

**NORTH BERWICK, MAINE 03906****MINUTES OF PLANNING BOARD DECEMBER 10, 2009**

**Present:** Chairman R. Todd Hoffman, Julie Fernee, Shaun DeWolf, Christopher Karcher, and Lawrence Huntley, CEO.

**Absent:** Barry Chase and Patrick Raftery

**Also Present:** Bill Wyman, Scott R. French, Stephen Mansfield, Lynn DeWolf, Janet Hooke, Tim Keohan, Paul R. Rollins, Tom Harmon, Julie Alexander, Carole Bumford, Mary Muthig, Lynn Peterson, Carl Works, Derek Hayes, and Lynd and Joanne Blatchford,

**1. Call to Order:**

Chairman R. Todd Hoffman opened the Planning Board Meeting at 6:35 p.m.

**2. Current Business:**

**A. Joel Littlefield---** Pre-Sketch Plan application for a 4 lot subdivision on Lebanon Road (Map 5, Lot 39)

Tom Harman explained that he is from Civil Consultants and will be representing Joel Littlefield. The proposal is to split the parcel into 4 lots. There are 3 residential units in the old farm house and Mr. Littlefield would like to place a 4<sup>th</sup> unit in the garage which places this parcel into a subdivision. There is a 20 acre lot that will be sold as a single family home. The 14+/- lot on Turkey Street that will be sold for residential house lot, which would support 1 house, this lot is divided by a river, the land on the East side of the river does not have enough land to be a conforming lot, so what we do is pick up land on the other side of the river, so that the lot will be 4 acres on the West side of the river. There is frontage on Turkey Street and the frontage is allowed to make it conforming. The area cannot be combined on both sides of the river, so what we do is make it up all on the left side of the river. The wetlands have basically been done on the entire parcel except for a piece near a wooded area; we will be asking for a waiver on that which is lot 1 - 195 acre. Looking into the future there would be 12 units in total in this complex.

Chairman R. Todd Hoffman asked if any of these points been staked.

Tom Harmon replied we can very quickly.

Chairman R. Todd Hoffman will notify Tom Harmon with a date and time when the Planning Board will be available for a site walk.

**B. Gordan Dewey---**Application to expand a Non-Conforming Structure within the Shoreland Zone at 81 West Fourth Street. (Map 11, Lot 2)

Scott French explained that the structure was damaged by fallen trees. What we are proposing to do is replace the front wall and build the back wall up so that we can do one roof line and also add square footage to increase the bathroom size so that it is handicap accessible.

Lawrence Huntley, CEO will be monitoring the proposed construction on West Fourth Street.

**Condition:**

**1. Erosion control will be in place during construction.**

*Chris Karcher moved to accept the Conditional Use Permit on Map 11, Lot 2 with conditions noted, Shaun DeWolf seconded a motion. Vote, 4-0*

**C. Planning Board Workshop---Zoning Ordinance Change, (Sign Ordinance)**

Chairman R. Todd Hoffman explained to the public that the Code Enforcer and the Planning Board have been looking at other Sign Ordinances from other Town's.

Julie Alexander asked for a brief history on why this workshop was created.

Chairman R. Todd Hoffman answered that Lawrence Huntley; CEO is in charge of monitoring the Sign Ordinance. There has been a concern among patrons regarding signage in North Berwick. There are some ordinances for signs that have been grandfathered; there are ordinances for housing lots, and also for commercial zone.

Almost every year the Planning Board will create new language or changes as different issues arise in the Zoning Ordinance before going to Town Meeting.

The Planning Board decided to look in to the Zoning Ordinance in regards to the different areas within the Zoning Ordinance that addresses signage and make it more consistent and applicable.

Paul Rollins spoke that for us that are interested in temporary signs specifically for non-profits. You have regulations for political signs and you have regulations for you real-estate. There is no reason why we cannot be treated as well as politicians. The temporary signs for Bean Supper we should be interpreted and following under their regulations.

Chairman R. Todd Hoffman explained that these are the issues it gets interpreted and it is some of the temporary signs that we have been struggling with.

- What defines temporary.
  - A frame signs shall be prohibited.
  - Setbacks for signs with 15 feet setback.
- The business owner in town can't have a 15 feet setback.

Lawrence Huntley, CEO spoke that in the ordinance there is language for a temporary sign; announcing non-commercial activities; non-commercial events for up to 30 days, temporary seasonal sponsor sign.

We should be looking at municipal activities and non-profit organizations:

Temporary signs up to 12 square feet in area announcing non-commercial community events shall be allowed for up to 30 days, but it doesn't say where they are allowed, they can't be within 15 feet of the traveled way according to another ordinance. Political signs have to be in the right of way by State Law.

Lynn Peterson spoke that in 6.5.1 f. All signs, whether temporary or permanent, shall meet the setbacks requirements from the edge of the right-of-way.

6.5.2 b., the setback provisions of section for 5.2.6 b.-5. apply.

Chris Karcher spoke that one of the things we wanted to do tonight is answer questions. Where are not here to rewrite the ordinance tonight. Where are not here to choose a path. We have an ordinance today; we have a lot of precedence from other towns. What is the issue the community has, so that we can comment? This is the feedback we were looking for.

Chairman R. Todd Hoffman spoke this is the feedback and what we need is committee work.

Chris Karcher spoke that everyone agrees that the sign ordinance should be in one place. The only way we are going to do that is, is if we get some support from the town and set up a working committee.

Chairman R. Todd Hoffman spoke if we can get a working committee with the materials. If this committee is going to help shape the language, you need to know what to change. What are in the ordinance that is repetitive we need to have that in the warrant to pull that out. If the committee comes up with the language we will hold the meetings.

Chris Karcher spoke what are the key considerations of a sign ordinance; size of the sign; type of signs; setback of the sign and zone of the sign. The language will be tough and is all over the place in the ordinance. If you look through some of the other ordinances there are other good ideas.

Shaun DeWolf spoke that going on the discussions that we are having, there are three categories:

- Definition for a permanent sign and a temporary sign
- Notes on the Setbacks
- Put all notes in the Performance Standard and Billboards section.

Chairman R. Todd Hoffman spoke that Lawrence Huntley, CEO will be vital to this committee in answering question.

### **Sign Ordinance Committee:**

Planning Board: Vice-Chairman Shaun DeWolf

Members: Derek Hayes, Steve Mansfield, Lynn DeWolf, Bill Wyman, Carole Murray-Bumford, Paul R. Rollins, Jim Keohan, Lynn Peterson, Janet Hooke and Carl Works.

**3. Preview next agenda:**

**4. Other Business:**

**5. Preview Previous Minutes:**

Shaun DeWolf moved to accept the minutes of November 12, 2009 as change 4-9 d, Julie Fernee seconded a motion. Vote, 4-0

**6. Adjournment:**

Shaun DeWolf moved to adjourn at 8:30 p.m., Julie Fernee seconded a motion. Vote, 3-0

Lawrence Huntley, CEO  
Planning Coordinator

Respectively Submitted:  
Anita Lambert, Stenographer

Chairman: R. Todd Hoffman

Julie Fernee

Shaun DeWolf

Barry Chase

Christopher Karcher

Patrick Raftery

Copies:  
Chairman R. Todd Hoffman  
Julie Fernee  
Shaun DeWolf  
Barry Chase  
Christopher Karcher  
Patrick Raftery  
CEO  
Town Manager  
Selectmen  
Christine Dudley  
ZBA  
File