



# City of Westbrook

## DEPARTMENT OF PLANNING & CODE ENFORCEMENT

2 York Street

Westbrook, Maine 04092

(207) 854-0638

Fax: 1-866-559-0642

### NOTICE OF DECISION

October 19, 2016

Dirigo Center Developers, LLC  
Attn: Jeffery Gove  
7 Thornton Street  
Seabrook, NH 03874

Re: 2016.12 – Site Plan, Subdivision & Special Exception – Dirigo Plaza  
80 Main Street & 11 Larrabee Road – Dirigo Center Developers, LLC  
Tax Map: 42B Lots: 9, 10, 11, & 14.  
Zone: Gateway Commercial.

Dear Jeffery,

At their meeting of October 18, 2016, the Westbrook Planning Board reviewed your application for Final Site Plan, Subdivision & Special Exception for J & J Gove Development to construct a 495,915 sq. ft. regional shopping center, with uses as stated in the Project Description section of the October 14, 2016 Staff Memo. The location of the project is 80 Main Street & 11 Larrabee Road, Tax Map: 42B Lots: 9, 10, 11, & 14 Zone: Gateway Commercial.

Based upon the presentation and materials submitted, the Planning Board granted Final Site Plan, Subdivision & Special Exception approval and approved the Findings of Fact and Conclusions of Law, conditioned on the following:

#### **Conditions:**

1. Approval is dependent upon, and limited to, the proposals and plans contained in the application dated September 13, 2016 and all 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 ground disturbance or permits (Phase 1 only) being issued for the project:
  - a. All outstanding Staff comments must be addressed.
  - b. Copy of Maine Department of Transportation Traffic Movement permit
  - c. Updated site plan set based upon all State permits if necessary (Mylar & Paper form)
  - d. Copy of the recorded subdivision plan.

- e. Copy of SWPPP shall be provided to Planning Office
  - f. Copy of Maine Construction General Permit to Planning Office
  - g. The applicant shall provide the digital data as required by Section 504.5.B.12 and 13. – verification with GIS coordinator
  - h. Copy of all recorded easements between the leased portions of the site and the main parcel for access, drainage and snow storage.
  - i. A pre-construction meeting must be held with City Staff and the site work contractor. Contact the Planning Office to coordinate.
  - j. Sewer Plans reviewed and approved of by City Sewer Department
  - k. 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. This fee is required per Section 500.8 of the Land Use Ordinances in order to cover the costs of inspection of site improvements.
  - l. 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.
  - m. Stormwater components:
    - i. All Grassed Underdrained Soil filters will have cleanouts.
    - ii. All sediment forebays will have concrete pad in base of forebay
    - iii. 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.
  - n. Site Components:
    - i. Verification that all Truncated domes in City ROW will be cast iron type.
    - ii. All dumpsters, compactors and storage of recycling or waste materials must be fully screened. Screening method shall be approved of by Planning Department.
4. Prior to any building permit issuance on Phase 2 (South side of project):
- a. Applicant will reapply to the Planning Board for approval of all site improvements and building elevations. (Parking layouts revised, pedestrian systems addressed, etc.)
  - b. Provide an easement along the Arterial side of the site for potential future sidewalks/pedestrian amenities.
5. Prior to commencing any work in the City Right-of-Way, the applicant must obtain a road-opening permit from the Public Works Department.
6. Prior to the first Occupancy Permit issuance,
- a. An internal signage plan shall be approved by the City and installed per plan. (Directing traffic to Exit 47).
  - b. Provide documentation of maintenance contractor for the project to keep site clean.
7. Prior to release of the performance guarantee, the site will be in compliance with the approved plan and as-built plan provided.
8. The applicant shall comply with Chapter 37, the local Post Construction Stormwater Management Ordinance. On January 15th every year, 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.

9. The applicant shall comply with the requirements of local and state authorities for life and safety requirements.
10. Traffic Conditions:
  - a. No permits will be issued until a copy of the MDOT permit is provided to the Planning Office.
  - b. Bus Stop for Kohl's vs a bus pullout – will be determined based upon ROW.
  - c. On all turning movements where skip lines are shown on the road to delineate lanes, those skip lines should be recessed into the pavement.
  - d. Construction sequencing of the traffic improvements will be a coordination effort with the City of Westbrook, Portland, MDOT and MTA.
  - e. ROW drawings will need to be completed to verify work limits.
  - f. Provide an easement along the Arterial side of the site for potential future sidewalks/pedestrian amenities.
  - g. Piano Key sidewalk striping will be acceptable to Westbrook.
  - h. In public ROW islands or along roads, any vegetation needs to be salt tolerant plantings. NO grassed areas will be allowed.
  - i. A monitoring program for traffic system will be required if not part of the MDOT TMP.
  - j. Left turn pockets on Larrabee Road will need to be evaluated once final plans are provided.
11. Project letters with conditions to be part of the approval:
  - a. Westbrook Fire Department – letter from Andrew Turcotte, Fire Chief dated September 7, 2016
  - b. Westbrook Sewer Department – letter from Eric Dudley, P.E. dated September 22, 2016
  - c. Portland Water District ability to serve letter – dated January 19, 2016
  - d. Westbrook Police Department – letter from Chief Janine Roberts dated September 13, 2016
12. Conditioned on the Responses provided by the applicant:
  - a. Letter from Wayne Morrill of September 27, 2016 to Jennie Franceschi
  - b. Letter from Wayne Morrill of October 10, 2016 to Jennie Franceschi

*Appeals of the Planning Board's decision may be made per the Westbrook Code of Ordinances.*

Site Plan approval expires unless the work necessary to accomplish the purpose for which it was requested is commenced within one year and completed within two years after October 18, 2016. An extension request must occur within one year after approval was granted.

If you have any questions, please call the Planning Department at 207-854-9105.

FOR THE WESTBROOK PLANNING BOARD



Jennie Poulin Franceschi, P.E.  
Director of Planning and Code Enforcement

CC: File, Wayne Morrill - Jones & Beach, Jim Katsiaficas – Perkins Thompson