

**NORTH BERWICK, MAINE 03906****MINUTES OF PLANNING BOARD MAY 28, 2009**

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

**Absent:** Mark Cahoon and Barry Chase

**Also Present:** Thomas DePerter (CMP), Matt Manaha (CMP), Steve Walker (CMP), Larry Benoit (Government Solutions, CMP), William Thompson (BH2M Engineers), Mark Hanson, Dawn Hanson, Molly Schifano, Alex Schifano, Steve LaFreniere, Frank Corbet and David Perterson.

**1. Call to Order:**

Chairman Todd R. Hoffman opened the Planning Board Meeting at 6:36 p.m.

**2. Current Business:**

**A. Jay Bourne---**Applicant proposes a 6-lot Subdivision along High Street, Sketch Plan. (Map 4, Lot 42)

William Thompson explained that I'm with BH2M Engineers and I'm here for Jay Bourne. Mr. Bourne is proposing on this piece of land which is north of the village cemetery and then comes up to the Oak Woods Road. The original piece of property was 38 acres and is in two zones: residential 2 zone and the village zone. On the balance of the 33 acres shown we would like to propose 6 new house lots and using 1700 feet of road frontage on Route 4 and High Street. We would like have a couple of shared driveways which would minimize curb cuts down to four. The curb cuts will need DOT approval. There has been a complete boundary survey done and wetland mapping, so we do have a good sense of how the lots could work.

This is a pre-application sketch plan based on your ordinance. It was recommended that we come in and introduce it to the Board. There are other steps to move this forward and things we would like to get the Board's comments on tonight, a couple being topographic survey, high intensity soil survey and a nitrate study which is required in your ordinance. We want to see where the Board's direction would be on that.

Chairman Todd R. Hoffman spoke that the Board has been discussing spaghetti lots and there appears to be a couple of them on your sketch plan and also there is concern for the four curb cuts that are on the plan.

William Thompson asked why the concern about curb cuts.

Julie Fernee replied that it is very difficult to pull in and out with a vehicle along that road.

William Thompson replied that maybe we could take another look at the plan and get the curb cuts down to three. If it is three driveways four or one, the traffic is not going to go away and the number of cars coming out of the subdivision is not going to increase.

Lawrence Huntley, CEO spoke that you only have one at a time coming out of a cul-de-sac, there are four possibilities coming out at the same time on Router 4 right now. There are people going 60 mph and there not looking ahead for people passing and it's a horrendous situation right now and when pulling out of Oak Woods Road you have to be really careful.

Under our ordinance the first 40,000 square feet, it requires 100 feet of road frontage. The lots presented do not conform to that ordinance.

William Thompson replied that if these were minimized lots it would be okay. What we could do is cut the back of the lots off and provide open space We could also look at doing shared driveways with some type of internal easement and get it down to a couple of curb cuts.

**B. Central Maine Power---**Applicant proposes an Amendment of the North Berwick Zoning Ordinance to exempt essential Services from Height Restrictions.

Tom DePeter explained that I am the Regional Planner for Central Maine Power. We are here to talk about the Maine Power Reliability Program.

With me tonight from our team is Matt Manaha (Legal group), Steve Walker (Engineering group), and Larry Benoit (Bernstein Shores Government Solutions).

We would like to discuss the Maine Power Reliability Program Project and the proposed zoning ordinance amendment that we bring forth to you tonight.

The Maine Power Reliability Program project is a 1.5 billion dollar project in the State of Maine to rebuild our bulk transmission power system to reassure electrical reliability for the State

Larry Benoit provided the Planning Board with a presentation on the Maine Power Reliability Program.

Maine Power Reliability Program is a major undertaking to ensure the continued reliability of the bulk power transmission system, and will address Maine's significant growth over the past four decades and the region's expanding need for a reliable electrical system through improvements such as upgrading existing transmission lines and constructing new ones on a system basis.

As currently proposed, the Maine Power Reliability Program in North Berwick would consist of relocating and rebuilding a portion of an existing 115 kV transmission line and construct a new 345 kV transmission line on the existing CMP corridor that runs approximately along the North Berwick/South Berwick town line. The section of 115 kV line that would be rebuilt would change from its current H-frame (2 pole) configuration to a single pole configuration. The typical single pole 115 kV structure would be approximately 75 feet in height, similar to the current rebuild project that is occurring within the same transmission line corridor. The proposed 345 kV line will be constructed in an H-frame configuration with a typical structure height of 75 feet.

To sum up the project by means of the primary goals being: keeping the lights on, assuring we have a reliable system to meet needs of our customers and to serve our economy by increasing capacity and reliability system.

We will provide a foundation to help develop renewable resources. The project injects a significant amount of economic benefits to the Maine economy.

Maine Power Reliability Program-A Central Maine Power Company Program:  
[www.mainelectric.com](http://www.mainelectric.com)

Matt Manaha asked the Town to consider a revision to the Town of North Berwick Zoning Ordinance that would exempt “essential services” from the bulk and space standards and also make the language regarding the height of structure in the non-shoreland districts consistent with the existing language regarding heights of structures in the shoreland districts.

### **Proposed Amendment to Town of North Berwick Zoning Ordinance For Electrical Transmission Towers**

#### **Alternative #1**

**Article 3 Definitions** is amended to read:

**Essential Services:** the construction, alteration or maintenance of gas, electrical or communication facilities; steam, fuel, electric power or water transmission or distribution lines, towers and related equipment; telephone cables or lines, poles and related equipment; gas, oil, water, slurry or other similar pipelines; municipal sewage lines, collection or supply systems; and associated storage tanks. Such systems may include towers, poles, wires, mains, drains, pipes, conduits, cables, fire alarms and police boxes, traffic signals, hydrants and similar accessories, but shall not include service drop or building which are necessary for the furnishing of such services. The dimensional requirements of this ordinance shall not apply to essential services.

#### **Alternative #2**

**Article 3 Definition** is amended to read:

**Dimensional requirements:** numerical standard relating to spatial relationships including but not limited to setback, lot area, shore frontage and height. The dimensional requirements of this ordinance shall not apply to transmission towers located within or adjacent to an existing transmission corridor.

Add definition of “Transmission Tower” as followed:

**Transmission tower:** Electric power transmission or distribution lines and related equipment. Such systems may include towers, poles, wires, cables, and similar accessories, but shall not include service drops or buildings which are necessary for the furnishing of such services.

**Transmission Tower:** The Planning Board added language to the first line to read:

**Transmission tower:** Electric power transmission or distribution lines and related equipment not to exceed 110 feet as required by State and Federal law. Such systems may include towers, poles, wires, cables, and similar accessories, but shall not include service drops or buildings which are necessary for the furnishing of such services.

To be approved by Town Attorney.

Lawrence Huntley, CEO will have the Town Attorney review the proposed amendment to the Town of North Berwick Zoning Ordinance.

### **3. Preview next agenda:**

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

Chairman Todd R. Hoffman spoke that the Planning Board is amending the Zoning Ordinance language for 4.3 f. We rescinded motions for Zoning Ordinances 4.3 f. on May 14, 2009.

#### **Article 4-District Requirements:** (Language omitted)

f. A lot abutting a Town way or an interior street within the proposed site shall have a minimum frontage of 100 feet for a 40,000 square foot lot. For every 10,000 sq. ft. of that lot area in excess of 40,000 sq. ft., an additional 10 feet of frontage shall be required.

On May 14, 2009 Shaun DeWolf moved that 4.3 f. language omitted, Barry Chase seconded a motion. Vote, 3-0

Chairman Todd R. Hoffman spoke that the new language will be sent to the Board of Selectmen and the Board will decide on a date for a Special Town Meeting.

Lawrence Huntley, CEO will speak with Town Attorney regarding Zoning Ordinance 4.3 f.

## **5. Preview Previous Minutes:**

Julie Fernee moved to approve the minutes of May 14, 2009, Shaun DeWolf seconded a motion.  
Vote, 3-0

## **6. Adjournment:**

Shaun DeWolf moved to adjourn at 8:45 pm, Julie Fernee seconded a motion. Vote, 4-0

Lawrence Huntley, CEO  
Planning Coordinator

Respectively Submitted:  
Anita Lambert, Stenographer

Chairman: R. Todd Hoffman

Julie Fernee

Shaun DeWolf

Barry Chase

Mark Cahoon

Christopher Karcher

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