

NORTH BERWICK, MAINE 03906

MINUTES OF PLANNING BOARD NOVEMBER 20, 2008

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

Absent: Julie Fernee, Dennis Hartigan and Scott Strynar.

1. Call to Order:

Chairman Todd R. Hoffman opened the Planning Board Meeting at 6:31 p.m.

2. Current Business:**A. Planning Board Workshop---Discussion of proposed Ordinance Changes for 2009.**

Chairman Todd R. Hoffman spoke that at previous meetings the Board had discussed Ordinance issues; writing language for new Ordinance and also reviewing the possibility of additional Ordinance changes.

The Planning Board had much discussion on an Ordinance in the Town of North Berwick Street Design & Construction Standard Ordinance - 2.7 General Requirements-Subdivision - E.

The Board asked Lawrence Huntley, CEO to contact the Town Attorney for his interpretation of the Ordinance 2.7 General Requirements-Subdivision – E.

Town of North Berwick Street Design & Construction Standard Ordinance (as written)

2.7 General Requirements-Subdivision:

E: Any subdivision containing fifteen dwelling units or more shall have at least two North Berwick street connections with existing public streets, streets shown on an Official Map, or streets on an approved subdivision plan for which performance guarantees have been filed and accepted. Any street serving fifteen dwelling units or more shall have at least two North Berwick street connections leading to existing public streets, streets shown on an Official Map, or streets on an approved subdivision plan for which performance guarantees have been filed and accepted.

The Board received a Memo from Dwayne Morin, Town Manager - dated November 20, 2008
(See Attached Memo)

Chairman Todd R. Hoffman discussed with the Board that the Town Attorney would support the intent of the Ordinance language; however, the Town Attorney did state that the Planning Board could interpret the language differently should the Board desire since the language is open to interpretation. He cautioned that once the interpretation is made that this would have to the interpretation that would be held forward and all consequences should be carefully considered. Should the Planning Board decide that a connection to a street in an adjacent town with a North Berwick street is a “North Berwick” street connection, that is within their discretion. However, this is contrary to what the intention of the amended language was when proposed.

*Lawrence Huntley, CEO will inform the Town Manager that Chairman Todd R. Hoffman will e-mail him regarding the Town of North Berwick Street Design & Construction Standard Ordinance; 2.7 General Requirements-Subdivision-E.
The Planning Board would like the Town Manager to attend the December 11, 2008.*

The Planning Board will address at the next meeting new language for Cemetery setback; making it more stringent but with a defined exceptional course.

3. Preview next agenda:

- A. Mariner Tower
- B. Clark McDermith

4. Other Business:

5. Preview Previous Minutes:

Mark Cahoon moved to accept the minutes of November 6, 2008, Barry Chase seconded a motion.
Vote, 4-0

6. Adjournment:

Mark Cahoon moved to adjourn at 7:45 pm, Barry Chase 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
Dennis Hartigan
Scott Strynar

Copies:
Chairman R. Todd Hoffman
Julie Fernee
Shaun DeWolf
Barry Chase
Mark Cahoon
Dennis Hartigan
Scott Strynar
CEO
Town Manager
Selectmen
Christine Dudley
ZBA
File