

North Berwick Board of Selectmen Minutes December 5, 2017

**NORTH BERWICK BOARD OF SELECTMEN MINUTES
DECEMBER 5, 2017**

Present: Chairman Hall, Selectman Johnson, Jr., Selectman Galemmo,
Selectman Johnson, Sr.

Absent: Selectman Cowan

Also Present: Dwayne Morin, Rebecca Reed, James Bachelder, Anne Whitten

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

1. Pledge of Allegiance

2. Review and Approve Minutes of November 21, 2017

Selectman Galemmo motioned to approve the minutes of November 21, 2017. Selectman Johnson, Sr. seconded the motion. VOTE: 4-0

3. Public Input

Chairman Hall presented a check to James Bachelder as a donation to the Veteran's Cemetery. Mr. Bachelder stated that they will be using the funds for the POW MIA memorial. He stated that they will be having a WWI Memorial dedication on Veterans Day in 2018. This is the 100th year anniversary of the end of WWI.

There was no other public input at this time.

4. Unfinished Business:

D. Board Membership:

Chairman Hall stated that Rebecca Reed was present and she is looking to be appointed to the Zoning Board of Appeals. Rebecca Reed stated that she and her husband moved to town about 9 months ago from the Boston area. They bought property on Fox Farm Hill Road and they really love the town. Selectman Galemmo asked why she was interested in the ZBA. Mrs. Reed stated that she was born and raised in Arlington and she saw the way the town had changed since she was a kid. She said that she doesn't think that the town grew the way people wanted it to. Houses were being torn down and mansions were being built. She stated that both she and her husband want to stay in North Berwick and retire here. There were a lot of things that attracted them to North Berwick. Everything that she saw on the web site regarding the vision of the town and keeping the small town atmosphere, watching how the land was being developed and the

type of companies allowed to come into town aligns with everything that she feels is important. She stated that, once you start making exceptions in certain situations, you are getting into a very slippery slope. These decisions need to be made with careful thought and consideration. She stated that she included a copy of her resume because she wanted them to see that she has a background in big box stores. She has worked with Planning Boards and Board of Appeals so she knows what is involved. She feels that she has skills and talents that she can add to the process and she would like to be part of it.

Dwayne told Rebecca Reed that the Zoning Board does not meet very often and he said that this is not a bad thing. Usually when they meet it means that there is a problem. Selectman Galemmo stated that they are having a lot of discussions regarding growth in the town. He stated that it is something that they are struggling with. They are talking about encouraging more growth development in the Residential part of the town and maintaining Farm and Forest to what it is. He stated that they are under a lot of pressure for growth but they want a controlled growth that maintains what they want for the town. Selectman Galemmo stated that a couple of years ago, they passed an Ordinance that lets us control the appearance of retail. It needs to look like a New England storefront and limit the types of signs used. He stated that they need growth to be able to maintain the tax rate.

Dwayne stated that the position that is available starts January 1st. She would be taking Julie Fernee's spot on the ZBA. Chairman Hall told Mrs. Reed that there are other Boards in town and they are always looking for more volunteers. Mrs. Reed stated that she was going to ask what other Boards they have and if they could recommend any of them. Selectman Galemmo stated that the other appointed boards are Parks and Rec and the Planning Board. There are also elected positions which are the Budget Committee, Board of Selectmen, School Board, Cemetery Trustees, Water District and Sanitary District.

Selectman Galemmo motioned to approve the nomination of Rebecca Reed to be a member of the Zoning Board of Appeals effective January 1, 2018. Selectman Johnson, Jr. seconded the motion. VOTE: 4-0

A. Public Works: Garage Addition

Dwayne stated that they were on track for everything. They ordered trusses and unfortunately they were the wrong size. They ordered 6/12 pitch trusses and it was not a 6/12 pitch. He said that the trusses that were used were very unusual. They had 2x8 top cord and that is not how you make trusses. Dwayne stated that Mainly Truss is redesigning the trusses to match what we have and they will be in next Thursday. He stated that the weather may get the better of us so they may have to put it up in the spring. They have secured all of the walls and everything is all set if we need to sit through the winter.

Dwayne said that they are still going to be under budget because they made some pretty good decisions about other things related to the building. They will use the unused trusses to rebuild the salt shed.

B. FY2019: Preliminary Budget Discussions

Dwayne stated that he is about 75% done with the budget. He is waiting for all of the department heads to submit their budgets. He will have a preliminary budget at the 1/9/18 meeting.

Chairman Hall asked if there was a time set up for breaking ground on the new fire station. Dwayne stated that they are nowhere near ready for that. They are currently just in the money gathering and have not even looked at a design yet. He stated that the Fire and Rescue Departments have been meeting to discuss needs and wants and he will meet with them sometime next year to review and see what they can build on the property that they have. He believes that they are still a couple years away. Chairman Hall stated that he would really like to see solar panels on the new fire station. He thinks that one side of that building would be good for panels. Dwayne stated that they have talked about putting solar panels on the Public Works building but the metal roof prevented them from doing it. If they go with shingles, they could probably incorporate the solar panels. Dwayne stated that the biggest cost would be the cost of the panels because we don't qualify for any programs. We would have to buy everything outright.

C. Tax Acquired Property: Malcolm Hilton

Dwayne stated that the occupant of 844 Morrells Mills Road was served yesterday with a Notice to Vacate. The date is set for 1/5/18. If they do not vacate on the 5th, then they will have a court date of 1/8/18 with removal by 1/15/18. Selectman Johnson, Jr. asked if everything had gone well or if there were any problems. Dwayne said that he spoke to her prior to serving her so she knew that she was going to receive it. There were no issues. He stated that they have given her some direction if she needs assistance. He does not know what her plans are at this time.

E. Zoning Changes: Review Changes to Zoning Ordinances for Town Meeting

Dwayne stated that he has sent the proposed zoning changes to the Attorney and she has reviewed and made changes. The proposals can be found starting on Page 19. Dwayne stated that the idea was that, in rural residential areas or non-growth areas that are identified in the Comprehensive Plan which are Farm and Forest and Shoreland Limited Residential zone, would be subject to the existing regulations. It would only allow for 6 growth management permits to be issued for subdivisions in these zones. There was also a concern regarding apartment buildings. The last time they discussed dwelling units and dwelling lots. Dwayne stated that our Ordinance only defines dwelling units. Instead of creating another definition and making things more confusing, we will just limit apartment buildings to 6 growth permits per year. The proposal will read, "No more than 6 growth management permits per year shall be issued for dwelling units within an approved apartment building located in any zoning district."

The other thing that we looked at was the subdivisions in designated growth areas. If they are in the growth areas, they can get 12 growth management permits per year or 60% of the total number of lots within a single subdivision, whichever is greater. We originally were talking about 30 permits and then said to use 25 permits. Dwayne stated that because the growth permit

number changes every 2 years, it is easier to use percentages. They decided to split 45% and 55% so the numbers would still be 25 and 20. The designated growth areas include Village A, Village B, Village Center, Village C Overlay, Residential I, and Residential II Zoning Districts. Someone doing a subdivision in these areas could get up to 12 or up to 60% of their total number of lots within a single subdivision in any year if they are available. It is a first come first serve basis so when we hit the designated number, it is done.

Selectman Johnson, Jr. stated that his main concern is that they run out of permits for individuals who want to build single family homes. Dwayne stated that it can't happen because we will always have 45% available for single lots. If we get more single lots than subdivisions on a first come first serve basis we can get some from the ones set aside for subdivisions. The next section of the ordinance change has to do with subdivision growth permit restrictions. This is where it actually breaks the division of the permits apart. It reads, "The total number of growth management permits issued for apartments and subdivisions located in any zoning district shall not exceed 55% of the total number of growth management permits being issued in a single fiscal year as determined pursuant to section 6.3.4. If the number of growth management permits issued for non-subdivision lots, on a first come, first serve basis, exceeds 45% of the total number of growth management permits being issued in a single fiscal year, then the maximum number of growth management permits allocated for apartments and subdivisions (i.e. 55% of the total number for the fiscal year) shall be reduced accordingly to accommodate a proportionately greater number of non-subdivision allocated permits."

Selectman Galemmo stated that he doesn't feel that they will have an influx of subdivision developments coming into town. Dwayne stated that even if they do see people that want to do developments, it will take years to start building because it takes a while to go through the Planning Board process. Dwayne stated that there is currently a 39 lot mobile home park being developed. This year they will pull 6 permits this year. If this Ordinance is approved, they could pull 12 the next year.

Selectman Galemmo stated that many of the developments that may come into town would be for houses that cost \$200,000 and higher. He asked if they could state that a certain percentage of the homes need to be \$150,000 for single family starter homes. Dwayne stated that they already have that in our town. It is in the Village C Overlay zone which allows for affordable housing. They have to meet the standards of affordable housing and most subdividers and developers do not want to be hindered because they would be restricted to affordable housing.

Chairman Hall said that he had an idea regarding affordable housing. He stated that our community is expensive to live in. He wondered if they could offer tax abatements for people that are going to develop affordable apartment buildings and rehabs. Dwayne said that they couldn't because it is not allowed by State Law. He stated that taxes are meant to be fair and equitable which means they have to be based on fair and equitable value. You are not allowed to give abatements based on that. Dwayne stated they could provide affordable housing TIFF's but this needs to be approved by the State to allow this to happen. You are not allowed to pick and choose what you are going to tax somebody because that would open the town up to massive lawsuits. Chairman Hall asked what the process was to get a TIF in place. Dwayne stated that it is a long and complicated process.

Dwayne stated that someone had asked if they could give incentives for 55 and older housing. The attorney said that if this was something that the Selectmen wanted to look into, they could do so but the language will have to be very specific because there are a lot of legal hoops. The attorney stated that we couldn't offer the incentives at the expense of somebody else. We would have to segregate some permits to allow for 55 and older, but if you are doing it at the sake of somebody else, it could be deemed as discrimination. The Board decided to not move forward with this.

The Board agreed to send the proposed changes to the Planning Board for them to review.

F. CEO: Update on Medical Leave

Dwayne stated that the plan was that Roger was going to be out starting on Monday through January 4th with the possibility of being extended to the end of January. He stated that there have been some changes. Roger is seeing the doctor tomorrow and he will find out if the surgery will still happen on Monday or if it will be postponed. Dwayne stated that they do have a system in place for whenever he is out for his medical leave. Wells and South Berwick will cover for us similar to what they did when we were without a CEO. Roger will be available by phone. The doctor told him that he cannot do anything for the first 2 weeks and the rest will be dependent on pain level and recuperation for up to 6 weeks.

Reminders: Next Board of Selectmen's Meeting – Dec. 19, 2017 – 6:30 pm Municipal Building

5. New Business:

A. Board Membership: Kelsey Bilodeau – Parks and Rec

Dwayne stated that he received an application from Kelsey Bilodeau to be considered to be on the Parks and Recreation Committee. He said that she has attended a meeting or two and is interested in joining. Dwayne stated that if the Board is interested, he will have her come in for the meeting on 12/19/17. The Board agreed.

B. William Hill Firefighters Assoc.: Request for Blanket Bingo Letter

Dwayne stated that in order for the William Hill Firefighters Association to operate their bingo games at the Community Center, the Board of Selectmen have to give permission every year. They need this to be able to apply for their State permit.

Selectman Galemмо motioned to approve the blanket Bingo letter for 2018 for the William Hill Firefighters Association. Selectman Johnson, Sr. seconded the motion. VOTE: 4-0

6. Other Business:

There was no other business at this time.

7. Review and Approve Warrants and Correspondence:

Warrant:	November 28, 2017	- \$ 0.00
Warrant:	December 5, 2017	- \$ 6,908.61

Selectman Galemmo motioned to approve the Warrant of December 5, 2017 for the amount of \$6,908.61. Selectman Johnson, Sr. seconded the motion. VOTE: 4-0

8. Adjournment:

Selectman Galemmo motioned to adjourn the meeting at 7:31 pm. Selectman Johnson, Jr. seconded the motion. VOTE: 4-0

Respectively Submitted,
Susan Niehoff, Stenographer

Original to Town Clerk

Chairman: Jonathan Hall

Selectman: Wendy Cowan

Selectman: Michael Johnson, Jr.

Selectman: Charles Galemmo

Selectman: Michael Johnson, Sr.