



# PLANNING BOARD MEETING MINUTES

Thursday January 21, 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:***

*None*

***Staff Members Present:***

Joseph Rousselle, CEO; John Stoll, Town Planner

## Public Comment

## Approval of Minutes

- January 7, 2015

**Motion:** David Andreesen made a motion to approve the minutes as written

**Second:** Niles Schore

During the workshop on the proposal of Mike Hennessey to redevelop the former Catholic Church on Sawmill Hill Road the minutes list the former rectory as a single family home. Board members asked that the minutes state that it was the former rectory.

**Motion:** David Andreesen amended his 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**

None Scheduled

### **Old Business**

- Amendment to an approved Site Plan – JTF Commercial Development
  - Map R72, Lot 10 Portland Street – Decision Letter Approval

**Motion:** Niles Schore made a motion to approve the decision letter as well as the attached findings of fact, conclusions of law, and conditions of approval as written.

**Second:** Paul Boisvert

Paul Boisvert clarified for the record that the Board determined that a public hearing was not necessary for this item because it was a simple amendment that met all land use ordinance requirements.

**VOTED – 5-0 in favor**

**Motion Passed**

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

Opposed: None

Abstain: None

- Lot Line adjustment/Amendment to an approved Subdivision Plan
  - Map U4, 146 -20 Sullivan Street - Prime Tanning - Decision Letter Approval

Niles Schore asked that fact number two be amended to state that the Town of Berwick had acquired the Prime Tanning parcel after October 16, 2014.

**Motion:** Nichole Fecteau made a motion to approve the decision letter 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

Paul Boisvert clarified for the record that this amendment was initiated to ensure that the approved lot lines lined up with existing building walls to make demolition and remediation on the lot more cost effective.

Niles Schore clarified for the record that the original conditions of approval still bind this subdivision and that those are still listed directly on the plan.

### **New Business**

- Workshop – Proposed Land Use Ordinance Amendments

John Stoll stated that he has been unable to draft the Planning Department's land use ordinance amendment proposals at this time so there would be nothing to discuss this evening.

Niles Schore asked how many meetings would be necessary for the Board to approve and forward the amendment proposals. Mr. Stoll said that the Board would only need one meeting to hold a public hearing and that in order to make the warrant timeline they would need to hold a public hearing on March 3<sup>rd</sup>.

Mr. Schore stated that increasing building height in the Village Overlay was discussed at the last Envision Berwick meeting. Mr. Stoll stated that he was comfortable with increasing the height but would differ to the Berwick Fire Department's opinion on safety. Chair Andreesen asked about the aesthetic appearance of taller buildings in comparison to other buildings in the area. Ms. Fecteau explained that the reason for increasing the height came from a meeting with a New Hampshire developer who had recommended a fourth floor in order to make downtown redevelopment more cost effective. Ms. Fecteau continued that nobody would be able to afford without allowing for more residential and potentially increased height. Paul Boisvert stated that it may be necessary to explain in the land use ordinance where building height would be measured to; roof or eave.

Chair Andreesen asked what could potentially happen if no amendments were initiated by the Board and then a developer were to come in with a proposal that didn't fit the current zoning requirements during the summer. Mr. Stoll stated that the development could potentially hinge on the will of the Town at that point because there would have to be a special town meeting in order to approve any necessary land use ordinance amendments.

Ms. Fecteau asked if there were other Towns that had developed residential percentages that Berwick could use as a model. Mr. Stoll said that the only one that he was aware of was the Portland waterfront but that he would continue to work on this issue. Ms. Fecteau asked if the Village Overlay could be broken into sub zones where percentages were applied to each subzone. Mr. Stoll stated that this was possible but we would need to figure out how to do it. Mr. Schore asked if square footage could be incorporated with the subzone idea.

Chair Andreesen asked if the Fire Chief could come in to discuss this issue with them. Mr. Stoll said that he would ask if this would be possible. Mr. Boisvert stated that the Fire Chief could just be asked what the appropriate height and precautions would be necessary.

Mr. Stoll asked the Board if it would be possible to set aside the March 3<sup>rd</sup> meeting solely for the Public Hearing on proposed land use ordinance amendments. Board members all agreed that this would be a good idea.

Regulation of medical marijuana was discussed briefly and it was decided that the Board would need more information on how the State currently regulates medical marijuana. Mr. Stoll stated that he believed it would be counter-productive for the Board to regulate caregiver licenses. Mr. Stoll stated that this could easily become a contentious political issue that could potentially cause other ordinance amendments to fail at Town Meeting.

Mr. Schore asked if any local high school students could be involved in editing or reviewing Planning Board documents such as proposed land use ordinance regulations. It may be possible for a government class to review the current ordinance for inconsistencies.

David Dow asked if a local Electrical Ordinance could be implemented which would require a certified electrical inspector to inspect all electrical work in Town. A local electrician had approached the Board previously about this issued. This would be an independent ordinance most likely initiated through the Board of Selectmen.

### **Information Items**

#### **Other**

#### **Public Comment**

#### **Adjournment**

**Motion:** Niles Schore made a motion to adjourn

**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

The Board adjourned at approximately 7:25 p.m.

Minutes prepared by Town Planner John Stoll, for consideration at the Berwick Planning Board's February 4, 2016.

Signed as Approved by the Board:

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