

NORTH BERWICK, MAINE 03906

MINUTES OF PLANNING BOARD FEBRUARY 28, 2013

Present: Chairman Barry Chase, Lawrence Huntley, CEO, Jon Morse, Rick Reynolds, Mark Cahoon, Geoffrey Aleva

Absent: Shaun DeWolf, Anne Whitten

1. Call to Order:

Chairman Barry Chase opened the Planning Board meeting at 6:30 pm.

Jon Morse was moved to a full voting member.

2. Review Previous Minutes:

Rick Reynolds motioned to accept the minutes of the Planning Board from February 14, 2013.

Mark Cahoon seconded the motion.

Vote: 4-0

3. Current Business:

Lawrence Huntley, CEO presented the list for High Priority (1-3 years) for the Planning Board to take care of for the Comprehensive Plan. He indicated that these issues need to be done by the third year. He stated that he marked those that the Planning Board have already covered.

Chairman Chase started with the following:

Under Economics, Policy #1, it states: "develop appropriate ordinances including setbacks, screening, and cluster development such as within a small business park and any other measures available to avoid strip development".

Rick Reynolds stated that he thought that this is already covered under Conditional Use permits. Larry Huntley stated that he didn't think that the Board had dealt with small business parks or strip developments. Chairman Chase inquired if strip development was like where the Dunkin Donuts is located and Mr. Huntley indicated that it was considered a strip development.

Jon Morse questioned how many businesses were needed for it to be considered a strip development. Mr. Huntley stated that three or more of anything is a subdivision so you need at least 4 for it to be a strip mall. He also stated that the Board should make definitions for both how a strip development and a small business park should be defined.

Chairman Chase stated that we need to get definitions for a small business park and strip development from our town attorney.

Rick Reynolds motioned that we have the Town Attorney supply a definition for a strip development and a small business park.

Geoffrey Aleva seconded the motion.

Vote: 5-0

It was decided to go on and come back to this one later.

Chairman Chase went on to Policy #3 under Economics. One of the statements is: "Support the viability of forestry and agricultural industries (including all sorts of farm-related businesses including animal husbandry, horse farms, and horticulture, not just food crops) by restricting residential and commercial growth in area surrounding rural and forestry uses."

Rick Reynolds states that it is very hard to run a farm in this town and there are very few left. There was some discussion as to whether a farm was considered a commercial entity or not. Rick Reynolds stated that all farms are considered commercial. He also stated that there were some privileges because they are food industries. Larry Huntley added that there are tax benefits.

Chairman Chase questioned what was allowed in Farm and Forest now. The Board reviewed the Land Use Tables.

Rick Reynolds motioned to table this one also for further discussion.

The next item under Policy #3 under Economics reads as follows: "Amend the subdivision regulations to require notes of subdivision plans in designated rural areas (farm and forest and critical rural zones) to alert potential lot purchasers that the area has been designated by the town for forestry and farm purposes and that residents may be subject to disturbance from these activities."

Geoffrey Aleva motioned to accept the above with the following change: Amend the subdivision regulations to require notes of subdivision plans in designated rural areas (farm and forest) (remove and critical rural zones) to alert potential lot purchasers that the area has been designated by the town for forestry and farm purposes and that residents may be subject to disturbance from these activities.

Rick Reynolds seconded the motion.

Vote: 5-0

The next item under Policy #3 under Economics reads as follows: "Continue to allow farm stands anywhere in town".

Jon Morse motioned to continue to allow farm stands anywhere in town.

Rick Reynolds seconded the motion.

Vote: 5-0

Chairman Chase went on to Policy #2 under Housing. It reads as follows: "When affordable housing developments occur, assure the long-term affordability of the projects through the use of deed covenants, which are set at the time of construction."

There was some discussion that it should state "at time of approval" instead of "at time of construction".

Geoffrey Aleva motioned to accept with changes as follows: "When affordable housing developments occur, assure the long-term affordability of the projects through the use of deed covenants, which are set at the time of approval."

Rick Reynolds seconded the motion.

Vote: 5-0

The next item under Housing Policy #2 reads as follows: "Seek to implement a requirement that any subdivision with 7 or more units has at least one affordable housing unit or that at least 10% of the housing qualifies as affordable, whichever requires more. This will include the use of deed covenants set at the time of construction to assure long-term affordability."

Geoffrey Aleva motioned to approve the above policy as stated.

Jon Morse seconded the motion.

Vote: 0-5 No pass

Chairman Chase went on to Transportation Policy #1 which reads: "Explore revised zoning designations to allow for mixed uses in the industrial, limited commercial and commercial zones. Revised zoning ordinances should encourage reuse of existing buildings, development of significant local employment opportunities and affordable housing options for local residents".

The Board all agreed that this has already been taken care of.

Next item under Transportation is Policy #3 which reads as follows: "Explore alternative means of access, such as parallel service roads or interconnected side streets to serve commercial, industrial or high density residential growth in the future."

The Board also agreed that this has already been covered.

Next item under Transportation is Policy #4 which reads: "Review the zoning ordinances and amend, if necessary, to ensure that parking requirements don't limit the future location of desired businesses to the downtown area-Allow waivers, where appropriate." The Board stated that this was already covered under Article 5.1.13.2.c.c.

Next item under Policy 4 states: "Encourage shared parking areas between abutting parcels."

The Board stated that this is already covered under Article 5.1.13.2.c.c also.

The next item under Transportation, Policy #7 states: "Research and implement safe ways in which to efficiently use back lots in the growth areas of town, amending subdivision regulations as necessary, to achieve this objective."

Rick Reynolds motioned to table Policy #7 to give us more time to research.

Mark Cahoon seconded the motion.

Vote: 5-0

The next item is under Wetlands and states: "Consider additional wetland protection measures for forested wetlands larger than 20 acres in area".

The Board decided that they felt that there is already adequate protection measures in place.

Rick Reynolds motioned that it is not necessary to "Consider additional wetland protection measures for forested wetlands larger than 20 acres in area."

Jon Morse seconded the motion.

Vote 5-0

The next item for consideration is under Land Use, Policy #1 which states: "Explore the creation of an annual differential growth cap, which promotes more development in the growth area."

Lawrence Huntley stated that we have a growth cap now that allows 39 residential units. They are limited to 6 in a subdivision.

Chairman Chase asked when the last time that we reached the 39 units. Mr. Huntley stated that it was about 4-5 years ago.

Rick Reynolds motioned to table Policy #1 under Land Use until the March 28th meeting.

Mark Cahoon seconded the motion.

Vote: 5-0

Next item under Land Use, Policy #2 states: "Any residential development occurring with commercial enterprises that are redeveloping existing buildings can be excluded from differential growth cap but not from the yearly cap of the town."

Geoffrey Aleva motioned to table Land Use Policy #2 until the March 28th meeting.

Jon Morse seconded the motion.

Vote: 5-0

Next item under Land Use, Policy #5 states: "Determine if cluster housing be required for subdivisions in land zoned Residential II."

Lawrence Huntley stated that it should read: "Determine that cluster..." not "Determine if cluster..."

Geoffrey Aleva motioned to accept the amended statement to read as follows:

"Determine that cluster housing be required for subdivisions in land zoned Residential II."

Rick Reynolds seconded the motion.

Vote: 0-5 No Pass

The next item under Land Use Policy #5 states: "Subdivisions should continue to be restricted to paved roads."

Rick Reynolds motioned to accept Land Use Policy #5 bullet entitled: "Subdivisions should continue to be restricted to paved roads."

Mark Cahoon seconded the motion.

Vote: 5-0

4. Other Business:

No other business to discuss.

5. Adjournment:

Rick Reynolds motioned to adjourn the meeting at 7:40 pm.

Mark Cahoon seconded the motion.


Vote: 5-0

Lawrence Huntley, CEO
Planning Coordinator

Respectively Submitted,
Susan Niehoff, Stenographer

Chairman Barry Chase

Shaun DeWolf

Rick Reynolds 

Mark Cahoon 

Geoffrey Aleva 

Jon Morse

Anne Whitten