

NORTH BERWICK, MAINE, 03906

MINUTES OF PLANNING BOARD AUGUST 26, 2010

Present: Chairman R. Todd Hoffman, Julie Fernee, Barry Chase and Lawrence Huntley, CEO.

Absent: Christopher Karcher, Patrick Raftery, and Shaun DeWolf.

Also Present: James Benedict and Marianne Benedict

1. Call To Order:

Chairman R. Todd Hoffman opened the Planning Board Meeting at 6:38 p.m.

2. Current Business:

A. James & Marianne Benedict--- Applicant proposes to expand a non-conforming structure within the Resource Protection District, One Dormer and Two Porches. (Map 2, Lot 20-1) 166 High Street.

Lawrence Huntley, CEO explained that the Benedict's are within the Resource Protection Zone. They are not in the Shoreland Zone.

Article 1.4.5 Non Conforming Structures:

a. Enlargement Controlled: A non-conforming structure shall not be added to or enlarged unless:

(1) Such addition or enlargement conforms to all the regulations now in effect for the zone in which it is located:

6.9.6 Factors Applicable to Conditional Uses

d. Special Exceptions. In addition to the criteria specified in Section 6.9.6 (c) above, excepting structure setback requirements, the Planning Board may approve a permit for a single family residential structure in a Resource Protection District provided that the applicant demonstrates that all of the following conditions are met:

(1) There is no other location on the property, other than a location within the Resource Protection District, where the structure can be built.

In this case there is no other spot because the whole land is within the Resource Protection Zone. A Conditional Use is required to allow that expansion.

The Benedict's want to add a porch extended toward the road which will decrease their front setback and will have to go before the Zoning Board of Appeals for a 20% variance, but only if Planning Board approves the Conditional Use Permit.

Barry Chase moved to approve the Conditional Use Permit for James and Marianne Benedict, Julie Fernee seconded a motion. Vote 3-0

3. Preview Next Agenda

4. Other Business:

5. Review Previous Minutes:

Julie Fernie moved to approve the minutes of July 8, 2010 with corrections, Barry Chase seconded a motion. Vote, 3-0

Barry Chase moved to approve July 22, 2010 minutes, Julie Fernee seconded a motion. Vote, 3-0

6. Adjournment:

Julie moved to adjourn at 8:30 p.m., Barry Chase seconded a motion. Vote, 3-0

Lawrence Huntley, CEO
Planning Coordinator

Respectively Submitted
Anita Lambert, Stenographer

Chairman R. Todd Hoffman

Barry Chase

Julie Fernee

Shaun DeWolf

Christopher Karcher

Patrick Raftery

Chairman R. Todd Hoffman
Barry Chase
Julie Fernee
Shaun DeWolf
Christopher Karcher
Patrick Raftery
CEO
Town Manager
Post Inside/Outside
File