

BERWICK PLANNING BOARD

MINUTES

September 15, 2011

PRESENT: Peter Perri, Judy Burgess, Kerry Ashburn, Paul Boisvert, Ron Morrell, Tom Wright (Alternate), Mary Gagnon (Alternate), Jim Webster (CEO), Joan Michaud (Planning Coordinator)

At 6:32 p.m. a MOTION by Judy Burgess, SECOND by Peter Perri to convene into an Executive Session with the Town Attorney regarding the recent court case, Robert & Donna Duffy, Doug & Jeannette Seivwright, Ray & Joyce Provencher & Tom & Carol Planche vs. Town of Berwick & Berwick Iron & Metal Recycling, Inc.

Meeting reconvened into a Public Hearing at 7:36 p.m. with a MOTION by Peter Perri and SECOND by Paul Boisvert.

APPROVAL OF MINUTES

Minutes –September 1, 2011: Requested changes by Judy Burgess

COMMENTS & NON-AGENDA ITEMS

None provided.

OTHER

Ordinance Review:

Mass Gathering – Chairman Ashburn requested that the handwritten notes that were submitted to the Board by Eleanor Murphy and Brian Cincotta be typed up by Joan Michaud for the Board's review and recommendations and will then be passed along to the Selectmen for their disposition. Brian Cincotta noted that the document presented was for a language review only from the Board.

Buffering & Landscaping – After in depth discussion, the Board decided that the language supplied by Mark Pendergast was very restrictive and it would be hard to meet these standards in most Urban Overlay areas. The Board decided that the language would, however, be considered for subdivision approvals in the future.

Gravel Pit/Quarry Abutter Notification – Suggested language submitted by Ed Minnick to amend the Land Use Ordinance concerning notification of abutters for Gravel Pits/Quarry site plan applications was approved with one change as follows:

An exception to the above distance is a ~~Mineral Extraction~~ **Quarry** site application. To be compliant with Title 38, Chapter 3, Subchapter 1, Article 8-A, 490-Z Performance standards for Quarries, Section 14 Blasting, Paragraph F of the Maine Revised Statutes the notification distance from the blast area must be ½ Mile (2,640 feet).

Obscenity - After review by the Board, it was decided that Southern Maine Regional Planning Commission should be handling the review and incorporation of the following Ordinances into the Land Use Ordinance: Obscenity, Massage & Sexual Contact, Street Vending, Bottle Club and Pinball Machine. Money was budgeted for this review but it may not be enough to cover the cost.

Chairman Ashburn stated to the Board that she would like to look at each ordinance individually. Judy agreed to review and bring any ordinances that need to be amended to the Board's attention.

Meeting adjourned at 8:45 p.m.



Kerry Ashburn, Chairman