



# PLANNING BOARD MEETING MINUTES

Thursday August 7, 2014  
Town Hall Meeting Room  
6:30 p.m.

Call to Order

Pledge of Allegiance

Introduction of Board Members

***Regular Board Members Present:***

*John Higgins; Niles Schore; Judy Burgess; Paul Boisvert; David Dow*

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

*None*

***Alternate Members Present:***

*Dave Andreesen*

***Alternate Members Absent:***

*None*

***Staff Members Present:***

Joe Rousselle, Code Enforcement Officer; John Stoll, Town Planner

**Approval of Minutes**

- **July 17, 2014**

.Chair Higgins made a motion to accept the July 17, 2014 meeting minutes; on a second from Mr. Boisvert:

**VOTED – 5-0 in favor**

**Motion Passed**

In favor: John Higgins; Paul Boisvert; Judy Burgess; Niles Schore; David Dow

Opposed: None  
Abstain: None  
Absent: None  
Alternate: Dave Andreesen

### **Site Walk**

The Berwick Planning Board held a site walk at U-3, Lot 9 at 5:30 p.m. before the scheduled meeting.

### **Public Hearing**

- **Proposed 7 lot Major Subdivision Preliminary Application– Wedgewood Commons, LLC**
  - **(Map U-3, Lot 9) Sullivan Street & Logan Street**

Chair Higgins opened the public hearing at 6:31 p.m.

John Hutchins of Corner Post Land Surveying represented Wedgewood Commons, LLC. Mr. Hutchins described the proposed 7 lot subdivision at this time.

Chair Higgins asked if anyone in the audience would like to make a comment.

Beth O’Conner of Logan Street in Berwick asked if there would be any new roads put in to access the lots.

Mr. Hutchins stated that access would come strictly from Logan and Sullivan Streets.

Chair Higgins closed the public hearing at 6:35 p.m.

### **Old Business**

- **Proposed 7 lot Major Subdivision Preliminary Application– Wedgewood Commons, LLC**
  - **(Map U-3, Lot 9) Sullivan Street & Logan Street – Preliminary Action**

John Stoll, Town planner, listed items that the Planning Board had asked from the applicant at this time (Listed 7/17/14 Meeting).

Mr. Schore added that the Board had also requested verification from the National Historic Registry.

Mr. Hutchins stated that the Logan Street Right-of-Way was 40 feet at the location shown on the plan. Mr. Hutchins stated that he was waiting on information from the Historical Society, and the Sewer District.

Mr. Schore asked if the applicant had prepared impervious surface calculations on the plan.

Mr. Hutchins stated that he would provide those on the next plan.

Ms. Burgess stated that the applicant had some items to submit prior to plan approval.

- **Subdivision Amendment-Richard Desmarais**
  - **(Map R-44, Lot 21) Haflinger Lane off of Old Pine Hill Rd. – Final Action**

No one was present to represent this agenda item.

#### **New Business**

- **Conditional Use Application – Bottle Redemption Center**
  - **(Map R-54, Lot 15-2) 9 Commercial Drive – Daniel & David Mitchell**

Mr. Mitchell represented his application for a Conditional Use, Change of Use. Mr. Mitchell stated that he would like to open a bottle redemption center at this location.

Ms. Burgess stated that this was basically a change of use, and asked if redemption would be all that he would do at this location.

Mr. Mitchell stated that 6 different companies would be doing pick-ups until he received his co-mingle agreement and then it would only be one truck. Mr. Mitchell stated that his redemption business would be using 2 bays in the existing building.

Mr. Andreesen asked how the Conditional Use would apply to the other existing uses in the building right now. Mr. Stoll stated that this would fall under mixed use and the conditional use for a bottle redemption center would apply to the specific bays that Mr. Mitchell uses for his business.

Ms. Burgess stated that she would like to see a diagram illustrating where customers would pull in and where they would be parking to drop off. Ms. Burgess asked how the parking standard would apply for this use.

Mr. Stoll stated that by use and parking requirement that the applicant is required to have one parking space for each employee on the maximum shift.

Mr. Boisvert asked about the other uses in the building and if there was anything on file for them. Mr. Stoll stated that the only business in the file right now is for a truck bed-spraying business.

Chair Higgins asked for an aerial photograph in place of a site walk.

A public hearing was scheduled for August 21, 2014 at 6:30 p.m.

- **Conditional Use Amendment – Subway Restaurant**
  - **(Map U-4, Lot 2) 10 Sullivan Street – Maine Subs**

No one was present to represent this agenda item.

- **Discussion – Blackberry Hill Village**
  - **Mark Phillips**

Mark Phillips addressed the Board at this time. Mr. Phillips stated that he had a subdivision approved in 2009, and he was concerned that the 5 year window for substantial completion was coming to a close. Mr. Phillips asked the Board to consider granting a 3 year extension.

Ms. Burgess stated that the date Mr. Phillips received his approval was the same date that the last Subdivision amendment took place which specifically addressed this “sunset” provision in the regulations. Ms. Burgess stated that she believed the original sunset provisions did not apply to phased projects such as Mr. Phillips’ subdivision. Mr. Stoll was asked to do some research to find out what the original sunset provisions stated and to get an opinion from MMA on this specific scenario.

Mr. Andreesen asked which sunset provision would apply to this application item since it was changed on the same day as the subdivision was approved. Mr. Stoll stated that if the application was submitted and reviewed prior to the regulations changed, then he believed that the old regulations would apply.

Mr. Stoll asked the Chair to acknowledge an email submitted as public comment from Peg Wheeler regarding the subdivision expiration. (All public record/comments are on file with the Berwick Planning Department).

### **Other**

Mr. Stoll distributed some potential amendments to the Subdivision Regulations to the Board at this time for discussion.

Mr. Stoll stated that he believed that the Board should change the Design Guidelines to Design Standards. Mr. Stoll stated that he had inserted Low Impact Development (LID) requirements into the regulations. Mr. Stoll stated that he wanted to add language about charging \$1000 per lot for any subdivision that did not contribute sidewalks.

Ms. Burgess and Mr. Andreesen both asked if this was an impact fee and stated that it would probably require a town meeting for approval.

Mr. Andreesen stated that it might be better to just charge \$1000 per lot as an impact fee that would benefit the entire town and not just public infrastructure improvements.

### **Public Comment**

### **Adjournment**

Chair Higgins made a motion to adjourn; Mr. Schore seconded:

**VOTED – 5-0 in favor**

**Motion Passed**

In favor: John Higgins; Paul Boisvert; Judy Burgess; Niles Schore; David Dow

Opposed: None

Abstain: None

Absent: None

Alternate: Dave Andreesen

The Board adjourned at approximately 8:45 p.m.

Minutes prepared by Town Planner John Stoll, for consideration at the Berwick Planning Board's August 21, 2014 meeting

Signed as Approved by the Board:

\_\_\_\_\_  
John Higgins

\_\_\_\_\_  
Date