

NORTH BERWICK, ME 03906

MINUTES OF PLANNING BOARD AUGUST 13, 2015

Present: Chairman Geoffrey Aleva, Barry Chase, Rick Reynolds, Jon Morse, Matthew Qualls, Anne Whitten, Mark Cahoon, Jim Marchese, CEO

1. Call To Order:

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

2. Review Previous Minutes:

Jon Morse motioned to accept the minutes of July 23, 2015. Anne Whitten seconded the motion.
VOTE: 5-0 Abstain: 2

3. Current Business:

Chairman Aleva stated that this meeting was just to discuss some issues as follows:

1. Discuss further concerns raised by the Board regarding application simplification.
2. Review possible sign ordinance revision. The Board of Selectmen feel that an addition to our ordinance related to feather flags and banners that advertise is needed.
3. Simplify our ordinance related to underground propane storage by mirroring state law.
4. Modify ordinance to refer the current state electrical code rather than reference the 2008 electrical code.

Chairman Aleva stated that they would start with the application simplification. Jim Marchese stated that he did a little research and he found that, in the past, there were separate forms. He said that it was changed to one form because there was some concern that some things were missing. It was decided that instead of having things spread out on separate forms, it was all combined into one. He said that the purpose of it being combined onto one, even though something may not apply to a specific case, is that it acts like a checklist. He stated that having the one form is fairly recent so if they changed it, they would be going backwards. He stated that it was up to the Board and what they would want to do. Barry Chase said that this was brought to the Planning Board's attention by Gregg Drew. He had come before the Board for something simple and felt that that the form was way too complicated for what he was requesting. He felt there should be different forms based on what the applicant was applying for. Chairman Aleva stated that the request was actually coming from him. He said that you have the same application for wanting to add a cow as you do for something like building a Hannaford or a

subdivision. He feels that there are some things that could be revised. Chairman Aleva stated that he does feel that it is up to Jim Marchese as the Code Enforcement Officer to organize it the way he would like so it is easy for him to work with. Chairman Aleva said that he was thinking of not only making it easier for Mr. Marchese but also for the people that come in to get an application.

Barry Chase stated that maybe they could have one application but separate instruction sheets showing what would need to be filled out for the issue that they are applying for. For example, if they are applying for a subdivision, the instruction sheet for subdivisions would show what items on the application would need to be completed. Chairman Aleva feels that their application is a little backwards compared to other towns that he has worked with. Anne Whitten asked him what towns had different forms. Chairman Aleva said that every town around has different forms. Mr. Marchese asked him if there was one of the other town's forms that he favored. Chairman Aleva said that he didn't really have a favorite but he thinks that some of the other forms have information on them that may be useful. He also feels that the applicants need to do some of their own research prior to coming in and not rely on the CEO to provide all of the information that they need. For example, they should know what zone they are located in. Mark Cahoon stated that it sounds like he wants to get rid of the personal touch. He said that when he came in to get a permit for his son's house, the CEO just gave them the application and said, "Here you go". A couple days before putting the house in, the CEO told them that they couldn't do it because they were missing some permits. Mr. Cahoon said that the personal touch is needed at times. Chairman Aleva said that he is not against the personal touch and if anybody needs help they should be able to get it. Mr. Cahoon agreed that he would like to have separate forms. If somebody comes in to apply for a house, they should have one form and if somebody comes in for a subdivision, they would have a different form for what they need to complete. Chairman Aleva stated that he feels that the different forms would also help Mr. Marchese know where to look in the Ordinance to figure out what is needed for the permit.

Chairman Aleva asked Mr. Marchese what he thought about the idea. Mr. Marchese stated that he does not feel that it is right for the new guy to go and change things right away. He would like to wait until he gets a feel of how everyone feels about something especially when it comes to permits. However, he said that if the Planning Board feels that he should move in that direction, he will do so. Chairman Aleva stated that it is something that Mr. Marchese can think about as he learns more about the position and he feels that it is more for the applicant's to have a better understanding of what they need. Mr. Marchese agreed that people that come in for an application, should have an understanding at the onset of what they need to do. If an applicant wants to build a garage and then they decide that they want electricity in it, than they need to get a permit for that. Matthew Qualls agreed that it is not only coming up with a good way to gather the information but also on educating the applicants as to what they need. Barry Chase said that they should give Jim a chance to settle in and he can figure out if this is something that he wants to change or not.

Chairman Aleva moved on to the next item to discuss which is to review a possible sign ordinance revision. Jim Marchese stated that this discussion has come up because of the issue with Dollar General. A lot of people in the community were very put off by all of the signage that were in front of the building. He stated that the staff believes that the right thing to do is to make some changes, especially as it relates to temporary signs. Anne Whitten asked who the staff was and he said that it was him and Dwayne Morin. Jim referred the Board to look at the current sign ordinance. On the last page is the suggestion that they wrote up regarding feather flags and banners. Matthew Qualls asked if this was something that was already a part of the Ordinance or if they are looking to add it. Jim said that they are looking to incorporate it into the current temporary sign ordinance. It reads:

Temporary signs for events held on commercial, industrial, institutional, public or semipublic land use shall be permitted provided such signs do not exceed twenty-five (25) square feet in area including all informational sides, are not higher than fifteen (15) feet above ground grade, within twenty-five (25) feet of any road intersection, 8' from travel way or in the case of a road with a sidewalk, 5' behind sidewalk and remain posted a maximum of five (5) days prior to the event and five days following the event with a maximum of three (3) events per year. Temporary signs shall not be placed in a manner as to obstruct clear and free vision nor interfere with pedestrian traffic on sidewalks. Temporary signs include banners and feather flag signs. Temporary signs shall be excluded from the 60 square feet signage limitation as stated in 5.2.6.b.4, however, the total temporary signage allowed per event shall be limited to 50 square feet including all informational sides.

Jim said that they also need to consider that there are lots of businesses in the community that use temporary signs. They put them out at the beginning of the day and take them down at the end of the day. The Board needs to decide if they want to deal with this or just let it go. He said that there is a business that displays a large flag type sign in front of their business every day to pull in traffic. Should we have some kind of control over that or just leave it alone? Mark Cahoon said that if they put it out at the beginning of the day and take it down when they close, he does not have a problem with that because it is helping them bring revenue in.

Matthew Qualls was wondering about the 3 events per year part of the suggestion. He was wondering how this was going to be enforced. Barry Chase agreed that he thought this was going to be a little hard to enforce. Anne Whitten asked about the political signs and if this would apply to those. Chairman Aleva said that the section 6.5.2 for Temporary Signs specifies different temporary signs. Section 6.5.2.c relates to the temporary political campaign signs. Anne Whitten stated that instead of having separate sections for the different types of temporary signs, they should make it all inclusive in one section. Barry Chase suggested that they think about it and discuss it at another meeting. Jim Marchese stated that look they should think about how to streamline everything regarding both the permanent and temporary signs. He feels that the current ordinance is complex and difficult to enforce. The Board all agreed to think about it and discuss at future meeting.

The next issue to discuss is in regards to simplifying our ordinance related to underground propane storage by mirroring state law. Chairman Aleva stated that he always thought that the Fuel Board handled licensing and permitting for the people that work on the boilers and that the Fire Marshall handled the permitting for the tanks. He just wants to make sure that it is rules adopted by the State of Maine, NFPA or State Fire Marshall and thinks that Maine Fuel Board is not the right place to get information. Jim stated that from his experience, if there is an overlap, he is not sure. Chairman Aleva stated that when he looks for propane tank setbacks, he looks at NFPA. Jim stated that the last sentence that he wrote on this part was "I will get the information as soon as possible once it is received from Pete.". He stated that "Pete" is Pete Holmes from the Maine Fuel Board and he is the one that gave him the following information to be added to our ordinance for clarification:

The above requirements shall not apply to containers used for storage of Liquefied Petroleum gas of Compressed or Liquefied Natural gas that have been installed in compliance with all standards and rules adopted by the Maine Fuel Board.

Chairman Aleva stated that he had no problem with this and feels that the 75 feet is a little excessive.

The final issue to discuss is in regards to modifying the ordinance to refer the current state electrical code rather than reference the 2008 electrical code. Chairman Aleva stated that our Ordinance currently states 1999. The change that is recommended is to eliminate the year of the edition and indicate that we will follow the current State of Maine code and that the amount of copies on file in the office is being changed from 3 copies to 1 copy. The Board members had no issues with this.

4. Other Business:

Jim stated that there are 2 items on the Agenda for the August 27th meeting. The first item is a Public Hearing relating to Animal Husbandry and the second item is for a sketch plan review for a 6 unit multifamily development.

5. Adjournment:

Rick Reynolds motioned to adjourn the meeting at 7:12 pm. Barry Chase seconded the motion.
VOTE: 5-0

James Marchese
Planning Coordinator

Respectively submitted,
Susan Niehoff, Stenographer

Chairman Geoffrey Aleva

Barry Chase

Rick Reynolds

Mark Cahoon

Jon Morse

Anne Whitten

Matthew Qualls