

**NORTH BERWICK, MAINE, 03906****MINUTES OF PLANNING BOARD JUNE 28, 2012**

**Present:** Chairman Barry Chase, Shaun DeWolf, Julie Fernee, Rick Reynolds, Mark Cahoon and Lawrence Huntley, CEO.

**Also Present:** Ralph Guphill, Shirley Barto, Charles Barto, Erwin Amerman, Beverly Frost, Nancy Ergmann, Bill Anderson, Carol Stambaugh, Rick Stambaugh, Lendall Quint and Steve Quint.

**1. Call To Order:**

Chairman Barry Chase opened the Planning Board Meeting at 6:31 p.m.

**2. Current Business:**

**A. Herbert & Beverly Frost----**Applicant proposes to reconfigure three existing lots in Elmwood Acres Subdivision (Map 16, Lot 1, 2, & 3)

Bill Anderson explained that Beverly Frost has four different parcels and three of the lots are part of the subdivision, which most of it never was developed. What they ended up with is lots 1, 2, and 3 on the plan, plus this property in the front, so there are really four parcels.

The Town has since reconfigured into three different lines, but what we would like to do is keep three lots, which would not meet today's standards.

The frontage would come from the fourth lot. What we tried to do is bring this all into compliance with current zoning.

We would like to have a road from Route 4. We did apply for the entrance permit to DOT and they looked at it and granted us a permit.

We will be doing a common driveway off of Route 4 to limit the number of entrances.

I will be glad to answer any questions.

Shaun DeWolf asked will the paper road ever be developed or does it ever have the potential of ever being developed.

Lawrence Huntley, CEO answered I don't think it will ever be developed, but it could it is a legal subdivision.

Shaun DeWolf asked if the lots are sized with the property line being at the edge of that right-of-way.

Bill Anderson answered that we made sure that there was enough even if you took the right-of way.

Shaun DeWolf asked if you took the right-of-way you would still have your lot square footages.

Bill Anderson answered yes that was accounted for.

Shaun DeWolf asked is this going to be Town water or a well.

Lawrence Huntley, CEO answered that it will be Town water and septic in site.

Rick Reynolds asked if would be a private road.

Bill Anderson answered it will be a private drive; it would have nothing to do with the Town or the Town Standards.

Chairman Barry Chase asked the Code Enforcement Officer if there were any issues.

Lawrence Huntley, CEO answered that he did not have any issues.

*Chairman Barry Chase opened the meeting for public comments at 6:40 p.m.*

Charles Barto asked if this was going to be a two house subdivision.

Chairman Barry Chase answered that right now there are four lots that will become three lots.

Charles Barto asked that my question is what is the intent for that property.

Chairman Barry Chase answered that I assume that they are going to build houses.

Rick Stambaugh spoke: that the deed conveys of residential laws only, were they conveyed in this development.

Lawrence Huntley, CEO answered it is an approved subdivision for residential construction and it will always be an approved subdivision.

Rick Stambaugh asked that a note be placed on the plan that this will stay residential.

Lawrence Huntley, CEO answered that it does not have to have a note it is registered at the York County Registry of Deeds.

Charles Barto spoke: I keep hearing that frontage is not meeting today's standards. This is a registered subdivision and it met the standards then and it does meet it now. I wanted to make that clear that this subdivision is registered with the State therefore it is grandfathered.

Lawrence Huntley, CEO spoke: It is a registered subdivision and the lots in the subdivision are grandfathered as to size, but that being said if you're going to build on one of those lots you have to have the setbacks that are required today. They are making these lots bigger so that they can meet subdivision standards of today. That's all.

*Chairman Barry Chase closed the meeting for public comments at 6:52 p.m.*

Shaun DeWolf asked about the way the lot lines are shown correctly of being the property line where the dash line is.

Bill Anderson answered that is the right-of-way for the road and each of the abutters would own to the center subject to that right-of-way.

Rick Reynolds moved to amend on the plan a Note I that these lots are for residential only, Mark Cahoon seconded a motion.

Lawrence Huntley, CEO spoke: that these lots are all Village A zone.

What are you saying you want to take the subdivision lots out of Village A and make it residential only?

For example a variety store is okay in Village A. What you really want to do is make an amendment to the deeds as a deed restriction in the subdivision.

Charles Barto had the original deed and copies were given to the Planning Board.

Lawrence Huntley, CEO spoke: that all deeds will have all the information on it. The deed restricts what is needed.

Rick Reynolds asked to withdraw his previous motion.

The Planning Board agreed not to place the requested Note on the Plan where there is a deed and a covenant in place.

*Rick Reynolds moved to accept change in the subdivision as proposed with reconfigure lots to Herbert and Beverly Frost of North Berwick, Maine, Julie Ferner seconded a motion. Vote, 5-0*

### **3. Preview Next Agenda**

### **4. Other Business:**

### **5. Review Previous Minutes:**

*Rick Reynolds moved to approve the minutes of June 14, 2012, Shaun DeWolf seconded a motion. Vote, 4-0*

**6. Adjournment:**

Mark Cahoon moved to adjourn at 7:30 p.m., Shaun DeWolf seconded a motion. Vote, 5-0

Lawrence Huntley, CEO  
Planning Coordinator

Respectively Submitted  
Anita Merrow, Stenographer

Chairman Barry Chase

Julie Fernee

Shaun DeWolf

Mark Cahoon

Rick Reynolds

Chairman Barry Chase  
Julie Fernee  
Shaun DeWolf  
Mark Cahoon  
Rick Reynolds  
CEO  
Town Manager  
Post Inside/Outside  
File