

1 **NORTH BERWICK, MAINE 03906**

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3 **MINUTES OF PLANNING BOARD JULY 27, 2017**

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6 **Present:** Anne Whitten, Barry Chase, Jon Morse, Matthew Qualls, David Ballard,  
7 Roger Frechette, CEO

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9 **Absent:** Chairman Geoffrey Aleva

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11 **Also Present:** Dennis Brown, Joe Carr, Tom Harmon, Dwayne Morin

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13 1. Call To Order:

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15 Chairman Geoffrey Aleva is absent tonight so Vice Chairman Anne Whitten will be the Acting  
16 Chairperson for tonight.

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18 Acting Chairperson Whitten called the meeting to order at 6:30 pm.

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20 Acting Chairperson Whitten moved David Ballard up to full voting status.

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22 2. Review Previous Minutes:

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24 The Board had minutes from the May 11, 2017 and the June 22, 2017 meetings to review.

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26 Jon Morse motioned to approve the minutes of May 11, 2017 as written. David Ballard  
27 seconded the motion. VOTE: 3-0 Abstain: 2

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29 The Board decided to wait until the next meeting to review the June 22, 2017 minutes.

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31 3. Current Business:

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33 3.1 Continuing review Country Estates Mobile Home Park – The applicant is proposing a 39  
34 lot 55 and older mobile home park located on High Street. (Tax Map 04 Lot 44, 47, 46 and 44-  
35 1)

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37 Roger Frechette stated that they were here to approve the performance agreements and that  
38 everything else had been approved. He stated that he was given a new plan because the applicant  
39 now wants to complete the project in phases.

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41 Acting Chairperson Whitten asked Dwayne Morin if he had any information for the Board to  
42 consider. Mr. Morin stated that when the Board did their preliminary approvals of the  
43 subdivision at the last meeting, they forgot to install performance guarantees. This is required  
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1 under our subdivision Ordinance. He said that the Planning Board usually asks his opinion on  
2 what he would recommend for performance guarantees. He has written a letter to the Board  
3 stating what he recommends for performance guarantees. This was written after a consultation  
4 with one of the engineers at Civil Consultants. Dwayne stated that since that time, Mr. Harmon  
5 has informed him that he would like to phase the project. This is different than what the Board  
6 has already reviewed. Dwayne told Mr. Harmon that he would like more detail on what they are  
7 planning on doing. Dwayne stated that he is not against the phasing at all but he would like to  
8 see a review of the phasing. He is concerned about a few things. If they want to build part of the  
9 road, they need to make sure that there is a turnaround for emergency vehicles to use. Dwayne  
10 stated that he has talked with the Water District and they do not have a problem with the phasing  
11 of the project either but they would like to see plans on how it will be done. Dwayne stated that  
12 the septic system itself was designed as a single septic system so he would like to see how this  
13 will work with the phasing. Dwayne said that they would just like to see these plans so they can  
14 make sure that everything meets our Ordinance and they can move forward with the project.

15  
16 Dwayne stated that phasing the project will now change the performance guarantees and the  
17 requirements that the Board will need to put on the project. He said that when he talked to Tom  
18 Harmon today he recommended that he come before the Board tonight because he didn't believe  
19 the Board had discussed the possibility of phasing the project. Dwayne stated that he  
20 understands their reasoning for phasing the project. The reason is that there is a tremendous  
21 amount of infrastructure that needs to go into the mobile home park. Because of the limited  
22 amount of permits that can be given per our Growth Permit Ordinance, they are going to put out  
23 a lot of cash and it will take a long time for them to recoup their investment. Dwayne stated that  
24 he just wants to make sure that, as we look at the phasing, the owner, future tenants of the park  
25 and the Town are protected.

26  
27 Barry Chase asked Dwayne how the housing project at the Mill made it through our Growth  
28 Permit Ordinance. Dwayne stated that there is a special provision within our Ordinance that  
29 exempted the Mill.

30  
31 Dwayne said that he has had some discussions with the Selectmen regarding the Growth  
32 Ordinance and taking a review of it. He said that we may want to take a look at this in the future.  
33 Dwayne stated that, regarding this project, we have to go by what is on the books right now and  
34 not what might be down the road.

35  
36 Tom Harmon stepped forward and said that he and Dwayne had talked about these changes  
37 around noon today so he has not had a chance to update the plans. Mr. Harmon said that he had  
38 provided a letter to Dwayne that outlines how they would like to phase it. The plans that came  
39 into the office yesterday do say which lots are going to which bays. Mr. Harmon stated that the  
40 plan is to complete the project in 3 phases. Mr. Harmon showed the Board on the current plans  
41 how they will be phasing it. He pointed out where the turnarounds would be, where the water  
42 would be and the where the sewer lines would be. He stated that the sewer plans consist of 12

1 rows of trenches and 2 treatment units. For the first 6 lots, they would put in 3 rows of the septic  
2 and 1 treatment unit. They would bring power in up to as far as where they would be putting in  
3 the road and turnaround. This would complete the first phase.

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5 Mr. Harmon then pointed out where the second phase would be. He showed where they would  
6 leave a right of way that goes out to the other land that other people own. They would construct  
7 a gravel turnaround at this point. He continued to show them where the water lines and sewer  
8 lines would be. They could use the same treatment unit that they put in during the first phase.  
9 He also showed the Board how the third phase would be constructed.

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11 Mr. Harmon said that they did talk to the Water Department this afternoon and they do seem to  
12 be in agreement with the way they want to phase the project. They do however want to see the  
13 updated plans.

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15 Mr. Harmon asked Dwayne about what he was thinking of in regards to reclamation and surety.  
16 Dwayne stated that he would like to look at the plan first. He stated that his original  
17 recommendation to the Board when they were planning on building the whole thing at once was  
18 that all construction be completed before obtaining an occupancy permit. A small reclamation  
19 bond would be needed in case the project was started but never got finished. Dwayne does not  
20 think that they are talking about huge amounts of money.

21  
22 David Ballard asked if it was going to be private or public roads. Dwayne stated that it was  
23 going to be private roads. Mr. Ballard asked if there would be mail service. Dwayne stated that  
24 they are installing mail kiosks for the entire park.

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26 Barry Chase stated that they probably need to rescind the approval that they did at the last  
27 meeting. Dwayne said that they should do so.

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29 Acting Chairperson Whitten asked who had designed their septic system and Mr. Harmon said  
30 that he had. Dwayne stated that one of the concerns that he had regarding the septic system  
31 design itself is that when he comes in for a permit, they would probably have to permit the entire  
32 system. Mr. Harmon said that he assumed that they would do it that way. Dwayne wondered  
33 how long the construction permit would allow for the project. Roger Frechette stated that they  
34 can last forever as long as the soils don't change or anything changes on the site itself. Mr.  
35 Harmon stated that he thought it was for 5 years. Dwayne's concern is that if the completion of  
36 the project extends beyond 5 years, there may be an issue. Roger said that it is for 5 years but all  
37 they would have to do is renew it as long as nothing has changed. Mr. Harmon stated that they  
38 should be into the third phase prior to the 5 year mark so it shouldn't be an issue.

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40 Jon Morse asked if Underwood Engineers had reviewed everything and signed off on it.  
41 Dwayne stated that everything that we had concerns with and the applicant had concerns with  
42 has been addressed and approved by Underwood. Joe Carr asked why Underwood would need  
43 to review the phasing since nothing has changed. Dwayne stated that we utilize Underwood

1 Engineers and SMPDC so because it is a change, we would want them to at least do a cursory  
2 review to make sure that we are not missing anything.

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4 Acting Chairperson Whitten stated that the motion should read, "Whereas the original permitted  
5 plan was proposed to be amended to be phased in, a motion is made to rescind the original  
6 permit."

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8 Matthew Qualls rescinded the previous motion as Acting Chairperson Whitten proposed above.  
9 Jon Morse seconded the motion. VOTE: 5-0

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11 3.2 Other Business:

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13 Matthew Qualls asked Dwayne if he could send them a list of what the number of permits issued  
14 over the past few years so they can see how far or how close they were to the growth cap.  
15 Dwayne said that he could do that. Barry Chase stated that there were different ways that they  
16 could go about setting up the Growth Ordinance. They could look at specific areas where  
17 development would be encouraged and allow more permits in these areas. For example, they  
18 would allow more permits in the Residential Zone and less in the Farm and Forest zone. Another  
19 thing that they could look at is if the project remains under one owner, like this mobile home  
20 park, they would allow more permits for them.

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22 4. Adjournment:

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24 Barry Chase motioned to adjourn the meeting at 7:15 pm. Jon Morse seconded the motion.  
25 VOTE: 5-0

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28 Roger Frechette  
29 Planning Coordinator

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33 Respectively submitted,  
34 Susan Niehoff, Stenographer

1 Chairman Geoffrey Aleva

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