PLANNING BOARD MEETING MINUTES

Thursday March 3, 2016
Town Hall Meeting Room
6:30 p.m.

Call to Order

Chair David Andreesen called the meeting to order

Pledge of Allegiance

Introduction of Board Members

David Andreesen; Paul Boisvert; David Dow; Nichole Fecteau; Niles Schore;
Regular Board Member(s) Absent:
None
Alternate Members Present:
John England; Sean Winston
Staff Members Present:
Joseph Rousselle, CEO; John Stoll, Town Planner

Public Comment

Bill Richards discussed a parcel of land that he owns on Diamond Hill Rd and Little River Road. Mr. Richards asked if it would be possible to change the Rural Residential (R3) zoning so that he could build a home on his property.

Paul Boisvert asked for clarification as to what the Board was being asked to do at this point. Steve Howard stated that the R3 setback and the Shoreland zoning setback do not allow Mr. Richards to build a home on the lot. If the front setback was reduced to 50 feet it would be possible for Mr. Richards to build a home.

Chair Andreesen asked what the Board of Appeals determined with the variance request. Mr. Stoll stated that the Board of Appeals denied Mr. Richards' front setback variance request. Mr. Stoll stated that the only way for the Board to change the zoning of the lot legally would be to start at the closest R2 zoned lot and then change all of the R3 zoning to R2 in between those locations. Chair Andreesen asked that this item be moved out of public comment and to the end of the meeting.

Approval of Minutes

- February 18, 2016

Nichole Fecteau pointed out that on page one under information items that there was a typo where constancy should be consistency.

Paul Boisvert pointed out that on the next page on the second paragraph that the statement about difficult standard should be changed to a plural statement.

Motion: Nichole Fecteau made a motion to approve the minutes as amended
Second: Paul Boisvert

VOTED – 5-0 in favor

Motion Passed

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

Opposed: None

Abstain: None

Public Hearing
- Proposed Land Use Ordinance Amendments

Town Planner John Stoll presented the proposed Land Use Ordinance Amendments to the Board at this time. Proposed ordinance amendments are available on the Town of Berwick website and posted in the Town Hall lobby.

Mr. Stoll pointed out that there are a number of consistency items that are being changed just to make the ordinance accurate.

Paul Boisvert asked if the requirement to connect to public sewer in the R2 district at 2500 feet was going to be reduced to allow the Sewer District to utilize their own standards for connection. Mr. Stoll stated that he planned to meet with the Sewer District superintendent this week and would prepare an amendment to address this item. Mr. Stoll advised the Board that there were a number of projects that could proceed in this district if the sewer requirement was eliminated. Mr. Boisvert asked from a planning point of view what would make sense. Mr. Stoll stated that if the intention is not to control growth with a sewer connection requirement then it makes sense to utilize the Sewer District standard of 100 feet.

Niles Schore stated that the requirement should just state that the application will comply with the Sewer District standards. Mr. Stoll said that the Board could just strike the standard from the ordinance and allow the Sewer District to completely regulate it.

Paul Boisvert stated that 7.19.C. which states that the subdivisions shall connect to Public Water should be struck as well.

Article 7.23

This new standard will allow the Code Enforcement Officer to deal with excess garbage and trash that could harbor the breeding of vermin on lots in Town.

Article 8.12 is being amended to eliminate the requirement for the Planning Board to dictate the number of animals a property owner may have.

A new set of performance standards is being proposed for variances on single family dwelling unit setbacks. This will give the Board of Appeals more flexibility in dealing with these common variance requests.

The Shoreland Zoning ordinance would now have 100 foot setback requirements for structures near Great Ponds. 250 foot manure setbacks from waterbodies. 100 foot setback requirements for fertilizer application near Great Ponds. The Planning Board decided to limit fertilizer application within 100 feet of the Salmon Falls River.

The Planning Department proposed a density bonus for Elderly Housing which would cut the minimum lot size per unit by 50% if the applicant incorporates required performance standards. In addition to the elderly housing option the department also proposed a residential exception for the first floor of new buildings within the Village Overlay.

Motion: David Andreesen made a motion to forward the proposed land use ordinance changes and attached recommendations to the Selectmen for inclusion on the Town Warrant
Second: Paul Boisvert

VOTED – 5-0 in favor

Motion Passed

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

Opposed: None

Abstain: None

Old Business

New Business

Information Items

Other

The Board continued their discussion with William Richards regarding his lot on Little River Road and Diamond Hill Road. It was determined that any attempt to rezone the property would be spot zoning and illegal. Mr. Richards was advised to meet with the Town Planner to discuss options and potentially submit an idea for the November election.

Public Comment

Adjournment

Motion: Nichole Fecteau made a motion to adjourn

Second: Niles Schore

VOTED – 5-0 in favor

Motion Passed

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

Opposed: None

Abstain: None

The Board adjourned at approximately 7:50 p.m.

Minutes prepared by Town Planner John Stoll, for consideration at the Berwick Planning Board's April 7, 2016.

Signed as Approved by the Board:

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