



City of Westbrook

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

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**WESTBROOK PLANNING BOARD
TUESDAY, MAY 15th, 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), Cory Fleming (At Large), Scott Herrick (Alternate)

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

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. Mr. Reidman informed the audience of the purpose for the public hearing, and asked everyone who would speak to do so at the podium, being certain to speak clearly and provide the Board with their name and address. Mr. Reidman stated that the Board would hear a presentation accept any additional Staff comments, and then receive questions and commentary from the public. Mr. Reidman noted that any questions received by the Board would be answered at the end of the public presentation. Mr. Reidman explained that any action taken at this meeting would be dependant upon time constraints.

Public Hearing – Land Use Ordinances - Farm Animals in Residential Growth Areas – Referral from the City Council seeking recommendations on land use policy for the keeping of non-domesticated animals within residential zoning districts.

Brooks More reviewed the proposed Land Use Ordinance – Farm Animal in Residential Growth Areas.

Mark LeClair 15 Chestnut Street spoke in favor of amendments as proposed.

Susan Goff Kennard Street expressed concerns about protecting Bob Ledoux rights to keep his chickens.

Bob Ledoux 60 Chestnut Street expressed concerns about the changing to the ordinance in the Farm Animals in Residential Growth Areas section.

Anne Marie Gallant Mechanic Street mentioned the peaceful setting at Bob Ledoux home. Ms. Ledoux felt that the City of Westbrook has singled her Bob Ledoux out by making new rules.

Robert Ledoux 60 Chestnut Street said that there will be too many animals to track. What about the rest of the animal population?

Public Hearing Closed

Ed Reidman explained that the Westbrook City Council referred this item to the Planning Board to clarify the ordinance. The Planning Board has diligently prepared the draft of the Land Use Ordinances - Farm Animals in Residential Growth Areas. The City Council will then have another Public Hearing before enacting legislation.

Anna Wrobel explained the role of the Planning Board.

1. Call to Order

2. Approval of Minutes – April 24th, 2007; May 1st, 2007

Rene Daniel moved to approve the April 24th, 2007 and May 1st, 2007 minutes as written.

2nd by **Cory Fleming**

The vote was unanimous in favor 6-0

Continuing Business

3. Land Use Ordinances - Farm Animals in Residential Growth Areas – Referral from the City Council seeking recommendations on land use policy for the keeping of non-domesticated animals within residential zoning districts.

This item has been reviewed by the Planning Board several times in workshop. The purpose of the proposed standards is to, 1) allow the Planning Board to review applications for the keeping of a limited number of farm animals on a case-by-case basis and, 2) create standards in the code of ordinances for the keeping of farm animals throughout the city. The text enclosed with the packet has been revised to reflect the Board's comments at the previous workshop.

The Planning Board is being asked to make a recommendation to the City Council.

Rene Daniel moved to recommend Farm Animals in Residential Growth Areas as written by staff of to the City Council

2nd by **Cory Fleming**

The vote was unanimous in favor 6-0

4. 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.

Rene Daniel moved to remove this item from the table

2nd by Anna Wrobel

The vote was unanimous in favor 6-0

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

Staff Comments: The enclosed application has two designs. The design that is chosen depends on the condition of the materials under the existing siding. Staff expects that the applicant will be able to present on this issue at the Planning Board meeting. Due to the timing of the revisions and unresolved issues, Staff recommends that the application be discussed at the meeting and then tabled until April 15th.

Jim Ratner JR Squared Enterprises, Inc. presented to the Planning Board aspects of the repair of the parking lot and landscaping for the property located at 511 Main Street. Tax Map: 40, Lot: 198, Zone: CC, Overlay Zone: Village Review.

Rene Daniel asked for detailed landscaping plan.

Jim Ratner explained the landscaping of the lot.

Rene Daniel mentioned the need for an actual landscaping plan.

Brooks More reminded the Planning Board that the Site Plan requirements are not required with a Village Review Plan.

Cory Fleming moved the Village Review application for 511 Main Street on Tax Map: 40, Lot: 198 to be **approved with conditions** with the following findings of fact:

- (1) Scale of the Building. The scale of the building depends on its overall size, it's mass in relationship to the open space around it, and the size of its doors,

windows, porches and balconies. The scale of a building must be compatible with its site and neighborhood.

- The scale of the building will not change as a result of the proposed improvements.
- (2) Height. Change in the building height can have a negative impact on how a street appears. While maintaining a particular height is not required, changes in height must be visually compatible with the streetscape and the neighborhood.
- The height of the building will not change.
- (3) Rhythm of Front Facades. In reviewing any facade, the pattern of doors, windows and wall surface, their height and width, should be visually compatible with the neighboring structures.
- The rhythm of the front facades will be in keeping with the existing conditions. Namely, the retail style window pattern will be retained and enhanced.
- (4) Relationship of Facade Shapes and Materials. The relationship of facade shapes and materials should be considered in relation to the surrounding neighborhood. In particular, the rhythm of shapes, pitch, and orientation to the street on which the structure fronts should be maintained.
- The applicant has determined that the cost of removing the existing siding to expose the underlying brick is not feasible. This is due to the presence and location of openings in the original brick façade and the cost of work.
 - Staff is pleased with the proposal to increase the number of storefront windows on the building.
 - Signs: The existing signs may be replaced according to their current size. However, the proposal to increase the size of the existing non-conforming signs is not possible. Staff would prefer that the signs meet the current ordinance that stipulates signs be made of a natural material. The Code Enforcement Office must approve all signs.
 - Any signage should include the building number and street name for E911 purposes.

CONDITIONS

1. Approval is dependant upon, and limited to, the proposals and plans contained in the application dated April 10, 2007, as amended April 27, 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. Any signage should include the building number and street name for E911 purposes.

2nd by Dennis Isherwood

The vote was 5-1 in favor (Rene Daniel opposed)

New Business

5. Final Subdivision, Site Plan and Village Review – Profenno’s Apartment Building – Terradyn Consultants L.L.C., on behalf of Peter P. Profenno, Jr., for the construction of a 3,240 S.F. building that includes six dwelling units and a street level commercial/retail space on the property located at 918 Main Street. Tax Map: 32, Lot: 42, Zone: CC, Overlay Zones: Village Review, Downtown Housing.

Jon Whitten with Terradyn Consultants L.L.C., on behalf of Peter P. Profenno, Jr., presented to the Planning Board aspects of the construction of a 3,240 S.F. building that includes six dwelling units and a street level commercial/retail space on the property located at 918 Main Street. Tax Map: 32, Lot: 42, Zone: CC, Overlay Zones: Village Review, Downtown Housing.

Overview – This site was occupied by a restaurant/apartment building before it burned in 2005. The enclosed proposal seeks to replace this structure with a mixed use commercial/apartment building. The proposal meets the City’s goal to promote ground floor commercial space with housing above. The project utilizes the density increase in the Downtown Housing Overlay District.

Rene Daniel moved to find the application complete.

2nd by Scott Herrick

The vote was unanimous in favor 6-0

Anna Wrobel moved to schedule a Public Hearing for Tuesday, June 5th, 2007

2nd by Cory Fleming

The vote was unanimous in favor 6-0

6. Final Site Plan and Special Exception – Seacoast Law Office – Terradyn Consultants, L.L.C., on behalf of Mary-Anne Martell, for the location of a professional office and related parking spaces at 240 Main Street. Tax Map: 35, Lots: 99 and 99B, Zone: RGA1, Overlay Zone: RGA1 Business Office.

Jon Whitten Terradyn Consultants, L.L.C., on behalf of Mary-Anne Martell, presented to the Planning Board aspects of the location of a professional office and related parking spaces at 240 Main Street. Tax Map: 35, Lots: 99 and 99B, Zone: RGA1, Overlay Zone: RGA1 Business Office.

STAFF COMMENTS

1. Waivers:

- Staff recommends a waiver of the 26' aisle width standard. The initial plan used a 20' aisle width that reduced the amount of impervious space and kept a more residential look to the property. This is especially true of the parking area entrance.

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

Rene Daniel moved to find the application complete.

2nd by Cory Fleming

The vote was unanimous in favor 6-0

Anna Wrobel asked the applicant how many staff members would be at this location.

Mary-Anne Martell said there would be four employees.

Rene Daniel expressed his approval of the landscaping plan.

Anna Wrobel moved to grant the eighteen to twenty foot (18' – 20') parking lot aisle.

2nd by Rene Daniel

The vote was unanimous in favor 6-0

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

2nd by Dennis Isherwood

The vote was unanimous in favor 6-0

Chairman Reidman expressed his gratitude for all that Brooks More had given during his employment with the City of Westbrook as the City Planner.

Ken Tuttle with the Recreation Conservation Committee wished Brooks More well with his new position

7. 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