



BERWICK PLANNING BOARD

MINUTES

April 5, 2012

PRESENT: Kerry Ashburn, Peter Perri, Paul Boisvert, Ron Morrell, Jim Webster (CEO),
Joan Michaud (Planning Coordinator), Judy Burgess, Absent

Meeting was called to order by Chairman, Kerry Ashburn.

PUBLIC HEARING:

- Town of Berwick, 20 Wilson Street (Map U-4, Lot 142) : Reallocation of building from school to municipal use - *Continued*

Kerry Ashburn turned the meeting over to Vice Chair, Peter Perri as she recused herself due to her position on the Committee for the Community Center that may be located in the Municipal Building. Town Manager, Keith Trefethen, sent a written request to the Planning Board to postpone the hearing until May 3, 2012. He wanted some time to bring the newly elected municipal officers up to speed with the purpose of the request.

The Board agreed to continue the Public Hearing. Peter commented that he had previously not agreed with the Density Calculations that were done by Jon St. Pierre, Town Engineer, but has since confirmed that they are correct and match what are on the signed Site Plans.

Peter voiced his concern that he would like clarification as whether permission is required by Bateman to allow any additional parking for the Police Station. Adjacent property may not be covered in the Lease but, going forward, it could be an issue with the Community Center.

Paul Boisvert felt that page 46 of the Ordinance under the minimum standards for parking gave the Planning Board the ability to waive the requirements. Peter felt that there was adequate land for parking but there may be alternatives to putting asphalt down. He does feel that parking may be a concern in the town in the future and the parking has to be taken very seriously.

MOTION by Paul Boisvert, SECOND by Ron Morrell to continue the Public Hearing until the Town is ready to come back before the Board.

UNFINISHED BUSINESS:

- Brad Dudley, 503 Portland Street (Map 72, Lot 18) : Coffee Drive Through (former Jitters)

Kerry read the minutes from the site walk that was held on March 22nd. Brad stated that he was going to keep the entrance on the South end and exit the same as Jitters and which was previously approved by the Maine DOT. He is planning on being open 7 days a week and the hours will be 6:00 a.m. until 2:00 p.m.

Peter felt that buffering, either evergreen or fencing, between the parking lot and adjacent property and daily waste removal, should be included in the Conditions.

MOTION by Paul Boisvert, SECOND by Ron Morrill to approve the Conditional Use Permit for Brad Dudley for a coffee drive through business at 503 Portland Street (Map 72, Lot 18) subject to the Conditions of Approval, PASSED unanimously 4-0.

- Rita Ricker, 405 Portland Street (Map R-70, Lot 14-B) : Take-out Food Stand

Kerry read the minutes from the site walk that was held on March 22nd. The minutes reflected that the stand would be open 7 days a week from 11:00 to 9:00 p.m. Paul asked the applicant about signs and lighting.

MOTION by Peter Perri, SECOND by Paul Boisvert to approve the Conditional Use Permit for Rita Ricker for a take-out food stand at 405 Portland Street (Map R-70, Lot 14-B) subject to the Conditions of Approval, PASSED unanimously 4-0.

APPROVAL OF MINUTES

- Minutes – March 15, 2012: Approved

OTHER

- Vicky Ware suggested that an actual presentation by applicants be made at the Public Hearings even though they may have made a presentation at a prior meeting so that the audience knows what is going on.
- Kerry read a memo from the Town Manager to the Planning Board. The Town Manager requested that, going forward, that the Findings of Fact should reference any and all signed plans for a project approved by the Planning Board. There was some concern by the Board about errors that might be made in the Findings of Fact if a detail that is on the Plan is left

out. Peter felt that the Planning Board's job is to make sure that the actual notes on the Plans are what the Planning Board agreed to and that the Plans are stamped by the professional that created them and registered by the Registry of Deeds after they are signed.

- Kerry read a suggested Warrant Article submitted by Frank Underwood to update the Comprehensive Plan. The Planning Board felt it was a good idea for the future of the downtown area.
- Peter Perri discussed that approved subdivisions need to be reviewed as the Ordinance states that failure to achieve substantial completion of a subdivision within 3 years render the Plan null and void. Joan stated that she is putting together a list of approved subdivisions and has corresponded with MMA and received direction on how to proceed with notifying the landowners about the requirements.

The meeting adjourned at 7:25 p.m.



Kerry Ashburn, Chair