

NORTH BERWICK PLANNING BOARD

MINUTES OF PLANNING BOARD JUNE 23, 2022

Present: Justin Perry, Scott Carpenter, Mark Cahoon, David Ballard, Jon Morse, Anne Whitten

Absent: Scott Strynar

Also Present: Matt LeConte, Dylan Hague, Norma Dowling, Noah Richardson, Dalton Richardson, Mike Barker

1. Call to Order:

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

2. Review Previous Minutes: N/A

3. Current Business:

3.1 Public Hearing:

Norma Dowling, Noah Richardson, Dalton Richardson
72 Old Route 9, Map 003 Lot 3

Continued Review of Conditional Use Permit request: Applicants proposes a Lodging House use within the existing four-bedroom single family house.

Chairman Morse asked that the Dowling/Richardson family provide updates as to the project since the last meeting.

Dylan Hague stated the major concern was the parking and he has a new plan which provides a larger area for parking, backing out and a turn-around. Another concern was the markers on the brook and he now has Chevron Markers that they are placing on both sides of the brook coming and going, which is at the culvert area of the driveway. Dylan stated that regarding fire safety, they are still working with Eastern Fire, State Fire Marshall and the company doing the install and stated that they are all on same page and working together. Regarding the handrails, they are being installed. Dylan stated the extension cords are being removed and they are purchasing the ADA ramp.

Anne Whitten asked if they had a letter from the ADA stating there were no concerns. Dylan stated that they had a letter from the State Fire Marshall saying that he was not concerned about bringing the building up to ADA compliance. He referenced a letter from Kyle. Dylan stated he can get a copy of the checklist if they have not already. Norma Dowling stated that was all part of the process and they would not give a permit without meeting all requirements. Anne

Whitten stated that from what she understands, the building has to be accessible to people with disabilities. Norma stated that if there is no construction being done or renovating, they cannot make you remove doorways or stairwells. Dylan stated they can put up a temporary ramp but the doorways inside are not wide enough to be ADA compliant. Anne Whitten asked if the Fire Marshall went out to look at the site. Dylan stated a detailed copy of the plan was provided to them. Chairman Morse believed that they are not required to reconstruct their home for the physically handicapped but they will have a portable ramp if need be. Anne Whitten felt they could possibly be limited to that one room and not be able to get anywhere else. Dylan stated that the doorways were wide enough in the public area. As far as lodging, they can purchase a ramp but they cannot modify the doors to make it ADA compliant. Matt asked what the size of the door to the first-floor suite. Dylan stated he would have to get those exact numbers as he did not have that in front of him. Justin Perry inquired that other than the parking lot, they are not doing any renovations to the home. Dylan stated they were not.

David Ballard inquired how the areas were going to be separated and if it was simply be locking the doors. Dylan indicated that there would be key-pad entry pads and guests would be given a code to their suite and that is how they would get in and out. David asked about the living quarters and Dylan indicated that would just be a locked door.

Chairman Morse stated there was a concern about the pool doors and Dylan indicated they would be installing a key-pad entry on both of those doors.

Mark Cahoon indicated that when they were on the site-walk, one of the stairwells that was grandfathered was very tight and he would like to see them invite EMS out to inspect whether they would have room enough to extract someone from the second floor if there was an emergency, especially once the banisters are installed. Dylan indicated that the stairway being referenced is an emergency egress only stairwell and the guests would be using the front stairwell. Mark stated he would still like to see EMS visit and provide feedback and he feels there are safety concerns that need to be addressed. Dylan said he could ask them to do that.

Mike Barker, who is the Chief of the Rescue Department, indicated that there is no actual specific code and there are a lot of old houses in town. He stated that at a minimum, a floor plan would be helpful. He stated he could give recommendations if needed and would be willing to do a walk-through and provide some feedback. Dylan indicated again that that is a private stairwell and the guests would be using the main entry way. Mark stated that a condition could be placed that the EMS look at the stairwells and provide feedback.

Matt stated that to summarize, the Board would like a condition, that as part of the conditional use permit approval, to seek EMS familiarization. Dylan asked Mike if he would keep a diagram of the home and Mike stated they would, much like the Fire Department does. Mike stated he would go take a look at the stairwell and report back.

Noah Richardson asked if it would be better to just close off the stairwell all together to avoid any issues. Noah stated the house is 150 years old. Mark stated he still would like EMS to go in and give their feedback. Chairman Morse stated if EMS goes in and receives a detailed diagram of the layout, that should take care of it. Mike indicated that since there is another

stairwell, he would just make sure that one is used. Mike stated they do have different equipment they could use as well.

Anne Whitten stated she would like to make a condition that she personally speak with Kyle from the Fire Marshall's office and would like to see what pictures he was provided and what he saw and if he comes up with a different answer, this may need to be looked at again. If he is satisfied with conditions, then it would be fine. Anne feels she needs to do this to make sure all of the ducks are in a row. Dylan stated that the drawing that was provided was the one with details of all the doors and windows and size. Anne stated she was going to call him on the phone and have a conversation with him about the ADA questions.

Justin Perry inquired if there needs to be a walk-through by the State Fire Marshall for the licensing after construction is complete. Matt stated there would be a final occupancy inspection where we would strategically schedule it so Fire and EMS could join. It could certainly be requested that the State Fire Marshall be present but he believes it comes down to the local fire department. Matt indicated that nobody can make the Fire Marshall come to the property to do a final walk-through. As far as a condition, it would be better that the conversation with the Fire Marshall's office take place prior to finalizing a set of conditions or approvals because if something develops further, then the Applicant is going to have to come back to the Board. It would make sense to continue the review to the next meeting so long as the conversation can take place. Anne stated she will email Kyle so everything is on record.

Matt stated he started a list of conditions to review but if the Board needs more time, the conditions can be refined. It would sense that the Board comment and approve the parking plan so that the Applicant can start underway with that process. Chairman Morse feels that the sprinkler system and alarm would be important before the Inn is open. Matt stated prior to the occupancy permit, an inspection is done, the fire alarm be installed and this would all be done prior to the permit. Chairman Morse went through the list of conditions as being the locks on all pool doors, culvert markers, rails on the stairwells, new handicap ramp, sprinkler system and fire alarm, and EMS and Fire would receive a layout of house. Anne Whitten mentioned the dawn to dusk sign and Dylan indicated they would have a solar light. Anne Whitten also mentioned an email clarification regarding ADA requirements not required due to no construction. Another condition is that we receive a letter from the Fire and Police Department and the Fire Department Nox Box.

Chairman Morse moved Scott Carpenter to voting status.

Matt LeConte wants to streamline the approval process and went through the Conditional Use Permit and wants to make sure the conditions please the Board and they could sign so as not to delay.

Anne Whitten motioned to accept the Application of Norma Dowling, Noah Richardson, Dalton Richardson and Dylan Hague of 72 Old Route 9, Map 003 Lot 3, to have a Lodging House with four suites and a Manager's Dwelling Unit for nightly lodging for less than 30 days, no extended stay lodging or additional dwellings. The following conditions and safeguards are prescribed by the Planning Board in accordance with the provisions of the zoning ordinance:

1. State Fire Marshall's permit must be obtained and provided to the Code Enforcement for verification
2. A fire suspension system and fire alarm must be installed in the entire building
3. Driveway access and parking spaces with turn around installed in accordance with approved plan
4. State lodging establishment license required to be verified by the Code Officer
5. A portable ADA ramp must be available for access for grade level
6. All pool access doors must have locked doors with key pads for child protection
7. EMS Rescue Chief and Fire Chief Tour and updated floor plan on file
8. Solar Illuminated Dawn to Dusk Sign and installation of a Nox Box
9. Chevron Markers on driveway at culvert
10. State Fire Marshall's written approval of existing ADA prior occupancy permit

Mark Cahoon seconded the Motion. VOTE: 5-0

4. Other Business:

Matt stated to give a heads up for the next meeting, the Hagan Subdivision, now Adeline's Way, will be returning. They have changed from duplexes to all single-family dwellings. They will have the DEP permit and the Homeowner's Association documents.

Justin Perry inquired about Joel Littlefield's property to confirm number of units. Matt stated he has not done that yet but he will. Matt does need to confirm existing permit for garage and storage area has a final inspection.

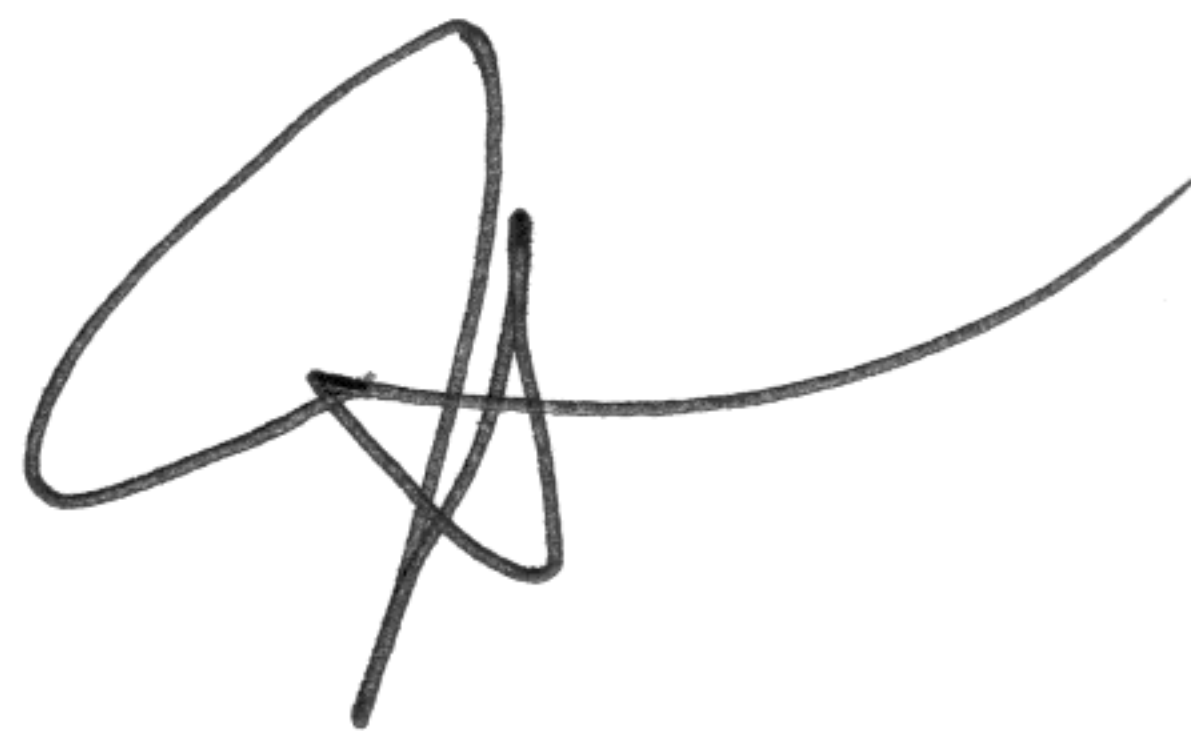
5. Adjournment:

Anne Whitten motioned to adjourn the meeting at 7:40 p.m. Scott Carpenter seconded the motion. VOTE: 5-0-1

Matthew LeConte
Planning Coordinator

Respectively submitted,
Jennifer Berard, Stenographer

Chairman Jon Morse

A stylized, handwritten signature in black ink, consisting of a large, loopy 'J' followed by a series of connected loops and a long horizontal stroke extending to the right.

Anne Whitten

A handwritten signature in black ink that appears to read 'Anne Whitten' in a cursive script, with the first name being more prominent.

David Ballard

Scott Strynar

Mark Cahoon

A handwritten signature in black ink that appears to read 'Mark Cahoon' in a cursive script, with the first name being more prominent.

Scott Carpenter

Justin Perry

A handwritten signature in black ink that appears to read 'Justin Perry' in a cursive script, with the first name being more prominent.