

NORTH BERWICK, MAINE 03906

MINUTES OF PLANNING BOARD MAY 23, 2013

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

Absent: Shaun DeWolf

Also Present: Frank Callahan, Jude Pilippone, Ed Clark, Stephen Mansfield, Shirley Barto, Larry LeBlanc, Glenn Gobeille, Bray Anderson, Denis McMahon

1. Call to Order:

Chairman Barry Chase opened the Planning Board meeting at 6:32 pm.

Chairman Chase moved Jon Morse to full voting status.

Chairman Chase stated that they would bump the review of the previous minutes to the end of the meeting.

3. Current Business:

Chairman Chase stated that the first item was for applicant Jude Pilippone. The applicant is proposing to change a Subdivision Site Plan (New Entrance and Parking off Fox Farm Hill Road) 8 Fox Farm Hill Rd. Map 8, Lot 66. Rick Reynolds stated that he had to step down for this issue because he is a 500-foot abutter to this property. Chairman Chase moved Anne Whitten up to voting status for this issue. Jude Pilippone stated that the Board approved a gravel driveway that he has already done. There is already an existing dirt driveway that leads out to the street. He stated that he had received a phone call from Lawrence Huntley, CEO regarding a lot of dirt being in the road. Mr. Pilippone stated that he cleared it off and has been keeping an eye on it since then. He would like to pave the part that he has already graveled as well as the existing dirt driveway that leads to the street. He also stated that there are some parking spaces that have been used for a long time and he would like to pave those spots also. He stated that he has met with Mike Dunn, the Highway Commissioner. Mr. Dunn did do site views and he already approved the culvert and the driveway.

Lawrence Huntley stated that he has a problem with it. He stated that the reason Mr. Pilippone was here tonight was for site plan review for the driveway that goes between Fox Farm Hill Road and the one that goes out behind his back barn. Mr. Huntley stated that this has been approved by the town road construction foreman, but it has not been approved by the Planning Board for site plan review. He stated that it has to be approved

before anything can be done. Mr. Huntley stated that Mr. Pilippone has already agreed to pave the road that goes to the back barn. The real issue tonight is the parking area along the existing entrance and the road that goes between Fox Farm Hill Road and the road that goes out back. Geoffrey Aleva asked Larry Huntley what was originally approved. Mr. Huntley stated that the approval given by the Board originally was the road that goes out to the big barn.

Anne Whitten asked Mr. Pilippone why he needed the additional road. Mr. Pilippone stated that this was already an existing dirt driveway and it is taking dirt into the road. He states that since he is working on the barn, the dirt in the road is becoming more of an issue. Anne Whitten asked Mr. Pilippone if there are any pictures that show that there was a driveway there before. He stated that he does have pictures from when he bought the place but he doesn't think he has any that shows it as a driveway. Anne Whitten also asked if he had anything in writing from Mike Dunn stating that he could start doing the paving. Larry Huntley stated that Mike had initialed the permit and said that he didn't have a problem with it.

Chairman Chase opened the meeting to public comment at 6:45 pm.

Larry LeBlanc who lives 2 houses away from the proposed driveway. He states that he is against this proposal. He states that there are already 2 entrances to this subdivision. He states that there is one on Morrell's Mills Road that is very dangerous because of the hill.

Mr. LeBlanc also wanted to know why there was a need for off street parking. He states that the parking lot needs to be sealed. There needs to be a water collection system, an oil water separator system. He stated that there should be a DEP site review of that area because whatever drainage comes down the hill is going to go by his house and into the river. He is also concerned that, in the future, there would be a motorcycle track and concessions.

Rick Reynolds stated that what is needed is the map of the original subdivision as it was planned. He states that there are conditions on there that have been ignored. Mr. Reynolds is concerned because Mr. Pilippone already has one driveway, which is not on the drawing that he brought, which is on Fox Farm Hill Road. This road was specifically denied and has never been used as a road because it was banned when it was originally put in as a subdivision. It was dirt but is now paved. Mr. Reynolds states that what Mr. Pilippone calls his previously graveled driveway that he is going to pave has always been grass. Mr. Reynolds feels that it is important to have the original plans before approving anything further.

Another neighbor, Denis McMahon lives on Morrell's Mill Road stated that he also hoped that the original site plans would be reviewed. He states that the original site plans were with DEP approval and review. The DEP showed exactly what that driveway had

to be and exactly where the runoffs had to be. He states that he is concerned that the conditions from the original site plans have not been followed over the years and will continue to not be adhered to.

Bray Anderson lives across the street from the property on Fox Farm Hill Road. She states that the area of the proposed paved driveway has always been grass since she moved in her house in 1989. She also states that she does not understand what the purpose of another driveway is for.

Chairman Chase closed the meeting to public comment on 6:55 pm.

Chairman Chase invited Jude Pilippone to respond to some of these concerns. Mr. Pilippone stated that he really didn't want to spend \$18,000 on pavement but this is what it is going to cost. He stated that he understands everyone's point of view regarding water runoff. The drainage actually pitches away from Chadbourn. It pitches to a swell that already exists on the property. It pitches into the middle of the front lawn and into the swell by the side of the road so it will not roll off towards Chadbourn. He also states that he has been sweeping the road every time he sees dirt on it. He says that he is trying to be proactive instead of reactive. He doesn't want any more complaints and he wants the place to look nice.

He also states that the other driveway was there. It was gravel right to the road about 20 feet in and it did stop and turn to grass. He feels that the driveway would be a benefit for the people in the house.

Chairman Chase asked about the concerns regarding the unapproved access off of Morrell's Mill Road. Mr. Pilippone stated that it has been there since he has owned the property and he does not believe that there has ever been an accident there. Mark Cahoon stated that he believed that there were two driveways into that parking lot and that they were made to close one of them down. Mr. Cahoon feels that the Board really needs to see the previous site plans and conditions before making any decisions on this matter. Anne Whitten said that we should also take a look at the original subdivision plans.

Chairman Chase told Mr. Pilippone that the original site plan might have some conditions on it that may need to be considered before making any decision. Geoffrey Aleva stated that the Board does need to look at everything, including the proposed driveway. Mr. Aleva wants to make sure it meets the site distance requirements. Larry Huntley did state that it does meet site requirements.

Anne Whitten motioned that we table this proposal until another time that we meet so all the information can be obtained and reviewed prior to making a final decision.

Mark Cahoon seconded the motion.

Geoffrey Aleva amended the motion to state that the applicant should provide the information to the town regarding the previous approvals.

VOTE: 5-0 for the amendment

Another vote to accept the motion that Geoffrey Aleva suggested regarding Jude

Pilippone obtain the information that is needed for the Board to review.

Mark Cahoon seconded this motion.

VOTE: 5-0

Rick Reynolds returned to the panel and Chairman Chase moved Anne Whitten back to alternate status.

The next item to consider is by applicant Steve Mansfield. He is proposing a Mini-Storage Business at 74 Portland Street (Three 30x100 Buildings) Map 19, Lot 10. Steven Mansfield stated that there is currently a house at this address and about a 3-acre parcel that borders Route 9 and Portland Street. He wants to use an existing driveway for the entrance to get to the Mini-Storage facility that he is proposing. It will be right behind the existing building that is there now and the field will be left untouched. It will hug closely to the property at 64 Portland Street, which he also owns.

Chairman Chase asked Mr. Mansfield how many storage units that he will have. Mr. Mansfield stated that there would be 52 10x15 units and 24 5x10 units. Mark Cahoon asked him if he was going to use the house as an office. He stated that he would use part of it for his office and is looking to lease out about 2-3 other offices to small-scale businesses.

Mark Cahoon inquired as to what the hours of operation for the storage units would be, but Mr. Mansfield stated that he had not figured all of that out yet. He stated that there would be small lights on the buildings and he can set it up to turn off at a specific time.

Rick Reynolds asked him whether he was going to put up some fencing for security reasons. Mr. Mansfield said that he was planning on putting a fence on three sides of it-one behind the house and along the other property lines. The railroad tracks are in the back so he doesn't see a reason to put fencing in there. He would also like to put in an electronic gate.

Geoffrey Aleva asked Mr. Mansfield about what kind of provisions were made for storm water improvements. He stated that they were just going to have it run off in the back. He said that it is fairly flat there. He said that there is some water drainage close to Route 9 that pools up on the end of that. Mr. Aleva stated that there should be some storm water control detention provisions included in the plan.

Anne Whitten inquired about the parking situation. Mr. Mansfield stated that there would be a little space before going through the fence for the parking.

Chairman Chase opened up the meeting for public comment at 7:13 pm.

Glenn Gobeille lives across the street from the proposed site. He has concerns regarding what kind of fence will be put up, what kind of landscaping will be done in front of the fence and especially, what kind of lighting will be installed.

Frank Callahan, the Operations Supervisor for Granite State Gas Transmission, stated that their transmission line runs through town. His main concern is any future accesses to Route 9 and any additional water pooling down there. Mr. Mansfield stated that he does not plan to access off of Route 9. That is why he is using the entrance to the house.

Ed Clark, another neighbor, states that he likes the idea of the drainage of the excess water. He was concerned about the entrance but he is glad to hear that there will not be any additional entrance.

Chairman Chase closed the meeting to public comment at 7:21 pm.

Geoffrey Alevea stated that there are a couple of things that need to be addressed on the site plan. He stated that the lighting should be shielded so it doesn't spill over on the neighbors. Also the site plan should include setbacks and lot coverage calculations. It should show the parking for the office space and show the calculations of how much space will be needed for it. Anne Whitten stated that the parking for the storage units to be included in the plans.

Chairman Chase stated that he would like to know what type of fencing would be put in. He also stated that the entrance would probably need to be paved instead of gravel. Chairman Chase stated that he would like to see what the buildings would look like. Mr. Mansfield had some pictures of the type of buildings that he would be installing and shared them with the Board.

The Board stated that they would like to do a site walk so Mr. Mansfield could show them where everything would be going. The Board scheduled a site walk for Thursday, June 6th at 5:30 pm.

Rick Reynolds motioned to continue the conditional use permit for Stephen Mansfield at 74 Portland Street until the next meeting.

Jon Morse seconded the motion.

VOTE: 5-0

2. Review Previous Minutes:

Anne Whitten stated that on Page 2, the first sentence should read, "Ben Gumm stepped forward and stated that he and his wife, Sally McLaren,..." Also in this first paragraph about half way down, it should state "About 5 years ago, the former owner, Mr. Bolster, came to see them and said he wanted to do something to build the privacy fence."

Also on Page 2, Paragraph 3, the word Town should not be capitalized.

Rick Reynolds motioned to accept the amended minutes.

Mark Cahoon seconded the motion.

VOTE: 5-0

4. Other Business:

Rick Reynolds asked if all of the minutes had been added to the website and Anne Whitten stated that they had been done.

Jon Morse stated that he would not be at the meetings in June because he will be on vacation.

Rick Reynolds stated that the Board should have all of the previous proposals when there is a change to the subdivisions. Geoffrey Aleva stated that it should be up to the applicants to produce this material.

5. Adjournment:

Anne Whitten motioned to close the meeting at 7:55 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.