

NORTH BERWICK PLANNING BOARD

MINUTES OF PLANNING BOARD DECEMBER 28, 2017

Present: Anne Whitten, Barry Chase, Jon Morse, David Ballard, Dwayne Morin,
Town Manager

Absent: Chairman Geoffrey Aleva, Matthew Qualls, Annette Hume

Also Present: Danny Bouzamis

Vice Chairperson Anne Whitten will be the Acting Chairperson tonight.

1. Call To Order:

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

2. Review Previous Minutes:

Jon Morse motioned to approve the minutes of November 9, 2017 as written. Barry Chase seconded the motion. VOTE: 4-0

3. Current Business:

3.1 Delphi Holding IX, LLC, 23 Wells Street, Tax Map: 022 Lot: 028

The applicant proposes an amendment to their conditional use permit to install a propane generator on the corner of the building near the Dunkin Donuts between the menu sign and the drive up window.

Danny Bouzamis stated that he is the owner of Delphi Holdings IX, LLC Dunkin Donuts located at 23 Wells Street. He is here to ask the Board for approval to add a propane generator on the back left corner of the building between the Dunkin Donuts rear door and the drive up window. It would be a 20KW generator powered by propane. It would have an automatic power on switch for when the power goes out. He stated that they have had multiple power outage issues in recent years due to storms or high winds. This has happened at several locations in Southern Maine so they have decided to put in some generators at their locations.

They are looking at placing a Generac Air Cool Propane Generators in the back corner of the building. They would have to relocate or replant a shrub. Mr. Bouzamis stated that it would be 18 inches off of the rear wall of the building which is exterior brick on the outside. It would be 36 inches from the 2 sides and 36 inches from the front. Mr. Bouzamis stated that Dwayne has

inquired about the cars driving by and if they are considered structures. He called the State Fire Marshall's office to check on it. Ron Peaslee called him back yesterday and told Mr. Bouzamis that cars are not considered structures because they move. He said that if the Board needs it in writing, he can contact him again.

Jon Morse asked if they need to build a separate underground gas line. Mr. Bouzamis said that they did not. He stated that between York Hospital's rear door and the Subway rear door, there is a propane meter and they would connect their meter to that one. They would penetrate above the drop ceiling, come over and go down the side of the wall and out through the bottom to try and hide everything. Barry Chase asked if the transfer switch was going to be inside and Mr. Bouzamis said it would be. Jon Morse asked how far it was from the curb. Mr. Bouzamis showed it to him on the plan. David Ballard asked if it was going to be able to power everything in the store. Mr. Bouzamis stated that they would not power the walk in coolers or the HVAC units if the outage is in the summer. The coolers will last about 4 days as long as they are not opened. They would run the emergency lights, wireless modems and cables, one coffee maker and one oven.

David Ballard asked if the ventilation was going to go towards the drive thru order area or away from it. Mr. Bouzamis stated that he thought it was on the sides. Mr. Ballard stated that it is usually on the ends. He stated that he has a 13KW at his house and it is pretty loud. If people are ordering food next to it, it might be hard to hear. Also regarding the venting, Mr. Ballard said that, depending on which end they are facing it, the venting might be going towards the vehicle. Dwayne Morin stated that he spoke with the Fire Chief and his biggest concern is that no exhaust is directed towards any cars. Mr. Bouzamis stated that he was told that the exhaust will not let out any more exhaust than the car or diesel truck in front of you.

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

Barry Chase motioned to grant the amendment to the conditional use permit for Delphi Holdings IX, LLC to install a propane generator. Jon Morse seconded the motion. VOTE: 4-0

3.2 Parsley Steel Fabricators, 3 Warren Way, Tax Map 22 Lot 1-3

The applicant is requesting a renewal of the conditional use permit issued on May 9, 2013 for a steel fabricating shop to be located at 3 Warren's Way.

Dwayne stated that the applicant had said he would be present but he is not. Dwayne stated that the applicant was issued a permit on May 9, 2013. He did not start and finish within 2 years. He wants to move his equipment and move his location from Berwick to North Berwick so he needs to have his conditional use permit renewed. Dwayne stated that the applicant has met the requirements that the Board had made when he was here the last time. There were 3 conditions that the Board had set. They were:

1. An egress door will be installed.
2. The fence that was promised to be built on the property line between the Hurd Manor Condominium property be built prior to occupancy. Per Dwayne, he has completed this.
3. He has received Fire Marshall approval.

Jon Morse motioned to approve the renewal of the conditional use permit issued on May 9, 2013 for Parsley Steel Fabricators at 3 Warren's Way and the previous conditions need to remain in effect. Barry Chase seconded the motion. VOTE: 4-0

3.3 Proposed Zoning/Subdivision Changes for 2018 Town Meeting.

Review changes to the Subdivision Ordinance in regard to establishing escrow accounts for major and minor subdivisions. Review changes to Zoning Ordinance in regard to the requirements of the growth management permits and the definition of kennels.

Dwayne stated that when the Planning Board met with the Board of Selectmen, they discussed proposed Ordinance changes. He stated that the Planning Board now have to act on these changes. They need to set a Public Hearing prior to February 5th. Dwayne needs to know if the Board is in approval of the proposed changes and when they would like to do the Public Hearing.

Dwayne stated that the subdivision changes did not change since the last time the Planning Board discussed it and neither did the change regarding kennels. The big change was with the Growth Management Permits. Dwayne stated that originally the Planning Board was looking at setting a specific number. Our attorney has recommended not to do this but to go with percentages instead. The Growth Management numbers change every 2 years so if we used a number, we would have to change the number every 2 years as well. The attorney recommended 45% and 55%. The 55% would be allocated for subdivisions in the growth area and the 45% would be for single family dwellings. The single family dwellings can steal from the 55% but the subdivisions cannot steal from the 45%. Dwayne stated that in the subdivisions, a total of 12 permits for no more than 60% of total lots in the subdivision in the first year.

The Planning Board decided to hold the Public Hearing at the 1/25/18 meeting.

4. Other Business:

Barry Chase stated that if everything goes well with the sale of his house, effective 2/27/18 he will no longer be a resident of North Berwick so he will not be able to be on the Planning Board anymore.

5. Adjournment:

Barry Chase motioned to adjourn the meeting at 7:10 pm. Jon Morse seconded the motion. VOTE: 4-0

Dwayne Morin
Town Manager and Acting Planning Coordinator

Respectively submitted,
Susan Niehoff, Stenographer

Chairman Geoffrey Aleva

Barry Chase

Jon Morse

Anne Whitten

Matthew Qualls

David Ballard

Annette Hume