



PLANNING BOARD MEETING MINUTES

Thursday April 6, 2017
Town Hall Meeting Room
6:30 p.m.

Call to Order

Pledge of Allegiance

Introduction of Board Members

David Andreesen; Paul Boisvert; David Dow; Niles Schore; Nichole Fecteau

Regular Board Member(s) Absent:

Alternate Members Present:

Alternate Member Absent:

Sean Winston, John England

Staff Members Present:

Kathy Connor, Town Planner

Public Comment

Approval of Minutes

- March 2, 2017

Motion: Niles Schore motioned to approve the minutes as presented.

Second: Paul Boisvert

VOTED – 5-0 in favor

Motion Passed

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

Opposed: None

Abstain: None

New Business

Paul Boisvert recused himself due to Mr. Boisvert having an interest at One Sullivan LLC.

- Conditional Use application. 1 Sullivan Street (U-4, Lot 8)
 - One Sullivan Square - Light Intensity Industrial, Museum, Club Facility/Function Hall, Restaurant (Fast Food & Standard), Accessory Structures – Pier, Dock, Wharf – One Sullivan, LLC

Niles Schore asked Kathy Connor if the proposed uses in the application are potential uses. Ms. Connor stated most are potential uses, two uses have businesses plans associated with them.

Frank Underwood of One Sullivan LLC stated he is a part owner with Pat Boisvert, Paul Boisvert and Linda Underwood. His goal for the evening is to have the Planning Board deem the Conditional Use Application complete. There are five uses in the Conditional Use Application.

Corner Point Brewery co-owners Jeff Tassinari and Jamie Blood introduced themselves. Mr. Blood said he grew up in Berwick.

Liz McGranaghan, 50% owner of Modspoke introduced herself. Modspoke is an art gallery, with artist studios. Ms. McGranaghan said the studio would help to meet the Berwick vision and help to bring otherwise lacking culture into downtown Berwick.

Mr. Underwood explained why their group purchased the property, he stated that the best way to control the development along the river is to own it. Mr. Underwood said they focused on Envisioning Downtown Berwick's survey data and what the community said they wanted. The building is 11,000 square feet, Mr. Underwood said that putting one use in that building would be difficult.

Mr. Underwood said that the ceiling height is a main component for location to be compatible for a brewery. In Corner Point Brewery's plan, it shows an additional door to outside by the river. Mr. Underwood stated the sprinkler system is tested quarterly.

Mr. Underwood said that he would like to have One Sullivan approved for restaurants so he can approach potential tenants. Mr. Underwood stated they are considering food trucks, which would come under the use of restaurants.

Accessory structures is the fifth and final use listed in the Conditional Use Application. The accessory structure will serve as an access point to the river which requires a DEP permit. The first question DEP asks is local approval.

Mr. Underwood stated that they know they need a waiver on parking. They can accommodate 26 total spaces. If a food truck goes into the front parking lot, some of the parking spots could be lost.

Mr. Schore asked Kathy where in the ordinance it states the board can approve application for theoretical businesses.

Dennis Dupuis introduced himself, Mr. Dupuis was the owner of Echo 52, salon and restaurant. He estimated there were upwards of 167 people in the buildings at one time. Mr. Dupuis went around the Echo 52 location and counted parking spots, he counted 137 spots. Mr. Dupuis pointed out neighboring locations: Kennebunkport, South Berwick and Portsmouth, and how those locations deal with parking.

Kathy Connor said that it is not unusual for someone to come in to ask for a permit first and then go find a tenant. Ms. Connor reminded Frank that the permit will lapse after one year.

The Modspoke gallery would be open by appointment only Monday through Wednesday, open Thursday through Sunday 9a-7p. They plan to have a one to two monthly exhibition. Artists will be creating in their space 7 days a week, 7a-9p, a constant flow of artists in and out of the buildings.

Ms. Connor pointed out that framing and selling art would be more of a retail use.

The ordinance would require 87 parking spaces per the Land Use Ordinance.

According to the fire chief, the capacity in the One Sullivan building should not exceed 250 people. Mr. Underwood stated he would like to walk through the property with fire Chief Dennis Plante with concept in mind to see if the capacity can be reevaluated.

Mr. Schore would like Chief Plante to come to the next meeting with a more accurate number for capacity.

The LID consideration according to Mr. Underwood is improving the percentage of impervious surface.

Mr. Schore requested that Mr. Underwood come to the board with a plan of the maximum limit, hours of operation and capacity for example.

Mr. Andreesen would like to see an inventory and plan for landscaping. Mr. Andreesen would also like to see Mr. Plante's decision on capacity.

The applicant is looking for two waivers, one for screening of parking lot and the other is the parking waiver.

Ms. Connor recommended amending the application to include retail use.

- 2017 Land Use Ordinance Update Goals
 - Lighting
 - *Future Discussions:* Utilities, Village Center District

Paul Boisvert re-joins the Planning Board.

Ms. Connor explained to the board what contract zoning is. The developer would have to come before the Board of Selectmen and the Planning Board.

Mr. Schore asked Ms. Connor what the standards are to approve revocation of subdivision.

Ms. Connor stated that contract zoning is backed by a state statute.

Steve Eldridge the Town Manager stated to the Planning Board that The Town may want to consider a special meeting depending on how fast Prime Tanning property develops. According to Mr. Eldridge, the property could be back on the tax rolls either in June or July.

Mr. Andreesen and Kathy Connor discussed how the design standards provide a starting point for the discussion and negotiation in a development. Mr. Boisvert stated that the lighting report could be referenced by the Land Use Ordinance.

Mr. Schore asked to clarify whether a contact zone would be between just the Selectmen and the developer, Kathy pointed out it is unusual. Town Manager would like to see the Planning Board & Envision Berwick recommend to the Selectmen for the contract zone.

Nichole Fecteau pointed to the Reference Document to the Envisioning Downtown Berwick report and how many design elements are a part of the report, and the board agreed to look through this document closely.

Mr. Underwood asked the board where The Town should draw strength from, whether it's subdivision regulations or the land use ordinance.

Ms. Connor stated that if the developer of Prime comes back to the Planning Board and does not change the lot lines, then it would be difficult to enforce new standards.

List of ordinance changes/projects

Lighting, utilities, landscaping, sidewalks, bicycle accommodations, types of parking, signage, site furniture and amenities as outlined in Vision Report & reference document.

Kathy Connor stated that not a lot of towns have Form Based Code, and not many towns have had it for very long.

Ms. Connor stated she spoke at length with the Kennebunkport Planner during the creation of Alfred's contract zone. Ms. Connor said she thinks she can put the Contract Zone ordinance to good use in Berwick.

Public Comment

Adjournment

Motion: Nichole Fecteau motioned to adjourn.

Second: Niles Schore

VOTED – 5-0 in favor

Motion Passed

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

Opposed: None

Abstain: None

The Planning Board adjourned approximately 8:35PM.

Minutes prepared by Planning Tech James Bellissimo, for consideration at the Berwick Planning Board's April 20, 2017 meeting.

Signed as Approved by the Board:

Signature

Date