



Town of Berwick

BOARD OF SELECTMEN/BOARD OF ASSESSORS MINUTES

Tuesday, February 7, 2017

6:30pm

Selectmen's Room
11 Sullivan Street
Berwick, ME 03901

1. Call to Order

Chair Wright called the meeting to order at 6:30pm.

2. Roll Call

Board Members Present: Chair Thomas Wright, Vice Chair Edward Ganiere, Selectman Rebecca England, and Selectman Joshua Plante.

Staff Members Present: Town Manager Stephen Eldridge, Planning and Community Development Director John Stoll and Town Clerk Patricia Murray.

3. Pledge of Allegiance

Chair Wright led the Pledge of Allegiance.

4. Approval of Meeting Minutes

- January 17, 2017

Tabled.

5. First Public Comment

Chair Wright opened the first public comment.

- Mr. Neil Hokinson, Berwick Transfer Station, spoke. Mr. Hokinson wanted to bring the Board up to date on recycling at the Transfer Station. He reported that close to 100% of people are recycling. He stated household trash has reduced. He asked the Board for approval to disregard the last Saturday of the month due to congestion in the summer. Chair Wright responded that this will be addressed with the new contract.

There being no further comments, Chair Wright closed the first public comment.

6. Public Hearing

- The Establishment of Impact Fees
- Chair Wright opened the second public comment. There being no comments, Chair Wright closed the second public comment.

Chair Wright opened the Public Hearing.

Mr. John Stoll, Planning and Community Development Director, presented. Mr. Stoll presented the establishment of the impact fee schedule at the January 17, 2017 Board of Selectmen Meeting and the Board asked Mr. Stoll to return with comparable building permit costs and a final recommendation for impact fees. His proposed numbers are based on the State requirements and he stated the Board can adjust the numbers. As proposed, impact fees would be used for the purchase of Open Space and Recreational Facilities. Currently Berwick has a desired open space of 13 acres for every one thousand residents and the proposed number is calculated off of this.

Proposed Impact Fee Schedule for the Purchase of Open Space and Recreation Facilities

Berwick, Maine

The Town of Berwick currently desires 13 acres of open space for every 1,000 residents.

- This number is based upon the existing acreage ratio of 13:1000.

The Town of Berwick currently needs 1 Community Center once the population of Berwick exceeds 8,000 residents. The original 1991 Comprehensive Plan, 2004 Comprehensive Plan update, and 2014 Downtown Vision & Implementation Plan all call for future development of a community center.

- At the 2010 Census the population of Berwick was just over 7,500 residents.
- It is estimated that Berwick will exceed 8,000 residents no later than 2027.
- Since the population will exceed 8,000 by 2027 the current impact fee schedule should plan to construct a community center no later than 2027.

Based upon the community’s desire for 13 acres of open space for every 1,000 residents and a community center or enhanced recreation facilities and equipment to service a population that exceeds 8,000 residents the fee schedule for impact fees is proposed as follows:

	Proposed IMPACT FEE by Type of Dwelling Unit if No Loans for Land Purchase									
	Detached Single Family				Attached Single Family and Multi-Family			Mobile Home		
	2 BR	3 BR	4 BR	5 BR	1 BR	2 BR	3 BR	1 BR	2 BR	3 BR
Impact Fee TOTAL	\$1,200	\$2,000	\$2,350	\$2,400	\$900	\$1,400	\$1,650	\$1,050	\$1,500	\$2,550

These fees will be collected by the Code Enforcement Officer as required in Article 15 of the Berwick Land Use Ordinance. All impact fees shall be recorded individually with specific fee payer information and the date that the impact fee was collected. If the individual impact fee is not expended within 10 years the money shall be refunded.

It is recommended that these fees be separated in the following manner:

- 50% dedicated to the acquisition of open space.
- 50% dedicated to enhanced recreation facilities (such as a community center) and equipment.

The Board of Selectmen are required to review the impact fee schedule annually as well as the list of fees collected over the previous calendar year.

Local Impact Fee Schedules

North Berwick

- Recreation = \$333.33/per bedroom
- Open Space = \$166.67/per bedroom

Gorham

For Recreation and Open Space:

- Single Family/manufactured/detached condo = \$1,715
- Dwelling Unit w/in 2-Fam or multi-fam including attached condos:
 - One bedroom = \$643
 - 2 Bedroom = \$1,072
 - 3 or more = \$1,608
- Dwelling Unit in elderly or congregate housing = \$643
- Others: Planning Board shall determine applicable fee based upon number of occupants that would be typically expected to live in the dwelling unit and the impact fee of \$536/capita

York

For the Construction of School Facilities

	<u>Single-Family</u>	<u>Apartment</u>	<u>Mobile Home</u>
• 1 Bedroom	0	0	0
• 2 Bedroom	0	0	0
• 3 Bedroom	\$1,700	\$1,900	\$2,700
• 4 or more	\$3,400	\$3,400	\$3,400

Windham – Recreation Facilities & Developed Recreation per capita

Development Type and Relative Impact Based on Household Size	Windham Recreation Fee Options Assessment Per Dwelling Unit		
	Facility Based Method	Improved Acreage Avg Cost Method	Facility-Based w/Extended Lippman Park Improvements
Single Detached	\$929	\$1,080	\$977
Townhouse	\$688	\$800	\$724
Two Unit Structure	\$688	\$800	\$724
Multifamily (3+ Unit) Structure	\$516	\$600	\$543
Mobile Home	\$688	\$800	\$724

Avg Non-Single Family Dwelling	\$645	\$750	\$679
Accessory Apartment	\$344	\$400	\$362

Surrounding Town Building Permit Fee Schedule Comparison

Building Permit

North Berwick	Min Fee = \$25	\$6 for every \$1,000 of estimated completed value	
South Berwick	Min Fee = \$5	Res = \$0.50/SqFt	Comm = 0.30/SqFt
Lebanon	Min Fee = \$40/50	Res = \$0.40/SqFt	Comm = \$0.75/SqFt
Sanford	Min Fee = \$25	Res = \$0.25/SqFt	Comm = \$0.25/SqFt
Elliot	Min Fee = N/A	Res = \$0.50/SqFt	Comm = \$0.50/SqFt
Berwick	Min Fee = \$55	Res = \$.0.55/SqFt-Single Fam	Comm = \$0.22/SqFt
		= \$0.71/SqFt-Multi Fam	

Please See Attached for Community Development & Planning Department Recommendations to adjust building permit schedules effective _____, 2017

TOWN OF BERWICK
COST RECOVERY FEE SCHEDULE
Building Permit Fees are Non-Refundable

RESIDENTIAL: SINGLE FAMILY

\$25.00 plus \$.50 per Sq. Ft. of finished living space
\$15.00 plus \$.25 per Sq. Ft. of unfinished living space, garages, and outbuildings
\$50.00 flat fee for sheds (less than 120 square feet)

DECKS – PORCHES – ROOM ADDITIONS

\$0.28 per Sq. Ft.

SWIMMING POOLS: ABOVE & IN-GROUND

\$55.00 flat fee for above-ground pool
\$220.00 flat fee for in-ground pool

TWO & MULTI-FAMILY DWELLINGS

\$50.00 plus \$0.70 per Sq. Ft.

AFTER THE FACT

Double the Established Fee

COMMERCIAL, RETAIL, LIGHT & LARGE INDUSTRIAL, AND MANUFACTURING

\$25 plus \$.25 per Sq. Ft.

COMMUNICATIONS TOWERS

\$11.00 per \$1,000.00 of Construction Costs

RENOVATIONS

\$11.00 per \$1,000.00 of Construction Costs

CONDITIONAL USE PERMIT APPLICATION

\$100.00 plus all incurred noticing and mailing costs

SITE PLAN REVIEW APPLICATION

\$200.00 plus all incurred noticing and mailing costs. Applicant shall incur any required peer review costs.

BOARD OF APPEALS APPLICATION

\$100.00 plus all incurred noticing and mailing costs.

ALL OTHER LAND USE PERMITS

\$25.00

IMPACT FEE

See Attached for Details

IMPACT FEES

	Detached Single Family				Attached Single Family and Multi-Family			Mobile Home		
	2 BR	3 BR	4 BR	5 BR	1 BR	2 BR	3 BR	1 BR	2 BR	3 BR
Recreation	\$600	\$1,000	\$1,175	\$1,200	\$450	\$700	\$825	\$525	\$750	\$1,275
Open Space	\$600	\$1,000	\$1,175	\$1,200	\$450	\$700	\$825	\$525	\$750	\$1,275
Impact Fee TOTAL	\$1,200	\$2,000	\$2,350	\$2,400	\$900	\$1,400	\$1,650	\$1,050	\$1,500	\$2,550

Chair Wright stated he didn't understand the rationale behind the differences between a detached single family, an attached single or multi family, and a mobile home. He stated a bedroom is a bedroom. Mr. Stoll clarified that the fees are based on the average number of residents per each type of home. Mr. Stoll referred to the fee schedule of surrounding towns.

Mr. Stoll presented the proposed Building Permit Fee Schedule. Selectman England asked if Planning would trend the new fees in the future and adjust fees accordingly. Mr. Stoll replied the Board can approach that as it sees fit.

There being no further comments, Chair Wright closed the Public Hearing.

Motion: Chair Wright made a motion to accept the Impact Fee Schedule as presented. Selectman Ganiere seconded the motion.

The motion carried unanimously: 4– 0.

Motion: Chair Wright made a motion to accept the revised Building Permit Fee Schedule as presented. Selectman Ganiere seconded the motion.

The motion carried unanimously: 4– 0.

7. Reports of Committees

- BCTV Committee

Chair Wright read a resignation letter from BCTV Committee Member Brian Cincotta. Chair Wright thanked him for his service. There are now two openings for the committee. Please contact BCTV if interested.

- Envision Berwick

Mr. James Bellissimo was present. He reported that Age Friendly Berwick is now meeting on the fourth Wednesday of each month at 9am. They are working on creating an action plan. AARP will be sending a postcard to every AARP member in Berwick. The Rec Master Plan Committee is now analyzing the data received from the survey. There were 450 survey responses. The Committee will meet on February 22nd at 6:30pm. Mr. Bellissimo stated EBC has 1 opening for a member.

Mr. Dennis Dupuis reported on the Riverfront Committee. The Committee has been meeting on a monthly basis. Phase II is officially complete; \$26,096 was raised for this phase. Phase III, the building phase, will begin soon. Currently the budget has \$1722.00. This phase will include bringing water, sewer and power across the street to the building. This building will be used for meetings pertaining to river activities. The Committee estimates \$12,000 will be needed to complete the project. Once Phase III is done then the committee will sustain the building and budget. A few events are already planned for the summer. The season budget would be around \$1788 for electricity, water, sewage, and phone to keep the building open for six months. They are looking for continued support from the community.

8. Appointments/Presentations/Other Guests

- Abigail Lyon and Kalle Matso, Piscataqua Region Estuaries Partnership (PREP)

Mr. Kalle Matso presented. The PREP is requesting \$9,203.00 from the Town. PREP is part of the National Estuary Program which is part of the EPA. PREP is non-regulatory and works with stakeholders to better understand what is going on in the estuaries where fresh water and salt water mix. PREP is the one body that is responsible for only the estuary; nothing more and nothing less.

Ms. Ruth Bleau asked where the salt water and fresh water meet. Mr. Matso replied that the tide pushes up to the head of tide at the Salmon Falls River, which is at the Route 4 Bridge in Rollinsford, NH. He stated the water quality (oxygen levels, pollution) in the estuary does get pushed up to Berwick domain.

Mr. Matso stated PREP receives funding from three sources; 1/3 from Federal Government, 1/3 from grants and 1/3 from municipalities. The money goes towards analysis of existing data, collecting new data, and providing information and technical assistance to residents. This is the first time they have requested money from Berwick.

Chair Wright stated that this doesn't really affect Berwick. Discussion regarding the Salmon Falls Watershed ensued with Ms. Abigail Lyon.

Ms. Ruth Bleau asked what would come of the data. Mr. Matso replied that PREP gets involved in discussions about what to do with the data in order to solve situations. Ms. Bleau asked if they would give solutions. Mr. Matso replied that they can advised based on the science.

Ms. Pat Boisvert asked if the data from Maine River monitoring and NH DEP was used. Mr. Matso and Ms. Lyon affirmed. Ms. Boisvert asked about water testing and sewer testing. Mr. Matso stated they need more resources for that.

Ms. Eleanor Murphy inquired about fertilizer from lawns going into the river and if that was a concern. Ms. Lyon stated PREP is involved in providing an assessment of regulatory and non-regulatory mechanisms for natural resource protection.

Town Manager Eldridge stated this would come up during the budget process and he will follow up with Mr. Matso and Ms. Lyon in mid-March.

9. Unfinished Business

- Pay as You Throw Program/Recycle Committee

Town Manager Eldridge reported that the recycling committee has not met. He commended the Transfer Station staff for their work with the initiation of the mandatory recycling. He also thanked the public for embracing this. Chair Wright noted that this has been positively accepted by the residents who are not interested in paying for bags.

- Pine Tree Waste presentation

Postponed.

- [York County Hazard Mitigation Plan](#) (BOS signatures)

Motion: Selectman Plante made a motion to accept and sign the York County Mitigation Plan as presented. Selectman Ganiere seconded the motion.

The motion carried unanimously: 4– 0.

10. Town Manager Report

- Mr. Eldridge met with DOT regarding the rumble strip on Route 236; a small section will be completed with plans to complete the rest in 2018-2019 along with Route 9.
- Meetings with Mr. Kehaya have taken place regarding the Prime Tanning site. Engineers are working on layout renditions.

11. Selectmen Communications

- Letter from Brian Cincotta (see item #7)
- [Comcast Annual Notice and Affidavit](#)

Chair Wright read the Notice and affidavit.

12. Approval of Warrants

01-19-2017	A/P Warrant #1729	\$ 138,692.76
01-19-2017	Water Warrant #0729	\$ 16,207.71
01-26-2017	Payroll Warrant #1730	\$ 51,024.55
01-26-2017	A/P Warrant 1730	\$ 120,934.57
01-26-2017	Water Warrant #0730	\$ 2,684.54
02-02-2017	Payroll Warrant #1731	\$ 53,175.87
02-02-2017	A/P Warrant #1731	\$ 707,794.13
02-02-2017	Water Warrant #0731	\$ 2,174.19
02-09-2017	Payroll Warrant #1732	\$ 48,399.48

Motion: Chair Wright made a motion to accept the Accounts Payable Warrants as presented. Selectman Plante seconded the motion.

The motion carried unanimously: 4– 0.

13. New Business

- Bids for replacement Rescue tools – Fire Department

Two bids were received for replacement Rescue Tools: Industrial Protection Services - \$46,166 and Harrison Shredder Enterprises – \$52,530. Fire Chief Plante recommends acceptance of the bid from Industrial Protection Services in the amount of \$46,166.

Motion: Selectman Ganiere made a motion to accept bid from Industrial Protection Services in the amount of \$46,166 for the replacement Rescue Tools as recommended by Chief Plante. Selectman Plante seconded the motion.

The motion carried unanimously: 4– 0.

14. Quitclaim Deeds and/or Installment Contracts

None

15. Abatements/Supplements

- [Abatement](#) for Map R006 Lot 004-002, Little River Road

Motion: Selectman Ganiere made a motion to accept the Abatement for Map R006 Lot 004-002, Little River Road. Selectman Plante seconded the motion.

The motion carried unanimously: 4– 0.

- [Abatement](#) for Map R033 Lot 015-014, 5 Evergreen Drive

Motion: Selectman Ganiere made a motion to accept the Abatement for Map R033 Lot 015-014, 5 Evergreen Drive. Chair Wright seconded the motion.

The motion carried unanimously: 4– 0.

16. Second Public Comment

Chair Wright opened the second public comment. There being no comments, Chair Wright closed the second public comment.

17. Executive Session

None

18. Other Business/Non-Agenda Items

- Supplement to Agreement for Rehabilitation and Sale of Real Estate
- Joint Instructions to Escrow Agent

The Board signed the two previously approved documents pertaining to the Prime Site and Funds of Jupiter.

19. Adjournment

The meeting adjourned at 7:39pm.

Respectfully submitted,

**Patricia Murray
Town Clerk**

**The February 7, 2017 BOS Meeting Minutes – Signed as approved at the Board of Selectmen’s
February 21, 2017 Meeting.**

On behalf of the Board
