

NORTH BERWICK PLANNING BOARD

MINUTES OF PLANNING BOARD SEPTEMBER 24, 2020

Present: Chairman Geoffrey Aleva, Jon Morse, Matthew Qualls, David Ballard, Scott Strynar

Absent: Anne Whitten, Mark Cahoon

Also Present: Lee Jay Feldman from SMPDC, Norma D (last name unknown from ZOOM), Michael Peverett

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.

2. Review Previous Minutes:

David Ballard stated that on page 3, the heading that states “4. Adjournment” should be “5. Adjournment”.

Scott Strynar motioned to approve the minutes of September 10, 2020 as amended. Jon Morse seconded the motion. VOTE: 5-0

3. Current Business:

3.1 Public Hearing

Hanson Family

Turkey Street (Map 007 Lot 004)

Request: The applicants proposes an eight-lot subdivision located on Turkey Street (Map 007 Lot 004) on land owned by Shari Hanson, David F. Hanson, David R. Hanson & Robert C. Hanson.

Chairman Aleva stated that he was recusing himself from this project because Civil Consultants, where he works, prepared the plans. He stated that the applicant will be seeking preliminary subdivision approval for this project. Chairman Aleva asked Lee Jay Feldman if he had any comments or issues regarding the project. Lee Jay stated that he did not. He said that the memo that the Board had received around the 4th still stands. The applicant has some additional notes on a revised plan to address the issues that were being addressed at the time. There still may be

some minor outstanding issues that are still being addressed. He said that a final memo and the Findings of Fact will be provided at the next meeting that this project will be held on.

Chairman Aleva asked Michael Peverett from Civil Consultants to come forward to discuss the project. They are proposing an eight-lot subdivision on Turkey Street. All 8 lots will have frontage on Turkey Street. The overall parcel area is about 62 acres. They had Mike Cuomo delineate the wetlands on the site and analyze the vernal pools. He determined that there are 7 vernal pools of which 2 of the vernal pools are manmade. One of them was determined to be significant and the remaining 4 vernal pools were determined to be not significant. The one significant pool requires a 250-foot setback around the perimeter where disturbance within that area is regulated by Maine DEP. The vernal pool is on Lot 8 and the 250-foot setback affects Lots 7 and 8. This has all been noted on the plan. Mr. Peverett stated that there are numerous wetlands on the site. One wetland is large enough to require a 75-foot setback. This is located in the northerly portion of the property and affects Lots 1 through 6. This has a 75-foot setback, and it is shown on the plan. There are notes on the plan that state that any development on these lots will require a Maine DEP permit.

Mr. Peverett stated that all 8 lots, after deducting the wetland areas, are still significantly over the 160,000 sf minimum. They also had Mike Cuomo dig soil test pits to determine suitability for septic systems. He determined that soils were suitable on all 8 lots and all of the test pit logs were submitted to the Board. They are proposing individual drill lots for each individual lot. It is the intention of the applicant to sell the lots individually for the buyers to develop individually.

Mr. Peverett stated that they are requesting 1 waiver from Section 10.5 in the Ordinance. Section 10.5 requires underground utilities to serve the lots. They are requesting overhead services.

Chairman Aleva opened the Public Hearing at 6:42 pm.

There was no public comment.

Chairman Aleva closed the Public Hearing at 6:43 pm.

Jon Morse asked if there was still enough room on Lot 1 after the wetlands are deducted. Mr. Peverett said there was. Mr. Morse asked if they were planning on building along the roadside on that lot or in the back of it. Mr. Peverett stated that it would more than likely be in the back but that would be up to the individual lot owner. He stated that it would be difficult to get to the rear because you would need a permit from DEP to cross the wetland. The hillside in the rear is a really nice spot so there is a likelihood that the person building the house will want to go there. He stated that this lot is very oversized. Even after the deduction of the wetlands, it is over 400,000 sf and the minimum needed is 160,000 sf.

Lee Jay Feldman stated that the Board will now need to act on the waiver and determine the

application complete. Chairman Aleva stated that they have already done a site walk and have also already accepted the application as complete the last time they presented at a meeting. Chairman Aleva said that they now need to decide on the preliminary review so that the town can turn over the plans for peer review.

David Ballard asked Mr. Peverett about the cemetery. He said that there was discussion about talking to the Historical Society about where it was located. He wondered if they had checked into it. Mr. Peverett stated that, at the site walk, Roger said that he was going to check with a lady who works at the library who is the resident expert on where cemeteries are located. Mr. Peverett has not heard anything back, so he is assuming that she did not find anything. He stated that the tax map shows a cemetery symbol on one of the areas on a lot. He said that he has been all over the property extensively and has not found any evidence of a cemetery. They did put a note on the plan so that anybody building or working in that area is on notice that there may be a cemetery there. It is Note 12 on the plan. He stated that all cemeteries have a restriction with regard to development within 25 feet of the perimeter of it. The only other logical place that he thinks that a cemetery might be is on the far left of the plan. There is a note that states, "remains of stone foundation" which is on Lot 1. He stated that he walked around that area as well and did not see any sign of a cemetery. He said that there is still a possibility that there could be one on the property, but he thinks it is unlikely. Mr. Peverett stated that the note on the plan at least cautions anyone working in the area that there is a possibility of one on the property. Scott Strynar stated that he was on the site walk and agrees with Mr. Peverett.

Lee Jay Feldman stated that they need to consider the waiver for Section 10.5.a which states, "All utilities shall be installed underground except as otherwise approved by the Board."

Scott Strynar motioned to waive the standard of Section 10.5.a regarding Utilities to allow them to have overhead utilities. Jon Morse seconded the motion. VOTE: 4-0 Abstain: 1

Jon Morse motioned to accept the preliminary plan for the subdivision on Turkey Street (Map 007 Lot 004). David Ballard seconded the motion. VOTE: 4-0 Abstain: 1

Chairman Aleva stated that this plan will now be sent out to our peer engineers to have them review the plan. Their comments will go back to the applicant where they will make any necessary changes before submitting a final plan to the Planning Board for approval.

4. Other Business:

There was no other business at this time.

5. Adjournment:

Jon Morse motioned to adjourn the meeting at 7:02 pm. Scott Strynar seconded the motion. VOTE: 5-0

Roger Frechette
Planning Coordinator

Respectively submitted,
Susan Niehoff, Stenographer

Chairman Geoffrey Aleva

Approved at October 8, 2020 ZOOM meeting

Jon Morse

Approved at October 8, 2020 ZOOM meeting

Anne Whitten

Matthew Qualls

David Ballard

Approved at October 8, 2020 ZOOM meeting

Scott Strynar

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