

NORTH BERWICK PLANNING BOARD

MINUTES OF PLANNING BOARD SEPTEMBER 10, 2020

Present: Chairman Geoffrey Aleva, David Ballard, Matthew Qualls, Scott Strynar, Mark Cahoon, Roger Frechette, CEO

Absent: Anne Whitten, Jon Morse

Also Present: Jeremiah Johnson

1. Call To Order:

Chairman Geoffrey Aleva called the meeting to order at 6:30 pm.

Chairman Aleva moved Scott Strynar up to full voting status for the meeting.

2. Review Previous Minutes:

David Ballard motioned to approve the minutes of August 27, 2020 as written. Scott Strynar seconded the motion. VOTE: 3-0 Abstain: 2

3. Current Business:

3.1 Mr. Jeremiah Johnson
30 Main Street
Tax Map: 018 Lot: 086

Request: The applicant proposes to add an In-Law apartment in an existing barn.

Chairman Aleva asked Roger Frechette if he had any issues or comments regarding the project. Roger stated that Mr. Johnson bought the property with the apartment already there so this request is actually a retro request to put it as an In-Law apartment. It meets all of the requirements for an In-Law apartment. It is not above the square footage that is needed. He stated that everything looks good.

Chairman Aleva asked Mr. Johnson if he had anything to add regarding the project. Mr. Johnson said that he did not. Roger had covered it.

David Ballard asked about the way the stairs that were pictured on the sketch. He said that there are stairs on the outside of the building. He asked if they were going up or down and if it went to a second floor. He also asked if the bedroom was on the second floor. Mr. Johnson's sound was

not working but he indicated by pointing that the stairs went down. Roger stated that the stairs are just on the outside of the building. Mr. Ballard asked if the total square footage was 575 and Chairman Aleva said that it was. Matthew Qualls asked if the total maximum allowed was 650 sf and Chairman Aleva said that this was also correct.

David Ballard motioned to approve the application for Jeremiah Johnson to add an In-Law apartment to an existing barn at 30 Main Street Tax Map 018, Lot 086. Matthew Qualls seconded the motion. VOTE: 4-0 Abstain: 1

4. Other Business:

Roger stated that they have a situation on Card Mill Road. They want to add a kitchen to a building, but they are within the Shoreland setbacks. Roger stated that the Board has the authority to give him permission to allow him to build there. Scott Strynar asked if it was an addition or if was something they were going to be adding internally. Roger stated that it was an addition to the existing building. He said that the applicant wants to build closer to the roadside on the right hand side but he is too close to the river.

Roger stated that he spoke with Dwayne about it. Dwayne said that the only thing that they can do is for the Planning Board to give him the blessing to do it. Chairman Aleva stated that the applicant would need a variance to a zoning requirement so he believes that this would need to go to the Zoning Board of Appeals. Roger stated that because it is a Shoreland issue and they are up against the river, Dwayne said that it would be a Planning Board decision. Chairman Aleva said that he wasn't sure if they could waive a Zoning requirement. He is not sure if they can go against the Shoreland Zoning requirements. He doesn't know if this would be allowed by the State. Roger stated that he would forward the Board members all of the paperwork on Monday. He will also research some more and find out what the Board would be allowed to do. Chairman Aleva stated that they definitely need to look into it further because, in other towns, he has not been allowed to do this. He said that they may want the Town attorney to review it as well. Chairman Aleva asked how far away he was from the river. Roger said that he is about 150 feet, but he is supposed to be 250 feet.

Matthew Qualls said that he would like the Board to review the Ordinance regarding In-Law apartments. He would like to see if they can change it so that they don't need to come before the Planning Board for approval. He said that if the applicant meets everything that is required in our Ordinance, he thinks that Roger should be able to handle it. He could always bring it before the Board if there were any issues. Chairman Aleva agrees that it should be reviewed. He said that, right now, it is pretty much set up to allow anyone to have an apartment to rent. Once they have a family member that moves out of the apartment, they can offer to rent it to anybody. He said that it is a loophole that currently exists, but he is not sure how to get rid of it. Matthew Qualls asked if they want to rent it out, do they have to get a change of use or does it stay the same? Roger stated that it stays the same. Chairman Aleva said that there was a big discussion

when they were working on the Ordinance as to how they would enforce it. There is no way to do it. Roger stated that they can say that it is an in-law moving in, but we wouldn't know.

David Ballard asked if they had heard back from the Selectmen about continuing to have ZOOM meetings. Roger stated that he had not heard anything yet. Chairman Aleva said that he still needed to submit a letter to the Selectmen to make a request to continue doing ZOOM meetings.

5. Adjournment:

Scott Strynar motioned to adjourn the meeting at 6:51 pm. David Ballard seconded the motion.
VOTE: 4-0

Roger Frechette
Planning Coordinator

Respectively submitted,
Susan Niehoff, Stenographer

Chairman Geoffrey Aleva

Approved at September 24, 2020 ZOOM meeting

Jon Morse

Approved at September 24, 2020 ZOOM meeting

Anne Whitten

Matthew Qualls

Approved at September 24, 2020 ZOOM meeting

David Ballard

Approved at September 24, 2020 ZOOM meeting

Scott Strynar

Approved at September 24, 2020 ZOOM meeting