

NORTH BERWICK, MAINE 03906

MINUTES OF PLANNING BOARD JULY 10, 2008

Present: Chairman Todd R. Hoffman, Julie Fernie, Shaun DeWolf, Dennis Hartigan, Barry Chase, Mark Cahoon and Lawrence Huntley, CEO.

Absent: Scott Strynar

Also Present: Debbie Novac, Robert Novac, David W. Palmieri, Maryann Harrington, Pat Picard, Kimberly Haines-Jacques, Bill Latorella, Julie Alexander, Bill Simmons, Harry Osgood, Allen Gray

1. Call to Order:

Chairman Todd R. Hoffman opened the Town of North Berwick's Planning Board Meeting at 6:31.

2. Current Business:

Chairman Todd R. Hoffman made mention of the notes the Board had from Jamie Saltmarsh to Harry Osgood.

Chairman Todd R. Hoffman asked Harry Osgood to give a quick overview to the public attending the meeting as to what his project was. Mr. Osgood gave the overview that his subdivision would encompass the land behind his business on Main Street connecting to Burma Road and having seven house lots.

Mr. Osgood told the Board that the land the Town uses for parking on the Gray and Osgood side of the parking lot and a portion of the entrance to the Municipal Building is owned by the Osgoods and Grays. It is their intention to deed to the town that portion of land and that the giving of this deed has nothing to do with the subdivision.

Jamie Saltmarsh went over her memo, dated July 3, 2008, with Mr. Osgood outlining 8 points of the North Berwick Subdivision Ordinance.

8.1.e.1: Mr. Osgood's engineers submitted one DEP application and received a reply. The project had increased the infringement of wetlands by 500 feet so his engineers resubmitted the whole application. Mr. Osgood is waiting for a letter from the DEP.

8.1.e.2: Mr. Osgood needs to receive a letter from the Water District stating they have reviewed and accepted the subdivision plan.

8.1.e.4: Mr. Osgood needs to receive a letter from the Sanitary District stating they have reviewed and accepted the subdivision plan.

8.1.e.g: Jamie Saltmarsh gave the Board a memo from the Town Manager, Dwayne Morin, recommending that the Town enter into a conditional agreement in lieu of other financial performance guarantees with conditions stated in his memo.

10.4.c: The Board discussed this section with Jamie Saltmarsh and Mr. Osgood and Mr. Gray. Ms. Saltmarsh stated in her memo that the Board should note on the plan that the deeds be restricted to indicate that vehicular access shall be located on the less traveled way. General none #8 on the subdivision plan (sheet 5) address this issue for lot #5. Ms. Saltmarsh suggested that a note be added to the plan that any new access on the “remaining land” lot must access Mill View Drive.

Mr. Gray and Mr. Allen disagreed with this suggestion and asked Ms. Saltmarsh if this was a personal opinion. Ms. Saltmarsh stated that yes, it was. Mr. Gray stated that the front lot now used as commercial has egress and ingress by Main Street and does not feel that there is any reason for this to change.

The Board had discussions with Mr. Gray and Mr. Osgood. Lawrence Huntley CEO, added information to the Board that any commercial building must remain commercial in the commercial zone and that any residential sites could only exist on a second floor or higher. And so the commercial lot now is being accessed by Main Street will remain a commercial site.

The question was asked if the road in the subdivision is Mill View Drive or Mill View Way. The applicants. Mr. Osgood and Mr. Gray stated that it is Mill View Way.

Discussion was made to make a motion to accept a waiver that if the applicant wished to access off Mill View Way that the applicant will not be asked to come before the planning board to make an amendment to the subdivision. The Board tabled that waiver until later on in the meeting.

10.5: All utilities will be placed underground.

10.6: There will be no streetlights placed within the subdivision.

Ms. Saltmarsh noted that a letter written by the applicants’ engineers asked for a waiver from article 2-16. Ms. Saltmarsh stated that she was not sure what they were referring to because articles 2-16 are most of the subdivisions articles. Chairman Todd R. Hoffman stated that the board has gone passed all of that and there is no sense to deal with it.

Mr. Osgood questioned the need to change boundary coordinates to be bound with the States markers. Neither the CEO, the Board, nor Ms. Saltmarsh knew of any town ordinance referring to such State markers.

Chairman Todd R. Hoffman asked if a motion is in order to waiver 10.4.c for the lot remaining that the applicant would not need to come before the planning board for an amendment to the subdivision plan.

Barry made the motion, Dennis seconded the motion. Vote 5-0

Bill Simmons, an abutter, asked if a note could be placed on the plan that no vehicle could exit off Lot #5 where it abutted Wells Street. All agreed that such a note could be placed on the plan.

Lawrence Huntley CEO stated that he had nothing specific on the Home Owners Association agreement.

Questions were asked by the public on some of the plans of the subdivision as to who would build the houses, what kind of houses would be built, the size of the lots, and how long before houses would be built.

Mr. Gray and Mr. Osgood answered that they did not intend to sell off the lots but were in hopes to sell it to a developer, but with the economy the way it is, he cannot tell when it would sell or when lots may be developed.

Lawrence Huntley CEO stated that the lots in the village are 40,000 square feet and that such lots may have a reduction in acreage when such lots are served with town water and sewer.

Shaun DeWolf asked about the retention pond and if the pressure treated wood should be at the spillover only or is it intended to go all around the circumference of the pond? The applicants could not answer that question but will ask their engineers.

Mr. Latorella asked if any more meetings would take place. The Board answered that no other "Public Input" meetings would take place.

Shaun DeWolf will type up the 11 issues that still need to be finished. He will send these to the CEO and Anita Lambert, stenographer to be listed in these minutes.

Lawrence Huntley CEO reminded the applicants that they need to go to the Post Office to inform them of the plans for a subdivision on their property.

11 issues email from Shaun DeWolf to be added to the minutes:

List if items for Mill View Subdivision:

1. DEP approval required.
2. Sewer Department needs to approve design in a letter.
3. Water Department needs to approve design and service in a letter.
4. Remaining Land to keep access off of Main Street and can also access off of Mill View Subdivision road if so desires.
5. Fire Chief Approval needed for hydrant location and in letter.
6. Police Chief Approval in a letter.
7. Notes from Dwayne Morin to be added to plans.
8. Need a copy of Home Owners Association By-Laws.
9. Home Owners to maintain all stormwater treatment areas.

10. Pressure treated studs in details need location to be shown on plans and if not needed remove from details on sheets 3 of 6 and 4 of 6.
11. Name of subdivision shall be "Mill View Way". Change on all plans.

3. Preview next agenda:

4. Other Business

5. Preview Previous Minutes:

The Board tabled minutes until next meeting.

6. Adjournment:

Barry Chase moved to adjourn at 7:40 pm, Dennis Hartigan seconded a motion. Vote, 5-0

Lawrence Huntley, CEO
Planning Coordinator

Respectively Submitted:
Anita Lambert, Stenographer

Chairman: R. Todd Hoffman
Julie Fernee
Dennis Hartigan
Shaun DeWolf
Barry Chase
Mark Cahoon
Scott Strynar

Copies:
Chairman R. Todd Hoffman
Julie Fernee
Dennis Hartigan
Shaun DeWolf
Barry Chase
Mark Cahoon
Scott Stryar
CEO
Town Manager
Selectmen
Janet Belmain
ZBA
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