



# PLANNING BOARD MEETING MINUTES

Thursday July 21, 2016  
Town Hall Meeting Room  
6:30 p.m.

## Call to Order

Vice-Chair Paul Boisvert called the meeting to order

## Pledge of Allegiance

## Introduction of Board Members

*Paul Boisvert; David Dow; Nichole Fecteau; Niles Schore*

### **Regular Board Member(s) Absent:**

*David Andreesen*

### **Alternate Members Present:**

*John England; Sean Winston*

### **Staff Members Present:**

Joseph Rousselle, CEO; John Stoll, Community Development & Planning Director

Vice-Chair Boisvert made Sean Winston a voting member for this evening's meeting.

## Public Comment

## Approval of Minutes

- June 2, 2016

**Motion:** Nichole Fecteau made a motion to approve the meeting minutes as written

**Second:** Niles Schore

**VOTED – 5-0 in favor**

## Motion Passed

In favor: Paul Boisvert; David Dow; Nichole Fecteau; Niles Schore; Sean Winston

Opposed: None

Abstain: None

- June 16, 2016

Paul Boisvert noted that on page 2 Chair Andreesen moved that the minutes should be table until June 16<sup>th</sup>, but that this should actually read July 21<sup>st</sup>.

Niles Schore noted that one of the motions is duplicated on page 3. Mr. Stoll clarified that the second motion should actually read conditions of approval rather than conclusions of law.

**Motion:** Nichole Fecteau made a motion to approve the minutes as amended

**Second:** Niles Schore

**VOTED – 5-0 in favor**

**Motion Passed**

In favor: Paul Boisvert; David Dow; Nichole Fecteau; Niles Schore; Sean Winston

Opposed: None

Abstain: None

### **Public Hearing**

#### **Old Business**

- Preliminary Major Subdivision Application – 119 Cemetery Road (R-37, Lot 6)
  - 2 lot subdivision, single family and two 6-unit multi-family buildings – LRB Investments, LLC

Nichole Fecteau stated that she would no longer be asking for recusal on this item. The perceived conflict of interest has been resolved with the sale of the abutting property that Ms. Fecteau had represented as a real estate agent.

Mr. Boisvert reviewed a peer review report provided by John Turner Consultants regarding waiver requests submitted by the applicant.

**Waiver Request #3** – Request low volume/minor street standards rather than medium volume/collector street standards. The JTC Peer Review recommends approval of this waiver request based upon the fact that the proposed development will create less than 8 vehicle trip ends during peak hour and that the tight radii and narrow width of low volume standards will promote lower speeds and less vehicle noise.

**Motion:** Niles Schore made a motion to approve the requested waiver

**Second:** Nichole Fecteau.

Ms. Fecteau pointed out that the peer review does state that the medium volume standards would be better suited if additional development on or adjacent to the subject property is to be considered in the future. Ms. Fecteau stated that there is at least one more buildable lot beyond the subject lot. Les Bodwell stated that his proposal has used up all of the available density on both lots and would not be developed in the future. Mr. Boisvert asked about a lot that was at the end of the existing access road and if it could be developed. Jay Stephens, of Civil Consultants, stated that Mr. Bodwell owns the road and that any future development would require the road to be built up to the appropriate standards.

Mr. Schore asked that the recommendation submitted by the peer review serve as the official findings for the Board granting the waiver request.

**VOTED – 5-0 in favor**

**Motion Passed**

In favor: Paul Boisvert; David Dow; Nichole Fecteau; Niles Schore; Sean Winston

Opposed: None

Abstain: None

**Waiver Request #4**

Vice-Chair Boisvert stated that waiver request number four would need additional action as it had been withdrawn previously. The applicant has agreed to construct the road 20 feet in width as required by the Fire Department but would like permission to construct 2 foot shoulders rather than the required three foot shoulders. Mr. Rousselle and Mr. Stoll confirmed that the Fire Department would accept the two foot shoulders as long as the road was 20 feet in width.

**Motion:** Niles Schore made a motion to approve the waiver request

**Second:** Nichole Fecteau

**VOTED – 5-0 in favor**

**Motion Passed**

In favor: Paul Boisvert; David Dow; Nichole Fecteau; Niles Schore; Sean Winston

Opposed: None

Abstain: None

**Waiver Request #7**

Request that submitting a stormwater analysis per the Town's criteria in addition to that required by the Maine DEP Chapter 500 storm water permitting process. The JTC peer

review recommends that the Planning Board strongly consider granting the waiver. This is based upon the fact that the request reduces unnecessary duplication and will not provide any additional protection. Niles Schore added that the impervious surface is also less than one acre (and thus does not trigger local storm water analysis).

**Motion:** Niles Schore made a motion to grant the waiver request

**Second:** Nichole Fecteau

**VOTED – 5-0 in favor**

**Motion Passed**

In favor: Paul Boisvert; David Dow; Nichole Fecteau; Niles Schore; Sean Winston

Opposed: None

Abstain: None

Niles Schore pointed out that the application for subdivision states that the applicants are Les Bodwell and LRB Investments, LLC. There is a box on the subdivision application that asks if the applicant is a corporation and that box is not checked. If one of the applicants is LRB Investments, LLC then the box should be checked. The applicant agreed to make the change on a subsequent submission indicating that the sole applicant would be Les Bodwell and not LRB Investments, LLC.

Vice-Chair Boisvert stated that the Board should now consider if the application is complete.

**Motion:** Niles Schore made a motion to accept the application as complete

**Second:** Sean Winston

Niles Schore asked John Stoll if he would be able to conduct a consensus building/dispute resolution workshop for this application with the abutters. Mr. Stoll stated that he would if the Board thought it would be beneficial. Ms. Fecteau stated that this process was used during the boat launch project and that it seemed to work very well. Ms. Fecteau suggested that the workshop be held prior to the meeting where the public hearing would be held. The Board requested that the workshop be held on August 18<sup>th</sup> at 5:30 pm. Les Bodwell stated that he was in favor of the Town holding this workshop.

**VOTED – 5-0 in favor**

**Motion Passed**

In favor: Paul Boisvert; David Dow; Nichole Fecteau; Niles Schore; Sean Winston

Opposed: None

Abstain: None

The Board set the public hearing for the application for August 18<sup>th</sup>.

The Board requested a complete peer review for this application. Mr. Stoll stated that he believed Attar Engineering would be conducting this phase of the review.

**Motion:** Niles Schore made a motion that a full peer review be conducted

**Second:** Nichole Fecteau

**VOTED – 5-0 in favor**

**Motion Passed**

In favor: Paul Boisvert; David Dow; Nichole Fecteau; Niles Schore; Sean Winston

Opposed: None

Abstain: None

**New Business**

**Information Items**

**Other**

**Public Comment**

**Adjournment**

**Motion:** Nichole Fecteau made a motion to adjourn

**Second:** Sean Winston

**VOTED – 5-0 in favor**

**Motion Passed**

In favor: Paul Boisvert; David Dow; Nichole Fecteau; Niles Schore; Sean Winston

Opposed: None

Abstain: None

Minutes prepared by Community Development & Planning Director John Stoll, for consideration at the Berwick Planning Board's August 4, 2016 meeting.

Signed as Approved by the Board:

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