



## **BERWICK PLANNING BOARD**

### **MINUTES**

**July 5, 2012**

**PRESENT:** Kerry Ashburn, Peter Perri, Judy Burgess, Paul Boisvert, Ron Morrell, Ken Poirier, Alternate, Attorney Bryan Dench, Kelton, Taintor & Abbott; Jim Webster, CEO and Joan Michaud, Planning Coordinator, Niles Schore, Alternate (Absent)

Meeting was called at to order at 6:30 p.m. by Chair, Kerry Ashburn.

The Chair made a motion and the Board agreed to go into an Executive Session under 1 MRSA § 405 (6) (E) with Attorney Bryan Dench.

The Board returned from Executive Session at 7:42 p.m. Attorney Dench stated that the Board had gone into Executive Session to allow them to consult with legal counsel about their legal rights and duties of the Board as permitted under the Freedom of Access Act. Attorney Dench reviewed with the Board their legal obligations in applying the terms of the Ordinance and reviewing the evidence that had been presented to them.

### **UNFINISHED BUSINESS:**

- Sullivan School Associates LP / Bateman Partners, 45 School Street (Map U-4, Lot 142) : Proposal to Amend Site Plan – Continued

Present: Nathan & David Bateman, Sullivan School Associates; Jim Fisher, Northeast Civil Solutions; Attorney Ronald Ward, Drummond Woodsum

Paul Connolly, Principal of Civilworks in Dover, NH and hired by the Planning Board to do a Peer Review, stated that he had reviewed the last submission from Northeast Civil Solutions (NCS) project and drainage plans. He confirmed that the revised plans have addressed all the plan related items of concern that have previously been identified by Civilworks. On July 3<sup>rd</sup> a revised Storm Water Analysis report was sent electronically to Civilworks and Mr. Connolly confirmed that the water retention plans meet or exceed requirements.

The Board then began review of the Conditional Use Permit and Site Plan Review Decision Checklist and voted to limit the time for this discussion until 9:00 p.m.

Paul Boisvert voiced his concern about the traffic flow from the parking lot to Wilson Street where the surface goes from paved to gravel to paved. The Board agreed that as a Condition, the access road be paved at the developer's expense.

The Board agreed that the developer must be in compliance with the Storm Water Management plan and that Paul Connolly's review showed that the proposed design was in order.

Peter Perri asked the developer if they had a certification that all hazardous waste materials had been removed from the building. Nathan Bateman, Bateman Partners, replied that they had a No Action Assurance letter from the MDEP stating that the building is 99% complete for removal of hazardous waste. After the new windows have been installed, a final certification will be issued by the MDEP and this document is to be included in the Planning file.

A letter submitted by the Water Department stated that there is adequate water supply to meet the demands of the building and for fire protection purposes.

Paul Boisvert felt that the proposed use of the building is compatible with adjacent land use as multi-family homes are allowed in the district. Peter Perri had a concern that, with the additional bedrooms, the noise levels may increase and become unreasonable.

The landscaping for the site grounds was discussed by the Board with questions answered by Jim Fisher on the type of shrubbery planned and where it would and would not be planted. Judy Burgess suggested that should any of the shrubby need to be replaced, that it be put in as a Condition that the developer be responsible for replacement.

In relationship of the proposed building to the environment, Paul Boisvert had a concern about the addition being 'bulky.' Ron Morrill also felt that the addition was bulky and the additional footage increases the bulk. David Bateman, Bateman Partners, stated that the addition was negotiated with the National Parks Service and their concerns were similar to those of the Board. The design is in keeping with the historic fabric and in keeping with the structures that surround it. Paul Boisvert stated that he hoped that the new windows, along with the finish, would soften the look of the building.

Vehicle access was discussed and concern with thru traffic to the building. Signs directing traffic, along with painting strips, was requested by the Board to the developer.

Kerry Ashburn raised her concern about providing a raised sidewalk, in lieu of painted lines, for pedestrians along the building. Jim Fisher, NCS, commented that generally a raised walkway is not included next to a building because of winter maintenance issues. The Board asked for Mr. Connolly's opinion on the curbed sidewalk. He suggested that to help address the winter maintenance issues, a four foot wide perennial bed could be placed against the building for sidewalk snow storage. He requested that he be given an opportunity for a review of the walkways before the plans becomes final. Kerry requested that a crosswalk to get to the sidewalk also be included in the conditions of approval.

The Board felt that adequate provisions for surface water drainage had been addressed in the Stormwater Maintenance plan. They also felt that the project would not add unreasonable burden on existing utilities.

Nathan Bateman stated that signage for the apartments had not been proposed but suggested a sign be placed at the main entrance on Wilson Street where there is existing signage for the Police Station.

The Board, being half way through their deliberations, agreed to continue their review of the project at their next meeting on July 19<sup>th</sup>.

Attorney Ward requested the Board to authorize Paul Connolly and Jim Fisher to continue review of the Storm Water plan and any outstanding issues so that a decision can be made by the Board at the meeting on the 19<sup>th</sup>. Attorney Ward stated that the project architect will be at the meeting on the 19<sup>th</sup> to answer any questions and inform the Board what decisions went into the design for the addition.

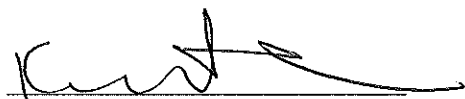
#### **APPROVAL OF MINUTES:**

- June 7, 2012 – Approved
- June 21, 2012 – Approved

#### **OTHER:**

- Floodplain Management Ordinance – The discussion was put on the Agenda at the request of Lana LaRochelle who, at the last minute, was not able to attend the meeting. Judy Burgess said that she had reviewed the Flood Ordinance and what she understood was that for Ms. LaRochelle to receive insurance monies, the Floodplain Management Ordinance would need to be changed from one foot above the base flood elevation to two feet above the base flood elevation and then put before the Town for voting in November. Resident Vicky Stone had some concerns on how a change in the Ordinance might affect other residents. The Board requested that Ms. LaRochelle give them a list of what specifically she is asking for from them.

The meeting adjourned at 9:24 p.m.



Kerry Ashburn, Chair