon**

**The vote was unanimous in favor 4-0**

**6. Site Plan Amendment – Fifteen Thomas Drive** – Terrence J. DeWan & Associates, on behalf of The Cumberland County Soil & Water Conservation District, for floodplain restoration in the Long Creek Watershed. This amendment includes no new construction on property located at Tax Map: 3, Lot: 124  
*Site Plan – Fifteen Thomas Drive*

**Greg Blake moved** the Site Plan amendment application for Fifteen Thomas Drive on Tax Map 3, Lot 124, is to be **approved with conditions** with the following findings of fact and conclusions.

***FINDINGS OF FACT***

**Utilization of the Site**

- Adequate

**Adequacy of Road System**

- Adequate.

**Access to the Site**

- Adequate.

**Internal Vehicular Circulation**

- No change.

**Pedestrian and Other Modes of Transportation**

- No change.

**Stormwater Management**

- To be improved with the proposed amendment.

**Erosion Control**

- To be improved with the proposed amendment.

**Utilities**

- Adequate.

**Hazardous, Special and Radioactive Materials**

- N/A

**Technical and Financial Capacity**

- Adequate.

**Solid Waste**

- Solid waste is the responsibility of the property owner.

**Historic, Archaeological and Botanical Resources**

- N/A

**Landscape Plan**

- This amendment seeks to enhance the existing landscaping on the site in order to reduce the impacts of using the site on the natural environment.

Others

***CONCLUSIONS***

1. The proposed site plan **will not** result in undue water or air pollution.

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2. The proposed site plan **has** sufficient water available for the reasonably foreseeable needs of the site plan.
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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.
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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 OF APPROVAL

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2. Within 45 days of Planning Board approval the applicant shall pay a fee in the amount of two percent (2%) of the project's total site improvement costs (\$15,000 x 2% = \$300) for site inspections made by the Code Enforcement Officer and/or other appropriate City staff.
3. The applicant shall pay the required notice of abutters within 45 days of Planning Board approval.

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

**The vote was unanimous in favor 4-0**

7. Adjourn

*Respectfully submitted by Linda Gain PECE Administrative Assistant*  
THANK YOU