



# City of Westbrook

## DEPARTMENT OF PLANNING

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### WESTBROOK PLANNING BOARD TUESDAY, NOVEMBER 2, 2010, 7:00 P.M. WESTBROOK HIGH SCHOOL, ROOM 114 MINUTES

Present: Ed Reidman, (Chair) (Ward 5), Rene Daniel (Vice-Chair) (Ward 1), Robert Morrill (Alternate), Dennis Isherwood (Ward 2), Cory Fleming (At Large), Michael Taylor (At Large), Rebecca Dillon (Alternate)

Absent: Greg Blake (At Large), Scott Herrick (Ward 3)

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.

*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. Call to Order

#### 2. Approval of Minutes

**Rene Daniel** moved to accept the October 2, 2007 Amended, April 7, 2009 and September 7, 2010 as presented and amended.

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

**Mike Taylor** commented that on the April 7, 2009 minutes that he was recorded as an Alternate and he was actually an At Large member.

**Ed Reidman** April 7, 2009 as amended

**The vote was unanimous in favor 7-0 (Rebecca Dillon and Robert Morrill voting)**

#### New Business

#### 3. Home Day Care Provider – 156 Halidon Road – Laura Bilodeau for up a Home Day Care Provider facility for up to 8 children on an approximately 2.24 acre parcel described as Tax Map: 49, Lot 7, Zone: Residential Growth Area 2.

**1. Special Exception – Laura Bilodeau, for the review of a Home Day Care Facility at 156 Halidon Road.**

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**Project Description** – The applicant is requesting Planning Board approval of an 8-child Home Day Care Provider Facility and is in the process of obtaining State approval of the facility. The property is over two acres in size and is situated abutting a significant amount of open space.

**Ed Reidman** I have two technical questions. In the project description it references a large open space next door, beside 156 Halidon Road. Who owns that property?

**Laura Bilodeau** 156 Halidon Road, in the back?

**Molly Just** I believe it is either Sappi or Portland Water District.

**Laura Bilodeau** I think the Water District owns behind our land. .

**Ed Reidman then** when we get to requirements being met, there is a question looking at letter F in Molly Just's memo;

*F. All facilities shall demonstrate that they meet the requirements for licensing by the state and shall provide proof of state licensure prior to issuance of a Certificate of Occupancy and shall meet all sanitary, plumbing code, fire code, and building code requirements, as identified by the Code Enforcement Officer.*

Should it say Fire Inspector or Code Enforcement designee to review the fire code?

**Richard Gouzie** Generally Captain Jarrett goes with me on inspections and actually the State Fire Marshall inspects the facility before the City of Westbrook inspects it.

**Laura Bilodeau** The Fire Marshall has already inspected my Day Care.

**Molly Just** that is a good point, I think in the future I can change the language to as identified appropriate local and State Officials.

**Ed Reidman** are there any questions from the Board?

**Rene Daniel** I have been on the Board for a very long time and this is the most complete packet from an applicant for this type of permission that I have reviewed. It is outstanding. I think you have set the standard for what everyone else should do. The pictures are excellent. You have a nice piece of property and I think the children that will be at your Day Care, should we approve this tonight will be very lucky to attend your Day Care.

**Ed Reidman** do I hear a motion?

**Cory Fleming moved** the Special Exception application for Laura Bilodeau on Tax Map: 49, Lot 7 is to be **approved with conditions** based upon the following conclusions:

- A. A minimum of 50 S.F. of dedicated outdoor play area shall be required for each child, said play area shall not be placed in required yard setbacks.
  - Requirement met.
- B. A combination of fencing with plantings shall be installed such that the area is screened from abutting residential properties in terms of both sight and noise.

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- Requirement met.
- C. One (1) off street parking space shall be provided for each employee or volunteer, and one (1) off street parking space for every 6 children shall be provided.
- Requirement met.
- D. The parking area shall be in a safe location, shall include an area for snow storage, and shall permit the parent to move directly to the entrance for the loading and unloading of children without affecting the movement of other vehicles.
- Requirement met.
- E. That the proposed facility shall not burden on-site septic or offsite waste disposal.
- Requirement met.
- F. All facilities shall demonstrate that they meet the requirements for licensing by the state and shall provide proof of state licensure prior to issuance of a Certificate of Occupancy and shall meet all sanitary, plumbing code, fire code, and building code requirements, as identified by the Code Enforcement Officer.
- G. Based on location, area traffic, and neighboring uses, the Code Enforcement Officer or Planning Board may set the hours of operation.
- The hours of operation should be limited to 7: 00 am to 5:30 pm Monday – Friday.
- H. If the operator of the facility is not the owner of the property on which the facility will be located, the operator shall provide evidence of the property owner’s consent to the facility.
- The operator is the owner of the subject property.

**CONDITIONS**

1. Approval is dependant upon, and limited to, the proposals and plans contained in the application dated September 17, 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 issuance of any permits for the project, the applicant shall pay the fee for the required notice to abutters.
3. The hours of operation shall be limited to 7: 00 am to 5:30 pm Monday – Friday.
4. Planning Board approval must be obtained to increase enrollment beyond 8 children.

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

**The vote was unanimous in favor 7-0 (Rebecca Dillon and Robert Morrill voting)**

Continuing Business N/A

**4. Adjourn**

*Respectfully submitted by Linda Gain PECE Administrative Assistant*