



PLANNING BOARD MEETING MINUTES

Thursday July 16, 2020

Burgess Meeting Room, Berwick Town Hall & Zoom Virtual

6:30 p.m.

Call to Order

Pledge of Allegiance

Introduction of Board Members

Dave Andreesen; Frank Underwood; Michael LaRue

Regular Member Absent: *Sean Winston; Nichole Fecteau*

Alternate Member Present: *David Ross-Lyons (voting member)*

Staff Members Present: *James Bellissimo, Director of Community Development & Planning; Jenifer McCabe, Code Enforcement Officer*

Public Comment

Approval of Minutes

- June 4, 2020

Motion: Michael LaRue motioned to approve the minutes.

Second: David Ross-Lyons

VOTED – 3-0-1 in favor

Motion Passed

In favor: Dave Andreesen; Michael LaRue; David Ross-Lyons

Opposed: None

Abstain: Frank Underwood

June 18, 2020

The action was continued to the next meeting.

Public Hearing

- Site Plan Review. Adult Use Marijuana Cultivation Facility. 11 Pond Road (R70-16) RC/I Zone. CAF Realty of Maine.

The Public Hearing was continued to August 20th.

- Subdivision Amendment. Final Plan. Lot Line Adjustment & Expansion of Site Plan. 565 Portland Street (R72 9-2) RC/I Zone. Route 4 Self Storage, LLC.
- Site Plan Review. Multifamily (adding 1 unit to make 3 total). 55 School Street (U3-1) C/I Zone and Village Overlay District. Andrea Burns.

Old Business

- Site Plan Review. Adult Use Marijuana Cultivation Facility. 11 Pond Road (R70-16) RC/I Zone. CAF Realty of Maine.

The application was continued to August 20th.

- Subdivision Amendment. Final Plan. Lot Line Adjustment & Expansion of Site Plan. 565 Portland Street (R72 9-2) RC/I Zone. Route 4 Self Storage, LLC

James Bellissimo said there was a site walk earlier in the evening and at the site walk the applicant showed where the buildings and stormwater features will be located. Mr. Bellissimo said the outdoor vehicles currently parked at the front of the property will be relocated to the back of the property.

Motion: Frank Underwood motioned to approve the Findings of Fact for the lot line adjustment and approval of the expansion of site plan.

Second: Michael LaRue

**VOTED – 4-0 in favor
Motion Passed**

In favor: Dave Andreesen; Michael LaRue; David Ross-Lyons; Frank Underwood

Opposed: None

Abstain: None

Motion: Frank Underwood motioned to approve the application for the lot line adjustment and Site Plan amendment.

Second: David Ross-Lyons

**VOTED – 4-0 in favor
Motion Passed**

In favor: Dave Andreesen; Michael LaRue; David Ross-Lyons; Frank Underwood

Opposed: None

Abstain: None

- Site Plan Review. Multifamily (adding 1 unit to make 3 total). 55 School Street (U3-1) C/I Zone and Village Overlay District. Andrea Burns.

Motion: Michael LaRue approved the Findings of Fact.

Second: David Ross-Lyons

**VOTED – 4-0 in favor
Motion Passed**

In favor: Dave Andreesen; Michael LaRue; David Ross-Lyons; Frank Underwood

Opposed: None

Abstain: None

Motion: David Ross-Lyons motioned to approve the application.

Second: Michael LaRue

**VOTED – 4-0 in favor
Motion Passed**

In favor: Dave Andreesen; Michael LaRue; David Ross-Lyons; Frank Underwood

Opposed: None

Abstain: None

New Business

- Land Use Ordinance Amendments

James Bellissimo summarized changes to the Village Overlay District.

Mr. Bellissimo forwarded the following changes:

- Add in “Hybrid” to the name of the Section 6.4 because the section includes traditional zoning which makes it more of a hybrid than a true Form-Based Code.
- Strike “approximately opposite of Eleanor’s Street” to allow flexibility of where the new Main Street intersects with Sullivan Street.
- Remove the mandate that parking on Main Street be parallel only. Mr. Bellissimo said some angle parking could help alleviate some need for off-street parking. Frank Underwood asked if the Board should consider a standard. Mr. Bellissimo said he does not see a reason to prescribe any further standard than what already exists in the ordinance.
- Remove the minimum angle of the Main Street intersection and requirement for crosswalks to be raised. Mr. Bellissimo said it may be advantageous to

have all of Main Street all one level and it makes sense to allow Great Falls Construction and Sebago Techics to have the flexibility in making that decision. Mr. Bellissimo said even if the ordinance is amended, the Board still can impose a condition.

- 6.4.2.6 is amended to simplify and clarify the 4:1 ratio.
- Mr. Bellissimo said the most significant change is to allow a larger setback for buildings with access off of School Street and Main Street to accommodate a drive through in that particular area. This amendment is required according to Mr. Bellissimo because this area is where a potential anchor tenant could be, and they require a drive through. Mr. Bellissimo said even without this amendment, Great Falls Construction could still fit a drive through, it just would not be in an optimal position on the site.
- Frank Underwood asked about a traffic study. Mr. Bellissimo said a study will be part of the development and review.
- Strike lot occupation which includes maximum lot coverage and lot width due to the fact that it appeared the section was written with the thought in mind the site would be subdivided into smaller lots.
- Strike the maximum building footprint citing Great Falls Construction's recent project: Station Square which would be larger than what was permissible and Mr. Bellissimo said he sees no reason to restrict such a development in Berwick.
- Allow parking in the front of buildings but keep the requirement for screening.
- Frank Underwood asked about the Blue Side Building. Mr. Bellissimo said the property is set to be transferred back to Fund of Jupiter.
- Strike the parking maximum limit.
- Mr. Underwood asked if the plan will lead to a net positive in green space. Mr. Bellissimo said there will be a net positive in open space, which includes hardscapes and sidewalks. The site is required to meet 25% open space.

Great Falls Construction's next community update meeting is August 13th at 10am.

Mr. Bellissimo shared several additional Land Use Ordinance amendments.

- Increasing the horsepower for Personal Sawmill from 30 to 50 horsepower.
- Adding RC/I to location requirements requiring frontage.
- Exempting Marijuana Testing Facilities from the permit cap.
- Medical Marijuana Home Growing regulation.
 - Michael LaRue said he would have an issue with the Medical Marijuana regulations. Mr. LaRue said the State allows six patients or 500 square feet of canopy. Dave Andreesen said he would not like to see the Town overregulate on this issue and that maybe the focus should be on odor control or other nuisance issues.

- Frank Underwood said he agrees with not overregulating it but having some mechanism for tracking.

Public Hearing set on the Land Use Ordinance amendments August 6th.

Public Comment

Informational Items

Frank Underwood encouraged the Board to read the Town Report dedication to Paul Boisvert.

Mr. Underwood said the Board should have a discussion on the Town's Comprehensive Plan.

Mr. Bellissimo said the new Comprehensive Plan committee is aiming for November 2021 for the adoption of the new plan.

Adjournment

Motion: David Ross-Lyons motioned to adjourn.

Second: Michael LaRue

VOTED – 4-0 in favor

Motion Passed

In favor: Dave Andreesen; Michael LaRue; Frank Underwood; David Ross-Lyons

Opposed: None

Abstain: None

Minutes prepared by Berwick Planner James Bellissimo, for consideration at the next Berwick Planning Board meeting.

Signed as Approved by the Board:
