

NORTH BERWICK PLANNING BOARD

MINUTES OF PLANNING BOARD SEPTEMBER 12, 2019

Present: Chairman Geoffrey Aleva, Anne Whitten, Jon Morse, Matthew Qualls, David Ballard, Scott Strynar, Roger Frechette, CEO

Also Present: Andrew Aldrich, Carolyn Aldrich, Darrell DeTour, Chris Mende, David Parker, Marjorie Parker

1. Call To Order:

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

2. Review Previous Minutes:

Anne Whitten motioned to approve the minutes of August 22, 2019. Jon Morse seconded the motion. VOTE: 5-0

3. Current Business:

3.1 Mr. Stephen Mansfield, 74 Portland Street Tax Map: 019 Lot: 010

Request: The applicant proposes an amendment to their conditional use permit to add 4 additional 30' x 100' storage units

There was nobody at the meeting to present the project. The Board did not do anything with this at this time because the applicant needs to be present.

3.2 Great Works Regional Land Trust Map: 003 Lot: 91

Request: The applicant proposes to install a new 3 foot wide by 48 foot long Footbridge with bank stairs across the Negutaquet River

Chairman Aleva recused himself as Chairman. Vice Chairman Matthew Qualls is now the Acting Chairman for this part of the meeting.

Acting Chairman Qualls asked Roger if he had any issues or concerns. Roger Frechette stated that he had no issues.

Chris Mende from Civil Consultants stepped forward to discuss the project. He stated that he is also on the Board of Directors for the Land Trust and is representing them. Mr. Mende stated

that the Town, as part of their planning, has had a concept of the trail system in mind for some time. They want to join some privately owned land and town land. He stated that the concept is to have a trail system that runs from the Community Center and goes out to Route 9 across from Old County Road. The town has a parking area and trail head associated with the Bodwell property. Mr. Bodwell gave the town an easement on their property to get this done.

Mr. Mende said that the current project is the missing link in that trail system. They need to provide a way to get across the Negutaquet River. He stated that in the winter, people can go across on the ice but at other times, people have to wade or swim. The Land Trust owns the property nearly adjacent to Lebanon Road and has access across a private parcel on a trail easement to get to that. The Negutaquet River runs through the property. Once you get across the Negutaquet River, you get to the Parker property which has a conservation easement and trail easement that the Land Trust owns and it brings you out to Maple Street. Once you get across Maple Street, there is another easement trail across more Parker property and it then links up to the Town property which goes out to Route 9.

Chris Mende stated that the project is pretty simple. It is a 3 foot wide footbridge and they presently have the design at 48 feet long. They might lengthen it a little bit to get back from the embankments if the conditions allow. They submitted an NRPA permit by rule application to the DEP about a month ago. They haven't heard back so this constitutes approval through DEP. He has included this application with the application to the town for the project.

Mr. Mende gave the Board members a drawing of the project. He stated that the materials in the application are rather extensive but he can go over it with the members and explain everything that they need to know. The drawing showed what areas are Town owned, what areas are Land Trust owned, where the trail easements are and where the actual trail is. It also showed where the bridge will be located. Mr. Mende stated that the other sheet shows what the actual bridge design will be. He stated that this location does not lend itself to getting heavy machinery in there so it will be mostly manual labor. He said that they can get materials to the top of the embankment with a pickup but they won't be able to get down into the flood plain area. They are looking at using big wire baskets for the foundation that you can put 6-8 inch trap rock and hand stacked. It is all wired together. They use these for retaining walls for highways, rivers or large retaining wall projects. They are very common in Canada.

Mr. Mende said that the bridge is really simple. It will be just 2 steel I beam stringers with wooden hand rails, wooden deck and wooden stairway. There will be a little stairway going up the embankment to make it easier to get down without slipping or sliding down the embankment. They would do the construction in the dry season because erosion control varies around the excavation. The disturbance should be pretty small. Acting Chairman Qualls asked about the cemetery shown on the map and what the proximity of it was to the trail.

Mr. Mende said that it is nowhere near it. Mr. Mende stated that the funding for this project is funded partly through the Land Trust and partly through the Town. Dwayne received money from a grant to help fund the project.

Acting Chairman Qualls moved Scott Strynar to full voting status.

David Ballard motioned to accept the application as complete. Jon Morse seconded the motion.
VOTE: 5-0 Abstain: 1

Chris Mende reviewed a few more things from the Project Narrative for the project. He stated that it is Tax Map 3, Lot 91 and is located in Village B District and in the Resource Protection due to the proximity of the river. There is no part of the application that is applicable regarding septic systems. He stated that the Negutaquet River, by formal definition from DEP, is actually a stream not a river. He stated that Item #8 on the narrative is important. It reads, "The Use Table on page 4-11E of the ordinance lists Piers and Docks as uses requiring Conditional Use review in both the Village B and Resource Protection districts." He stated that foot bridges are not listed but may be included under this

Mr. Mende went on to Item #9 on the narrative which is regarding Article #5 Performance Standards from the Ordinance. He went through the Article:

5.1.1 Traffic and Highway Access - He stated that there is no traffic generated. There is existing parking at the Community Center and at the Town property on Route 9.

5.1.2 Noise – There should be no increase in noise other than perhaps during the construction process.

5.1.3 Air Emissions – There should be no issue

5.1.4 Odor – There should be no issue.

5.1.5 Glare – There should be no issue.

5.1.6 Storm Water Run-Off – Drainage – There should be no increase in the concentration of run-off.

5.1.7 Erosion Control – The area is fully vegetated with trees. There are no plans to cut any trees other than some small dead snags immediately adjacent. They will leave the area pretty much as it currently is. They will use standard erosion control methods as required by DEP for when they do the actual work.

5.1.8 Setbacks and Screening – It is 280 feet from the rear lot line, 2000 feet from the front lot line and 410 feet and 1400 feet from the side lot lines. The existing forest provides adequate screening.

5.1.9 Explosive Materials – None

5.1.10 Water Quality – There will be no impact on water quality.

5.1.11 Flood Protection – It is in a regulated Flood Zone. No base flood elevation indicated. They took a look at the flood plain and the high water lines in the area and elevated the bridge way above them.

5.1.12 Soil Suitability for Construction – It is sandy soils and is located in the flood plains but they are not muddy wetland type of soils. They are stable and firmly packed silt sands with some cobble mixed in. The main reason they are going with this type of bridge rather than a cable suspension bridge is because they could not get concrete trucks in there with large amounts of concrete. They would not be able to anchor the cables adequately to construct a cable suspension bridge.

5.1.13 Off-Street Parking and Loading – They are using the existing conditions and not making any changes.

5.1.14 9and 5.1.15) Subsurface Sewage Disposal – Not applicable.

5.1.16 Private Wells – There are no private wells.

Chris Mende went on to discuss Item #10 in regards to Article 6 Administration of Conditional Use Permit. He went through the Article:

6.9.4 Application Procedure – They have submitted the application and the list of abutters.

6.9.4.b Mr. Mende stated that the Board may use their discretion to decide if they want to hold a Public Hearing or not.

6.9.6 Factors Applicable to Conditional Uses –

a.1 The proposed bridge offers expanded opportunities for dispersed, low impact, no-cost recreation to the people of North Berwick and the general public. It is in harmony with Town planning and policy relating to outdoor recreation opportunities. The use, foot paths, already exist on the subject and neighboring properties.

a.2 The proposed bridge links existing uses and is the logical, necessary location.

Mr. Mende stated that the rest of the items under this category are not applicable or he has already talked about them.

Acting Chairman Qualls asked what the bridge stringers were. Mr. Mende stated that they are steel. He said that they looked at doing it with wood but the cost, longevity and weight of them were taken into consideration. Roger stated that the steel was pretty massive so he wondered

how they were going to get those across. Mr. Mende stated that the plan is to do the beams in 3 pieces and roll them in with either a pickup or farm truck. They will get them to the top of the

embankment and then slide them down and put them back into place. He stated that if you break them up into 3 pieces, they are about 800 pounds each.

Anne Whitten motioned to accept the statements of Article #5 given by the applicant and that they are complete. Scott Strynar seconded the motion. VOTE: 5-0 Abstain: 1

Jon Morse motioned to waive a Public Hearing and site walk for this application. Anne Whitten seconded the motion. VOTE: 5-0 Abstain: 1

Anne Whitten motioned to accept the application from Great Works Land Trust Map 003 Lot 91 to install a new 3 foot wide by 48 foot long foot bridge with stairs across the Negutaquet River. David seconded the motion.

Acting Chairman Qualls opened the meeting for public comment at 7:00 pm.

Andrew Aldrich stated that between the north side of the bridge, there is a foot path to the stairs that is well above the plain. He said that he lives 10 minutes from this site and is very familiar with the site. He asked if the bridge was above the flood plain. Chris Mende said that at extreme floods, there may be water in that area.

Acting Chairman Qualls closed the meeting for public comment at 7:03 pm.

David Ballard asked what the time frame was for completing the project. Mr. Mende said that it would be next summer and fall.

VOTE: 5-0 Abstain: 1

Chairman Aleva took over as Chairman for the remainder of the meeting.

3.1 Mr. Stephen Mansfield 74 Portland Street Tax Map: 19 Lot: 010

Request: The applicant proposes an amendment to their conditional use permit to add 4 additional 30' x 100' storage units.

Chairman Aleva stated that there was nobody present for this project so there will be no discussion.

4. Other Business:

Roger Frechette stated that there is a man on Blue Heron that wants to tear his house down and keep the foundation where it is. However, because he is so close to the Resource Protection he

has to get Planning Board approval to do it. He is making it less non-conforming. The house is

going to be smaller. Chairman Aleva asked how old the house was. Roger said that it was built in the early 80's but it is not a good house. It is too big for him and he wants to downsize. Roger said that if the house was dilapidated then he could tell him to go ahead and he wouldn't have to come before the Board. Chairman Aleva asked if the foundation was in good shape. Roger said that he needs to check on that.

Roger said that another person wants to sell art from her house so she will need to get a Conditional Use to put a sign out there so people will be able to come in and look at her art. He is not sure if she will go ahead with it.

5. Adjournment:

Scott Strynar motioned to adjourn the meeting at 7:10 pm. Anne Whitten seconded the motion.
VOTE: 5-0

Roger Frechette
Planning Coordinator

Respectively submitted,
Susan Niehoff, Stenographer

Jon Morse

Anne Whitten

Matthew Qualls

David Ballard

Scott Strynar