



Planning & Code Enforcement

2 York Street
Westbrook, Maine 04092
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PLANNING & CODE ENFORCEMENT

WESTBROOK PLANNING BOARD
Tuesday, September 7, 2021, 7:00 P.M.
Westbrook Middle School
471 Stroudwater Street

AGENDA

1. **Call to Order**
2. **Approval of Minutes**

REGULAR BUSINESS

3. **2020.24 – Site Plan Approval Extension Request - Brook Street Apartments – 171 Brook St - The Lefevres, LLC:** The applicant is requesting a one-year extension on the October 6, 2020 approval for 9-duplexes, totaling 18-units, on an existing vacant lot. Tax Map: 019 Lot: 029B Zone: Residential Growth Area 2 Use: Dwelling, Two-Family

NEW BUSINESS

4. **2021.19 – Site Plan – 737 Spring Street – Bluerock Industries, LLC:** The applicant is requesting a 20,000sf expansion to the existing building located at 737 Spring Street. Tax Map: 005 Lot: 010 Zone: Manufacturing District Use: Manufacturing

WORKSHOP

5. **2021.09 – Site Plan, Subdivision – Cottages at Berkshire – HTM Partners, LLC:** The applicant is proposing 21-single family house lots and a 77-unit condominium complex with access from Brook Street and Berkshire Way. Tax Map: 019 Lots: 031, 033, 034, 036 & 037; Tax Map 022 Lot: 010 Tax Map 059 Lot: 042 Zone: Residential Growth Area 2 Use: Dwelling Single-Family, Dwelling Two-Family



Planning & Code Enforcement

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PLANNING & CODE ENFORCEMENT

DATE: September 3, 2021

TO: Planning Board
FROM: Jennie P. Franceschi, City Planner & Rebecca Spitella, Assoc. Planner
Cc: Plan Review Team

RE: September 7, 2021 Planning Board Meeting

-
1. **2020.24 - Subdivision, Site Plan Approval Extension Request - Brook Street Apartments – 171 Brook St - The Lefevres, LLC**
 2. **2021.19 - Site Plan – 737 Spring Street – Bluerock Industries, LLC – Building expansion**
 3. **2021.09 - Site Plan, Subdivision – Cottages at Berkshire – HTM Partners, LLC**

-
1. **2020.24 – Subdivision, Site Plan Approval Extension Request - Brook Street Apartments – 171 Brook St**

REGULAR BUSINESS

Tax Map: 019 Lot: 029B
Zone: Residential Growth Area 2
Use: Dwelling, Two-Family

Project Description:

The applicant is requesting a one-year extension to the October 6, 2020 site plan approval for their 18-unit subdivision. (9 duplex structures)

Project History:

June 25, 2020 – Neighborhood Meeting
July 7, 2020 – Planning Board Workshop
September 17, 2020 – Recreation and Conservation Commission
October 6, 2020 – Public Hearing
September 7, 2021 – Regular Meeting – Extension Request

Staff Comments:

1. Staff take no issue with the extension request. No changes to the Zoning District or Ordinance have occurred since the 2020 approval that would impact the proposed development.
2. Offsite improvements
 - o The Planning Board has recently reviewed 3 separate residential developments on Brook Street – The 18-unit subdivision (approved – currently requesting approval extension), 118-unit subdivision (Public Hearing held on August 3, 2021) and a 96-unit subdivision (Cottages – Planning Board workshops held on April 6, 2021 and September 7, 2021).
 - o During the 2020 review of the Brook Street Apartments development the Planning Board discussed the need for pedestrian connectivity to Bridgton Road and approved the application

- with the installation of a sidewalk along the approximate 500-feet of frontage as this project's contribution toward a continual connection to Rte. 302.
- With the additional proposals along Brook Street, it was determined that Brook Street in its current built condition does not have the capacity to accept the additional pedestrian and vehicular load generated by the three combined developments. To address this matter the City engaged in an analysis by a 3rd party consultant to determine the necessary improvements needed beyond the initially discussed sidewalk connectivity. It was determined that there needs to be re-paving (mill and fill) of Brook Street from the intersection of Rte. 302 through the project limits, drainage & shoulder work (inclusive of culvert crossings and widening as necessary) and a raised sidewalk from the proposed developments to connect with the existing infrastructure on Bridgton Road. The cost of these improvements was then proportioned amongst the City and the three major residential developments, with the developer's responsibility defined as a \$5,200 fee per dwelling unit that would be paid at the time of building permit issuance.
 - The City is also participating in 2 other Brook St related projects that will provide upgrades to the infrastructure (outer Brook St will be repaved through a City/MDOT effort) and the intersection project of Brook/302 is in design/funding process through a City/MDOT effort as well.
 - With the approval extension, Staff is recommending an alteration in the conditions of approval to remove the requirement of having to provide a sidewalk design by the applicant along with the construction of that sidewalk, and rather include the condition of a \$5,200 impact fee per unit to be paid at the time of building permit issuance. Revised findings and conditions are included with this memo.

Motion:

Motion to grant a 1-year extension to the October 6, 2020 site plan approval for The Lefevres, LLC application for an 18-unit subdivision located at Tax Map: 019 Lot: 029B Zone: Residential Growth Area 2 is **(approved with conditions/denied)** and the following findings of fact, conclusions and conditions as stated on pages 2 through 6 of this Staff Memo dated September 3, 2021 are adopted in support of that approval.

Site Plan – Finding of Fact

Standard	Finding
Utilization of the site	Plan meets the intent of the Ordinance
Handicap Access	Site is in accordance with ADA standards
Appearance Assessment	Driveway entrance for Eagle Lane is at a location that is approved by Public Services. Site layout and design utilizes existing topography and the protected resource that is located along the easterly boundary line. A landscaping plan has been provided with increased landscaping along Brook Street as well as throughout the development. Lighting is limited to the site and does not spillover onto abutting properties. Signage is provided at the intersection with Brook Street and conforms to City Ordinances. Criteria 1-5 are met. Criteria 6 is not applicable and the site is not located within the Village Review Overlay Zone.
Landscape Plan	Additional landscaping is provided along Brook Street and along Eagle Lane. A vegetative buffer has been provided along the westerly boundary line.
Odors	No adverse impact is known or anticipated
Noise	No adverse impact is known or anticipated
Technical and Financial Capacity	Applicant has provided a letter from Androscoggin Bank dated August 7, 2020 to demonstrate proof of Financial Capacity. The

	applicant has retained the services of Walsh Engineering Associates which demonstrates technical capacity.
Solid Waste	Trash collection will be privately managed.
Historic, Archaeological and Botanical Resources or Unique Features	None known
Hazardous Matter	None known
Vibrations	None known
Parking & Loading Design and Site Circulation	On site parking is in excess of the minimum required by Ordinance to allow for visitor parking within the complex.
Adequacy of Road System	Adequate road capacity to accommodate the project exists.
Vehicular Access	Access is provided via Brook Street at a location that is approved by Public Services
Pedestrian and Other Modes of Transportation	A raised sidewalk is provided internal to the development. Applicant to provide a \$5,200 impact fee per unit to be paid at the time of building permit issuance. Fee will be utilized toward costs associated with the design and construction of Brook Street improvements to include repaving, drainage and a raised sidewalk westerly of the project site to connect with existing infrastructure on Rte. 302.
Utility Capacity	HHE-200 forms have been provided as part of the application. Ability to serve letters will be provided to the City upon receipt.
Stormwater Management, Groundwater Pollution	Stormwater management is provided by a detention pond located to the rear of the development
Erosion and sedimentation Control	Adequate erosion/control measures are provided on the plan.

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 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.

Subdivision – Finding of Fact

Standard	Finding
Pollution	Disposal of sewage from the project will be via private septic systems. HHE-200 forms have been provided as part of the application.
Sufficient Water	Water services are accessible within the Brook St right-of-way. Ability to serve letter from Portland Water District will be provided to the City upon Receipt.
Municipal Water Supply	Water services are accessible within the Brook St right-of-way. Ability to serve letter from Portland Water District will be provided to the City upon Receipt.
Erosion	The applicant has provided a plan to adequately address erosion control. On-site inspections will occur during construction to ensure compliance.
Traffic	With the proposed transportation improvement projects related to Brook St related to the impact fee requirement, Brook Street has adequate capacity to accept the traffic generate by this project.
Sewage Disposal	Disposal of sewage from the project will be via private septic systems. HHE-200 forms have been provided as part of the application.
Municipal Solid Waste Disposal	Residential waste will be privately hauled.
Aesthetic, Cultural and Natural Values	Not applicable
Conformity with City Ordinances and Plans	Proposal is in conformance with City Ordinances & Comprehensive Plan.
Financial and Technical Capacity	Applicant has provided a letter from Androscoggin Bank dated August 7, 2020 to demonstrate proof of Financial Capacity. The applicant has retained the services of Walsh Engineering Associates which demonstrates technical capacity.
Surface Waters; Outstanding River Segments	Not Applicable
Ground Water	Ground water will not be adversely impacted by this project.
Flood Areas	All flood zones have been identified on the plan
Freshwater Wetlands	All wetlands have been identified on the plan
Farmland	No farmland has been identified on site
River, Stream or Brook	A portion of Minnow Brook runs through the site and is identified on the plan. All development is located outside of the stream’s 75-foot setback. A plume analysis of the septic design has been provided to conform nitrate levels are within MDEP levels at the point of setback.
Stormwater	Stormwater management is provided by a detention pond located to the rear of the development
Spaghetti Lots Prohibited	No lots within the proposed subdivision have shore frontage. N/A
Lake Phosphorus Concentration	The proposed subdivision is not located near or along a great pond.
Impact on Adjoining Municipality	The proposed subdivision does not cross municipal boundaries
Lands subject to Liquidation Harvesting	Not applicable

Conclusions:

1. The proposed subdivision **will not** result in undue water or air pollution
2. The proposed subdivision **has** sufficient water available for the reasonably foreseeable needs of the subdivision
3. The proposed subdivision **will not** cause an unreasonable burden on an existing water supply
4. The proposed subdivision **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 subdivision **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 subdivision **will** provide for adequate sewage waste disposal and **will not** cause an unreasonable burden on municipal services.
7. The proposed subdivision **will not** cause an unreasonable burden on the City's ability to dispose of solid waste.
8. The proposed subdivision **will not** have an undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites, significant wildlife habitat or rare and irreplaceable natural areas or any public rights for physical or visual access to the shoreline.
9. The proposed subdivision **conforms** with a duly adopted subdivision regulation or Ordinance, comprehensive plan, development plan or land use plan.
10. The subdivider **has** adequate financial and technical capacity to meet the standards of this section.
11. The proposed subdivision **will not** adversely affect the quality of any pond, lake, wetland, great pond or river, or unreasonably affect the shoreline of that body of water.
12. The proposed subdivision **will not**, alone or in conjunction with existing activities, adversely affect the quality or quantity of ground water.
13. The subdivision **is not** located in a flood-prone area, as determined by the Federal Emergency Management Agency's Flood Boundary and Floodway Maps and Flood Insurance Rate Maps.
14. All freshwater wetlands within the proposed subdivision **have** been identified.
15. All farmland within the proposed subdivision **has not** been identified.
16. Any river, stream or brook within or abutting the proposed subdivision **has** been identified.
17. The proposed subdivision **will** provide for adequate stormwater management.
18. Lots in the proposed subdivision **does have** shore frontage on a river, stream, brook, great pond or coastal wetland as defined in 38 M.R.S.A. Section 480-B. Subdivision complies with required setbacks.
19. 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.
20. 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.
21. Timber on the parcel being subdivided **has not** been harvested in violation of rules adopted pursuant to 12 M.R.S.A. Section 8869, subsection 14.

Conditions:

1. Approval is dependent upon, and limited to, the proposals and plans contained in the application dated September 9, 2020 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 the Planning Board.
2. Consistent with Section 504.3, the Code Enforcement Officer shall not issue any permits until a site plan has been approved by the Planning Board and a Mylar signed by the Planning Board. *Mylars must be submitted to the City within 90 days of Planning Board approval or the approval shall be null and void.*
3. Prior to any site disturbance or building permits being issued for the project:
 - a. All Staff comments from the 10-06-20 Staff Memo must be addressed.
 - b. Copy of Recorded subdivision plan must be provided to the Planning Office.
 - c. A pre-construction meeting must be held with City Staff and the site work contractor. Contact the Planning Office to coordinate.
 - d. Review of building elevations to be consistent with submitted documentation or testimony.

- e. The applicant shall provide the digital data as required by Section 504.5.B.12 and 13. – verification with GIS coordinator.
 - f. ~~Sidewalk drainage plan provided to the satisfaction of Engineering Director.~~
 - g. An inspection fee shall be made payable to the City of Westbrook for inspection of site improvements made by the Code Enforcement Officer and/or other appropriate City staff. **\$14,316.84**
 - h. The applicant shall file a performance guarantee with the City of Westbrook. The amount of the guarantee shall be agreed upon in advance with the City of Westbrook and shall be of an amount to ensure completion of all on- and off-site improvements necessary to support the proposed project. **\$715,842.00**
 - i. Coordinate with the E911 Coordinator on addressing of the building/units.
 - j. Best management practices shall be adhered to during all ground disturbance operations. All Street Catch basins in the vicinity of earthwork operations shall have silt sacks installed & maintained for the duration of the work.
4. Prior to commencing any work in the City Right-of-Way, the applicant must obtain a road-opening permit from the Public Works Department.
 5. Prior to the first Occupancy Permit issuance:
 - a. A site inspection of the required improvements by the City to ensure public health & safety is addressed and compliance with the approval. (This includes all paving, striping, sidewalks, off-site improvements etc.)
 - b. All site improvements must be installed, unless a performance guarantee amount is held for the full amount of any remaining improvements.
 - c. Documentation of private trash management
 6. If units should be changed to Condominiums, prior to the First Unit Sold:
 - a. Provide copy to Planning Office of recorded Homeowners association by laws & Declaration of Covenants and Restrictions
 7. Prior to release of the performance guarantee:
 - a. The site will be in compliance with the approved plan and as-built plan provided in City approved format for the GIS system
 - b. Maintenance plan for Open Space provided to the Planning Department
 - c. Documentation of maintenance contractor for Stormwater Best Management Practices.
 8. **Prior to EACH Building permit issuance, the applicant shall pay the City of Westbrook a \$5,200 per unit fee (\$10,400 per duplex) to be utilized by the City toward project costs associated with the design and construction of Brook Street improvements.**
 9. The applicant shall comply with the requirements of local and state authorities for life and safety requirements.
 10. The applicant shall comply with Chapter 37, the local Post Construction Stormwater Management Ordinance. A copy of the maintenance log for the previous year for the stormwater treatment features associated with this project needs to be provided to the Planning Office in accordance with Chapter 37 requirements.

2. 2021.19 - Site Plan – 737 Spring Street – Blue Rock Industries, LLC

PUBLIC HEARING

Tax Map: 005 Lot: 010
Zone: Manufacturing District
Use: Manufacturing

Project Description:

The applicant is requesting to construct a 2 story 20,000-sf building expansion located at 737 Spring Street associated with the Blue Rock stone center.

Project History:

- May 2021 – Neighborhood Meeting
- June 1, 2021 – Planning Board Workshop
- September 7, 2021 – Public Hearing

Staff Comments:

1. Fee: \$164.08
2. Show post conditions for space and bulk standards on Site Plan
3. Reverse ADA parking symbol (shown upside down)
4. Cost Estimate amount to include as-builts, clean up
 - a. Increase Parking Lot Unit Costs as follows:
 - i. Subbase Gravel - \$50/Cubic Yard
 - ii. Base/Finish Gravel - \$40/Cubic Yard
 - iii. Base Paving - \$100/Ton
 - iv. Finish Paving - \$100/ton
5. Staff recommends chain link fence with privacy slats for dumpster enclosure for durability
6. Coordination with adjacent property owners as needed for restoration of rear gravel area.
7. Work within the Spring Street right of way limited to 9:00 – 3:00 if only requiring land shift. Any lane closures may require night work.
8. Project requires stormwater permit – condition of approval prior to building permit issuance.
9. Show restoration of rear gravel area on site plan. May need additional work beyond a surface treatment.
10. DBA testing prior to c/o issuance
11. Building must provide a 5” storz connection and sprinkler room with exterior access
12. All new electrical connections shall be underground.

Motion:

Motion that the site plan application for Blue Rock Industries, LLC for a 20,000sf building expansion and associated site improvements located at 737 Spring Street, Tax Map: 005 Lot: 010 Zone: Manufacturing District is **(approved with conditions/ denied)** and the following findings of fact, conclusions, and conditions as stated on pages **7 through 10** of this Staff Memo dated September 3, 2021 are adopted in support of that approval.

Site Plan – Finding of Fact

Standard	Finding
Utilization of the site	Meets the intent of the Ordinance
Handicap Access	The site provides two ADA parking spaces with direct access to the pedestrian path/customer entrance. Plan is compliant with ADA Standards.
Appearance Assessment	Access to the site has been shifted northerly of existing conditions to allow for customer parking in front of the building expansion.

	<p>The new driveway location has been reviewed by the City Engineer and meets MDOT standards for driveway separation. A landscaping plan has been provided to show enhanced landscaping at site entrance and in front of the commercial business. Site provides adequate lighting throughout parking lot for safety. Locations for commercial, wayfinding and safety signage are shown on the plan. Commercial signage will require a sign permit from the Code Enforcement Office.</p> <p>The project is not located within the Village Review Overlay Zone.</p>
Landscape Plan	<p>A landscape plan has been provided to show enhanced landscaping along the driveway into the site and adjacent to the customer parking area.</p> <p>As part of this project the applicant will returning an unused paved and gravel parking/storage area to the rear of the site to a grassed condition.</p>
Odors	<p>No adverse impact is known or anticipated. The project is a building expansion for an existing commercial use/operation that does not present a nuisance to abutting properties.</p>
Noise	<p>No adverse impact is known or anticipated. The project is a building expansion for an existing commercial use/operation that does not present a nuisance to abutting properties.</p>
Technical and Financial Capacity	<p>The applicant has provided a letter from Gorham Savings Bank dated August 11, 2021, to demonstrate financial capacity. The applicant has rendered the services of Terradyn Consultants, LLC to show technical ability.</p>
Solid Waste	<p>An enclosed dumpster is located along the southerly edge of the rear parking lot.</p>
Historic, Archaeological and Botanical Resources or Unique Features	<p>None known.</p>
Hazardous Matter	<p>Not applicable.</p>
Vibrations	<p>No adverse impact is known or anticipated. The project is a building expansion for an existing commercial use/operation that does not present a nuisance to abutting properties.</p>
Parking & Loading Design and Site Circulation	<p>Parking is provided in excess of Ordinance requirements. Customer parking is located adjacent to the customer entrance with employee, delivery and service parking to the rear of the site. Adequate lighting is provided throughout both parking pods.</p>
Adequacy of Road System	<p>Spring Street has adequate capacity to accept the traffic generated by this project.</p>
Vehicular Access	<p>Access to the site has been shifted northerly of existing conditions to allow for customer parking in front of the building expansion. The new driveway location has been reviewed by the City Engineer and meets MDOT standards for driveway separation</p>
Pedestrian and Other Modes of Transportation	<p>A sidewalk is shown along the northerly and westerly sides of the building expansion to provide a protected path from parking areas to the customer entrance.</p>
Utility Capacity	<p>Utility connections are available within the Spring Street right of way. All new electric connections are underground.</p>
Stormwater Management, Groundwater Pollution	<p>Stormwater management is provided via a dripline filter and a rain garden located at the north-easterly corner of the project. A</p>

	stormwater management report is included within the application submission.
Erosion and sedimentation Control	Adequate erosion and sedimentation control measures are shown on the plan.

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 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 dependent upon, and limited to, the proposals and plans contained in the application dated August 11, 2021 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 the Planning Board.
2. Consistent with Section 504.3, the Code Enforcement Officer shall not issue any permits until a site plan has been approved by the Planning Board and a Mylar signed by the Planning Board.
3. Prior to any site disturbance or building permits being issued for the project:
 - a. All Staff comments must be addressed.
 - b. Provide Planning Office with copy of approved MDEP Stormwater Permit.
 - c. A pre-construction meeting must be held with City Staff and the site work contractor. Contact the Planning Office to coordinate.
 - d. Review of building elevations and colors to be consistent with submitted documentation or testimony.

- e. The applicant shall provide the digital data as required by Section 504.5.B.12 and 13. – verification with GIS coordinator.
 - f. An inspection fee shall be made payable to the City of Westbrook for inspection of site improvements made by the Code Enforcement Officer and/or other appropriate City staff. Inspection fee shall be 2% of the total amount of performance guarantee. **\$8,127.72**
 - g. The applicant shall file a performance guarantee with the City of Westbrook. The amount of the guarantee shall be agreed upon in advance with the City of Westbrook and shall be of an amount to ensure completion of all on- and off-site improvements necessary to support the proposed project. **\$406,386.00**
 - h. Coordinate with the E911 Coordinator on addressing of the building/units.
4. Prior to the first Occupancy Permit issuance:
 - a. A site inspection of the required improvements by the City to ensure public health & safety is addressed and compliance with the approval. (This includes all paving, lighting, striping, sidewalks, utilities, & off-site improvements etc.)
 - b. All other site improvements must be installed unless a performance guarantee amount is held for the full amount of any remaining improvements.
 5. Prior to release of the performance guarantee:
 - a. The site will be in compliance with the approved plan and as-built plan provided in City approved format for the GIS system, as well as all other conditions being addressed.
 - b. Documentation of maintenance contractor for Stormwater Best Management Practices.
 6. Work within the Spring Street right of way limited to 9:00 – 3:00 if only requiring land shift. Any lane closures may require night work.
 7. Best management practices shall be adhered to during all ground disturbance operations. All catch basins in the vicinity of earthwork operations shall have silt sacks installed & maintained for the duration of the work.
 8. The applicant shall comply with the requirements of local and state authorities for life and safety requirements.
 9. The applicant shall comply with Chapter 37, the local Post Construction Stormwater Management Ordinance. A copy of the maintenance log for the previous year for the stormwater treatment features associated with this project needs to be provided to the Planning Office in accordance with Chapter 37 requirements.

3. 2021.09 - Site Plan, Subdivision – Cottages at Berkshire – HTM Partners, LLC

WORKSHOP

Tax Map: 019 Lots: 030A, 031, 033, 034 036 & 037; Tax Map 022 Lot: 010; Tax Map 059 Lot: 042
Zone: Residential Growth Area 2
Use: Dwelling, Single-Family & Dwelling, Two-Family

Project Description:

The applicant is proposing 21-single family house lots and a 77-unit condominium complex with access from Brook Street and Berkshire Way.

The project was previously before the Planning Board on April 6, 2021. Since that time the applicant has obtained additional land and is presenting a modified site layout. The project has come to an agreement with the City regarding an offsite improvement impact fee associated with the development. The applicant is seeking to update the Planning Board on progress to date as well as obtain any additional feedback regarding the revised site layout.

Project History:

March 11, 2021 – Neighborhood Meeting
April 6, 2021 – Planning Board Workshop
September 7, 2021 – Planning Board Workshop – Updated layout & additional land

Staff Comments:

1. Abutter Noticing Fee: \$59.84
2. Provide a phasing plan with final submission and include specific year timeframes for the phases.
3. The Westbrook Trail Blazes have expressed interest in maintaining a connection through this property. Recommend working with the club prior to the Planning Board meeting on options for connectivity.
4. Open space requirement: \$107,980.00
 - a. 21 Single Family Home lots ~ Avg Lot Size 25,014sf
 - i. 635,894sf Developable Area * 6.5% (Ordinance Requirement)
 - ii. 41,333 sf or \$69,268 fee in lieu
 - b. 77 Condo Units
 - i. 23,100sf or \$38,712 fee in lieu
5. Verify adequate water pressure is available for hydrants. Hydrants required internal to development where structures are not located within 800-feet of an existing hydrant.
6. Provide detail on lighting with final application. Street lighting required at all intersection points. Coordination with City required for sight lighting within proposed public ROW. Provide cut sheets for lighting internal to the condo development.
7. State net residential density for condominium lot on final subdivision plan.
8. Provide stamped boundary survey with final submission.
9. Final application should include nitrate study with plume analysis to demonstrate capability for reduced sf home lots and communal systems. Nitrate levels of 10ml max at the property lines, setback to Minnow Brook or edge of wetlands.
10. Provide net residential acreage calculations for condo parcel.
11. Provide 90-degree intersection of new road and Brook St – show sight distances on final plan set.
12. Existing structure adjacent to Brook Street shown within the setback from the proposed ROW.
13. Provide sidewalks internal to the project
14. Hydrants required every 800 feet
15. One side of road/driveway should be posted as no parking for emergency access. Recommend the no-parking side of the road correlate with hydrant placement.
16. Provide proposed names for public streets (2) and driveway (3) for E-911 verification.

17. Provide elevations and color palate for condo complex with final submission. Elevations should demonstrate variety in architecture/style
18. Final site grading for condo complex required. Any alterations to structure (daylight basement) or unit type post approval will require an amendment to the approved grading plan.
19. Applicant shall provide to the City of Westbrook \$5,200 per unit (\$10,400 per duplex) fee to be utilized by the City toward costs associated with the design and construction of Brook Street improvements. Payment of fee is required prior to the issuance of each building permit.

Board Action:

1. Provide feedback to the applicant on the submission to be incorporated into a final plan set.