

NORTH BERWICK PLANNING BOARD

MINUTES OF PLANNING BOARD AUGUST 8, 2019

Present: Chairman Geoffrey Aleva, Anne Whitten, Jon Morse, Matthew Qualls, David Ballard in at 6:33 pm., Roger Frechette, CEO

Absent: Annette Hume, Scott Strynar

Also Present: Tammy Willey, Dana Willey

1. Call To Order:

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

2. Review Previous Minutes:

Jon Morse motioned to approve the minutes of July 25, 2019 as written. Matthew Qualls seconded the motion. VOTE: 4-0

3. Current Business:

3.1 Planning Board Workshop

Chairman Aleva stated that the intent of the workshop is to review Zoning Ordinances and to be able to discuss potential changes that we want to bring forward to the Selectmen and hopefully to the voting public. He stated that they had a paper from Dwayne Morin that listed a couple of items to discuss. Roger Frechette went on to explain what each of them were.

1. Increase Industrial Zone to include all of Map 2 Lot 31-1.

This one is mostly regarding Hussey Seating. Right now there is a section of their property that is not in the Industrial Zone. They would like to change that part of the zoning on that property to be Industrial so that all of their property could be considered Industrial. Chairman Aleva said that they can discuss having this as an item to review when there are more Board members present. The other item that would need to be discussed separately would be to extend the Commercial and Industrial zones in other areas along Route 4 and Route 9. Chairman Aleva pulled the current Zoning Map to review where each zone was located. He said that there is a section that goes along Route 4 that is in the Commercial II District. He stated that the members should review this and they can discuss it at a later date.

2. Eliminate Rear Setback when abutting a Residential Use to change to Commercial/Industrial/Agricultural Use abutting a Residential Use.

Roger Frechette stated that if you are in the Farm and Forest and you put your house in first, you can do 100 feet from the road and 75 feet on all the other 3 sides. Then someone else wants to move in next to you, they can do 100 feet from the road, 75 feet on the sides and they have to be 100 feet from the rear. He said that this does not make any sense. He would like this changed to 75 feet if it is abutting a Residential. If it is abutting an Agricultural or some sort of Commercial venture, then it would go back to the 100 feet. Matthew Qualls said that if you really wanted to separate the two properties, you would have the 100 feet on all sides and the back. Roger said that this would cause the lots to really shrink. Chairman Aleva said that there would be no building envelope.

3. Amend Driveway Definition to be only in the Shoreland Zone or eliminate definition. (This definition was added to the Zoning Ordinance as part of the Mandatory Shoreland Zoning Changes.)

Roger explained that, in Shoreland zone, if you have a driveway you can only be 500 feet. He said that it is confusing because when you read the definition of a driveway, it doesn't say anything like that. He said that Dwayne would just like to clarify it. Chairman Aleva said that the easiest thing to do would be to eliminate the definition.

Chairman Aleva asked David Ballard if there was anything that he had thought about that he may want to make some revisions to. David Ballard said that he is doing more listening at this point because he feels that the other Board members have more experience with this and what he is hearing so far makes sense.

Chairman Aleva asked Jon Morse if he had any thoughts that he would like to share. Mr. Morse said that the minimum road frontage in the Residential areas is a little excessive. Matthew Qualls agreed and said that it is not consistent. In Residential II, you have 200 feet. If you have 200 feet, in order to build a house you have to have an acre and a half or two acres. He stated that it is hard to get lots with 200 feet of frontage now because a lot of the lots now are small.

David Ballard asked what kind of problems people have had when trying to build. He said that it makes sense that an area is not big enough to build on. He wonders what we are trying to get out of this by changing these things. Roger Frechette said that he has only had one complaint about it. They complained that the side setbacks of 60 feet in the Residential II are too narrow. Roger said that it does depend on how you set the lot up. If you are going to try and get as many lots in as possible, then it would be a problem. David Ballard said that it could be that people are reading the Ordinance and not coming in because they see what the regulations are. Chairman Aleva said that the setbacks that we have in our Ordinance are very much more restrictive than the surrounding towns.

Chairman Aleva said that, in the Residential II District, the minimum lot size is 80,000 square feet which is just under 2 acres. The minimum road frontage that you need on that lot is 200 feet. The side setback is 60 feet. So if you have a lot that has minimum frontage, you only have 80 feet in width for the building envelope to put a building, shed and garage in. It is really

restrictive and you have 60% of your lot that you can't do anything to. The rear setback in this District is also 60 feet.

Chairman Aleva went on to state that, in Farm and Forest, you typically have 4 acre lots which is about 160,000 square feet. The minimum road frontage is 300 feet. The side setback is 75 feet. He stated that the majority of Farm and Forest is Residential and the rear setback right now is 75 feet. He said that if you have a Residential unit that is behind you then the rear setback goes to 100 feet. In Farm and Forest, the current front setback is 100 feet. He would like to look at reducing this to 50 feet. The side setbacks are 75 feet and he would like to reduce these to 30 feet. The rear setback is 75 feet and he would like to reduce it to 30 feet. When the rear setback is abutting a Commercial unit, he would probably recommend getting rid of that whole section or have them match the regular setback. He doesn't understand why a setback has to get bigger if a Residential unit is there.

Chairman Aleva said that he is not looking at changing road frontage requirements or lot sizes, but in reducing the setback requirements. He said that there are still a lot of houses that are in these zones that were lots before zoning went into effect and that also creates additional restrictions. Roger said that a lot of the smaller lots have to go before the Zoning Board and get a 20% variance if you live there. If it is your 2nd home, you can't even think about that.

Chairman Aleva said that the biggest changes that he would like to make are with Table 4.3 and the dimensional standard particularly looking at the setbacks. He would like to reduce the setbacks in a way that is not going to reduce them to 0 but would still provide a buffer between neighbors. They should make it so that it allows the owners of the property more options to do what they want with their own land.

Roger said that the one place they want to be careful is in reducing some of the frontage. If you are going to reduce the frontage, now you are shrinking a lot anyway. Jon Morse said that he doesn't want to bring it down to nothing but he thinks that 150 feet would be good. Roger said that both Residential I and Residential II should be the same. He doesn't understand why they are different since they abut each other.

David Ballard asked if there was a neighborhood or certain area that would be an example of what they are looking at. He said that he is a visual person and it would be easier for him to see exactly what they are talking about. He said that he has a picture in his mind of all the houses being crammed together. Jon Morse said that he can go down Randall Road and see the 200 feet setback. David said that he is trying to see how much space in between the homes. Matthew Qualls said that by changing the setbacks, it would allow people to add sheds, decks and garages. Roger said that sheds are another situation. He said that if you build a shed on your property and you are behind the house you can go within 10 feet of your property line. You can do a detached garage within 10 feet of your property line. If it is connected to the house you have to make sure it is within the setbacks.

Chairman Aleva stated that in Village A which is a highly dense area of residential, the rear setback right now is 25 feet. However, if you have a house behind you, it would have to be 30 feet. He stated that his thought for Village A, which is a ½ acre lot, is that the setback should be 10 feet all the way around. He stated that since Village B is a little bigger, than make it 15 feet all the way around.

Anne Whitten said that she would like to change the Shoreland setback away from normal high water. The State is 75 feet and Shoreland general is 75 feet. The Village Center and Commercial is 75 feet. She doesn't understand why everything is not 75 feet. Chairman Aleva agreed. Roger stated that he thinks it is because the State had originally set it at 100 feet but they have since reduced it to 75. Anne Whitten said that most of the people don't even have 75 foot lots. They mostly have 50 x 50 in this area. Chairman Aleva stated that there is no reason why it has to be 200 feet in the Commercial/Industrial areas. Anne Whitten said that she would like to keep that area at 200 feet. Roger said that if they would be able to spread out, it would be fine with the 200 feet, but right now, as it stands, we don't have a lot of Commercial/Industrial areas so that is a big span. Anne stated that if they did leave it at the 75 feet then anything between 75 feet and 100 feet would have to come before the Board to review. Chairman Aleva stated that, in regards to the Shoreland setbacks, it should be consistent with the State requirements.

Roger stated that they also need to look at the dimensional requirements. He said that there other things in the Land Use Ordinance that he thinks that they need to review to discuss at another time. He just received a request from someone to put in a Veterinary Hospital here in town where the doctor's office was located. He said that a doctor's office is okay but we can't put a Veterinary Clinic there. This does not make sense to him. Now we have stopped someone from putting a business in town because it is a "NO" in the Land Use Table. There may be other ones that may need to be changed.

Chairman Aleva told the members to make a copy of the Land Use Table and mark the ones that they would like to discuss changing. Roger said that we want more businesses to come into town so they should look at what they can change so it would allow for this to happen.

3.2 Other Business:

Roger stated that the applicant for the storage units will be coming at the next meeting.

4. Adjournment:

Anne Whitten motioned to adjourn the meeting at 7:15 pm. Jon Morse seconded the meeting.
VOTE: 5-0

Roger Frechette
Planning Coordinator

Respectively submitted,
Susan Niehoff, Stenographer

Chairman Geoffrey Aleva

Jon Morse

Anne Whitten

Matthew Qualls

David Ballard

Annette Hume

Scott Strynar