



PLANNING BOARD MEETING MINUTES

Thursday May 19, 2016
Town Hall Meeting Room
6:30 p.m.

Call to Order

Chair David Andreesen opened the meeting at 6:30 pm

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

Staff Members Present:

Joseph Rousselle, CEO; John Stoll, Town Planner

Public Comment

Tom Wright of 96 Cemetery Road spoke at this time. Mr. Wright explained that he was an abutting property owner to a proposed subdivision application (119 Cemetery Road) appearing before the Board on this evening's agenda. Mr. Wright stated that he didn't believe apartment buildings were compatible with the neighborhood. Lighting for this project is a concern as well as the road for access, would the septic system be appropriate also rolling power outages that are common along Cemetery Road.

James Hale of Cemetery Road expressed concern over the sorts of tenants that apartments can attract.

Approval of Minutes

- May 5, 2016

Niles Schore pointed out that on page 2 of the minutes listed the proposed use as external vehicle storage but that the Board had determined the use listed here to be a parking facility.

Motion: Niles Schore made a motion to approve the minutes as amended

Second: Nichole Fecteau

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

- Conditional Use Application- 387 School Street (R-54, Lot 4)
 - External Vehicle Storage – Woodman Trust

Chair David Andreesen opened the public hearing at 6:45 pm.

No Comment was entered.

Chair David Andreesen closed the public hearing at 6:45 pm.

Old Business

- Conditional Use Application- 387 School Street (R-54, Lot 4)
 - External Vehicle Storage – Woodman Trust

John Stoll stated that the Board had requested a Low Impact Design (LID) statement from the applicant and that the applicant had complied with that request on Friday May 6, 2016. Staff recommends that the application is now complete.

Paul Kennedy said that he would like to request permission to have an illuminated sign for the use at this location. The lighting would shine down directly onto the sign. 75' along the entrance to the site would be "hot topped."

Paul Boisvert asked how deep the asphalt at the site would be. Mr. Kennedy answered that it would be 6 inches deep.

Motion: Nichole Fecteau made a motion to approve the conditional use application

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

Motion: Niles Schore made a motion to approve the Findings of Fact and Conditions of Approval 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

New Business

- Conditional Use Amendment – 85 Little River Road (R-19, Lot 18)
 - Construct 60' x 92' Addition to facility – Arlene Conley, James Kittridge

John Stoll explained that this was an approved conditional use and that the applicants were seeking an amendment in order to construct a facility expansion at this location. The applicants would also like to have the cap that was set on the number of horses at this location removed. Mr. Stoll said that he supported this request as it would conform to the proposed land use ordinance amendments that the Planning Board has proposed which would eliminate the requirement for the Board to limit the number of animals at a particular site.

James Kittridge represented this application before the Board.

Mr. Stoll stated that a conditional use amendment that was approved for this site hasn't been located in the Code Enforcement office. Mr. Stoll advised that the Board could include in the findings of fact "It is the Planning Board's understanding that a conditional use amendment was granted in 2007 that limited the number of horses at this location to 26." Mr. Kittridge acknowledged that this statement was accurate. Mr. Schore asked that a statement be included noting that the Board chooses not to limit the number of horses for this use at this time.

Motion: Nichole Fecteau made a motion to approve the conditional use amendment

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

Mr. Stoll read aloud the Findings of Fact at this time.

Mr. Schore asked that under Fact number 2 a statement be included indicating that the current applicants have owned and operated this facility since 2007.

Motion: Nichole Fecteau made a motion to approve the findings of fact as amended

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

- Preliminary Major Subdivision Application – 119 Cemetery Road (R-37, Lot 6)
 - 2 lot subdivision, single family and two 6-unit multi-family buildings – LRB Investments, LLC

Mr. Stoll introduced the project and stated that he had received all required submission items but that the Board would need to approve all waiver requests. Mr. Stoll stated that the Berwick Fire Chief would not approve the waiver request for an 18 foot road and would require a 20 foot wide road.

Nichole Fecteau recused herself from the Board for this application.

Jay Stephens of Civil Consultants represented the application before the Board. Mr. Stephens explained that this application was for Major Subdivision, Conditional Use, and Site Plan. This project would create two; six-unit apartment buildings as well as a maintenance garage. The proposed development would utilize private septic and wells. All associated lighting would be shielded. Raised planting beds will be included as a part of the Low Impact Design submissions.

Les Bodwell, owner of the site, stated that he did not have a plan for the trails at this point. Mr. Bodwell stated that he would like to discuss the trails with the Town's trail building subcommittee. Chair Andreesen asked if the applicant intended to deed the trails over to the Town. Mr. Bodwell said that he was open to what the Board would prefer. Mr. Boisvert said that he believed an Easement would be a better option.

Mr. Bodwell stated that he was willing to withdraw the waiver request for an 18 foot road and would build the road 20 feet wide.

Mr. Stoll reviewed the waivers with the Board and explained that waiver request 1, 2, 5, and 6 could be waived at this time by the Planning Board. All others would require additional review and/or peer review comments.

Waiver Request 1.) Request a waiver of Berwick Subdivision Ordinance 7.2.D.10. *A high intensity soil survey by a Maine Certified Soil Scientist. Wetland areas shall be identified on the survey, regardless of size.* The applicants request that they only be required to map septic and poorly & very poorly drained soil areas.

Motion: Chair Andreesen made a motion to approve waiver request number 1

Second: Paul Boisvert

VOTED – 5-0 in favor

Motion Passed

In favor: David Andreesen; Paul Boisvert; David Dow; John England; Niles Schore

Opposed: None

Abstain: None

Waiver Request 2.) Request a waiver of Berwick Subdivision Regulations 7.2.D.23. *A hydrogeological assessment prepared by a Maine Certified Geologist... (See Page 5, Article 7 #23 for complete listing).* The applicants request that this be waived since the site is not located over a sand and gravel aquifer;

Motion: Chair Andreesen made a motion to approve waiver request number 2

Second: Paul Boisvert

VOTED – 5-0 in favor

Motion Passed

In favor: David Andreesen; Paul Boisvert; David Dow; John England; Niles Schore

Opposed: None

Abstain: None

Peer Reviewer and Berwick Fire Chief will provide guidance on waiver requests number 3 and 4.

Motion: Chair Andreesen made a motion to consider Waiver request number 4

Second: Paul Boisvert

Chair Andreesen stated that he is not in favor of waiver request number 4 since the regulations clearly state that the width should be 20 feet.

Jay Stephens stated that the applicant will officially withdraw his waiver request but would ask that the Board consider allowing 2 foot wide shoulders rather than 3 foot shoulders.

Chair Andreesen withdrew his motion to consider waiver request number 4.

Waiver Request 5.) Request a waiver of Berwick Subdivision Regulations 12.2.C.2.J. *Sidewalks*. The applicant has proposed offering recreational trails on the lot rather than sidewalks that would only lead to Cemetery Road.

Motion: Paul Boisvert made a motion to grant waiver request number five to substitute walking trails for sidewalks

Second: Chair Andreesen

Paul Boisvert stated that he believed it would be beneficial to have some sort of recreational area for children to play on included with the project. Mr. Stoll pointed out that this could be addressed through Article 11.16 of the Subdivision Regulations which addresses Reservation or Dedication and Maintenance of Open Space and Common Land, Facilities, Play Areas and Services. Les Bodwell stated that there would be a significant mowed lawn area which he would have to maintain for the septic systems which could serve as a play area.

VOTED – 5-0 in favor

Motion Passed

In favor: David Andreesen; Paul Boisvert; David Dow; John England; Niles Schore

Opposed: None

Abstain: None

Waiver Request 6.) Request a waiver of Berwick Subdivision Regulations 12.2.C.2.K. *Granite Curbing*.

Motion: Niles Schore made a motion to approve waiver request number 6

Second: Paul Boisvert

VOTED – 5-0 in favor

Motion Passed

In favor: David Andreesen; Paul Boisvert; David Dow; John England; Niles Schore

Opposed: None

Abstain: None

Waiver Request 9.) Request a waiver of Berwick Subdivision Regulations articles regarding topographic mapping. Applicant requests to provide topographic mapping only to areas that constitute development

Motion: Paul Boisvert made a motion that the Board approve waiver request number 9

Second: Chair Andreesen

Niles Schore asked that the applicant and the Town Planner meet to discuss what constitutes areas being developed.

VOTED – 5-0 in favor

Motion Passed

In favor: David Andreesen; Paul Boisvert; David Dow; John England; Niles Schore

Opposed: None

Abstain: None

Information Items

Ms. Fecteau returned to the Board at this time.

Other

Mr. Schore brought up that the comprehensive plan currently requires that the Town/Planning Board keep track of all affordable housing built within the Town of Berwick. Mr. Schore suggested that the Town begin tracking this item as required by the comprehensive plan. Mr. Stoll said that the Planning Department would keep track of affordable housing from now on.

Public Comment

Adjournment

Motion: Paul Boisvert made a motion to adjourn

Second: Ms. Fecteau

VOTED – 5-0 in favor

Motion Passed

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

Opposed: None

Abstain: None

Minutes prepared by Town Planner John Stoll, for consideration at the Berwick Planning Board's June 16, 2016 meeting.

Signed as Approved by the Board:

