

# NORTH BERWICK PLANNING BOARD

## MINUTES OF PLANNING BOARD DECEMBER 12, 2019

**Present:** Anne Whitten, Matthew Qualls, Scott Strynar, Roger Frechette, CEO

**Absent:** Chairman Geoffrey Aleva, Jon Morse, David Ballard

**Also Present:** David Galbraith from SMPDC, Tom Greer

1. Call To Order:

Vice Chairman Matthew Qualls will be the Acting Chairman for tonight's meeting.

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

Acting Chairman Qualls moved Scott Strynar up to full voting status.

2. Review Previous Minutes:

Anne Whitten motioned to approve the minutes from November 14, 2019 as written. Scott Strynar seconded the motion. VOTE: 3-0

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.

Tom Greer from Walsh Engineering Associates was here to represent the applicant. He stated that they put together the application and believes it is complete. A couple of the items that they have changed, since the last time he was here. They are asking that it be a phased project. Mr. Mansfield would like to build 2 buildings. Once these are filled, he would build 2 more. The storm water system would be built as part of Phase 1. It is likely that the 2 buildings that they will build last will require some fill to go out into the field. That fill will be put in place during Phase 1. The only thing that would be left to do in Phase 2 would be to build the building and pave around them.

Mr. Greer stated that the other thing that changed was add a note to the drawing and showing a

fence going around it and they put in “at the option of Mr. Mansfield”. He has operated without a fence to date and is comfortable doing that. Mr. Mansfield works with Mr. Patterson at PATCO. He recommended that it should be an option so that if they do have security issues, they can put the fence in without coming to the Planning Board for approval. Mr. Greer said that they put the fence out at the toe of the slope so that when there is plowing, there is some snow storage area away from the edge of the pavement. It will have a gate access.

Mr. Greer said that he believes that they have responded to Southern Maine Planning Commission’s responses and they have addressed most of Underwood Engineers’ comments. He stated that one of the questions was notifying DEP as notice of intent to comply. When they file the Stormwater Permit, there is a section that they sign that is notice of intent to comply so that is taken care of as part of the Stormwater permit.

Acting Chairman Qualls asked Roger Frechette if he had any issues with the application. Mr. Frechette said that everything looks good. He has reviewed it with Dwayne Morin as well. The only issue that may have come up would be the runoff from Portland Street but they have addressed the bank to take care of that so he has no issues with the project.

Anne Whitten asked Roger when someone gets a permit does it need to be completed in 2 years or at least started in 2 years. Roger said that, on a Conditional Use, it has to be started within 1 year. The building permit is good for 2 years, but they can always extend it. Mrs. Whitten asked if they would need to come back to approve the fencing in the future. Roger said that if the Board approves the fencing now, they would not have to come back. Roger said that they have to do a significant start by doing all of the ground work and putting the first 2 buildings to meet the Conditional Use requirements. Anne Whitten asked if they put in the 2 buildings now and then come back in a few years to do the other 2 buildings, would they have to come back in to extend his permit. Roger said that the building permit itself is good for only 2 years. They would just have to come back and renew the building permit to complete the rest. Mr. Greer said that they would probably just get a building permit for the first 2 buildings and come back to get another building permit for the last 2 buildings.

Acting Chairman Qualls asked what kind of fence they would put up if they decide to do so. Mr. Greer said that it would be a chain link fence. It would be vinyl coated so it would be black so it usually blends in well. It would be 6 feet high and have a rolling metal gate at the entrance.

Acting Chairman Qualls asked David Galbraith from SMPDC if he had anything to add. Mr. Galbraith said that it is a pretty straightforward proposal. Since the last time that they came in, there are wall packs on the units for illumination. There is room for emergency vehicles to turn. He has no issues.

Acting Chairman Qualls wondered if they were going to add any landscaping if they do add a fence for aesthetics reasons. Mr. Greer said that they are putting in a landscape strip all along the

Pratt & Whitney side of the project. He said that they would also put the fence in at the bottom of the slope so when you look at the site, you probably be looking mostly over it. He thinks the fence would blend in very well.

Anne Whitten motioned to find the application complete for Stephen Mansfield of 74 Portland Street Tax Map: 0019 Lot: 010 to add 4 additional 30' x 100' storage units. Scott Strynar seconded the motion. VOTE: 3-0

4. Other Business:

Roger stated that the Planning Board is invited to the Board of Selectmen's meeting on December 17<sup>th</sup>. One of the things that they are going to want to talk about is Hussey Seating. They would like to have all of their land zoned as Industrial. They currently cannot do anything on their property along Linscott Road because it is not Industrial. We would change it for their land only. Anne Whitten asked if they were allowed to do that and if it would be considered spot zoning. Roger said it wouldn't actually be just for their land but it would be enough to at least incorporate their property.

Roger stated that he receives a lot of calls about barn weddings. There is nothing in Farm and Forest that allows for it. Anne Whitten said that she had a 100 acre farm in Kennebunk before moving to North Berwick. They told her that she would have to change the Ordinance because there was none at the time. The rule that they would have applied was that a person had to have at least 50 acres and could not be more than 100 people.

Scott Strynar asked if this would become a commercial venture. Roger stated that people who have barns now can have their own family weddings and functions there. The issue is the eating and the drinking because it is not allowed at all in Farm and Forest. If they have these events, there needs to be some stipulations on the wedding that it be catered by a licensed vendor. Scott Strynar asked if this would be specific to a barn or if it could be someone having a field and putting a tent up. Roger said that it could be that as well.

The other issue to discuss is a setback issue. Right now the zoning says that if you are an abutter and the Ordinance says that you have to be 50 feet away unless somebody else is 50 feet away from the property line. Then you would have to be 75 feet away. He would like to abolish this.

Scott Strynar stated that we don't have any type of landscaping requirements for buffering or things like that. As the town grows, he thinks that it would be important to incorporate trees, shrubs or whatever for landscaping. He thinks that there should be at least a minimal buffer. Anne Whitten said that there is a place in the Ordinance that does discuss this for buffering. Scott said that he has worked with other towns that are a little more specific. For example, if you have a commercial property next to a residential property, you want to have specific evergreens 6 feet or taller. He feels that there should be some things that they could add to spruce it up a little bit.

5. Adjournment:

Anne Whitten motioned to adjourn the meeting at 7:02 pm. Scott Strynar seconded the motion.

VOTE: 3-0

Roger Frechette  
Planning Coordinator

Respectively submitted,  
Susan Niehoff, Stenographer

Chairman Geoffrey Aleva

Jon Morse

Anne Whitten

Matthew Qualls

David Ballard

Scott Strynar