

1 SOUTH BERWICK PLANNING BOARD  
2 Regular Meeting Minutes  
3 Date: January 4, 2023  
4

5 **PLEDGE OF ALLEGIANCE**  
6

7 **REGULAR MEETING**

8 Mr. Zinser opened the regular Planning Board Meeting at 7:00pm.  
9

10 **ROLL CALL:**

11 In-Person: Planning Board Members; Greg Zinser, Hershey Hirschkop, William Cole, Zachariah Nobel; Jenifer  
12 McCabe, CEO & Interim Town Planner; Amy Aiguier, Administrative Assistant

13 Via ZOOM: Alternate, Christine Prunier.

14 Absent: Burnell Bailey  
15

16 **PUBLIC AUDIENCE:** Berwick Planning Board Members; Michael LaRue, Chair, Irish Griffith CEO, Dave  
17 Andreesen CEO/Planning Tech, Donn Garrallio. Absent; Phil Roy Vice Chair. Hannah Barrien, Berwick  
18 Planner with SMPDC, Ken Wood, ATTAR Engineering; Carroll Mick with MICK Development  
19 Kristie Rabasca with Integrated Environmental Engineering.

20 Via ZOOM: Pat Robinson, Vira Duguay, Justin Spences Phone, Deb Ganster, SBO528.  
21

22 **BOARD COMMENTS:** None  
23

24 **PUBLIC COMMENTS:** None  
25

26 **MEETING MINUTES APPROVED:**

27 Ms. Hirschkop motioned to accept the 12/7/2022 Planning Board meeting minutes as presented. Mr. Cole  
28 seconded the motion

29 **VOTE: 5-0-0 APPROVED**

30 **Approve:** Greg Zinser, Hershey Hirschkop, Bill Cole, Zach Nobel, Christine Prunier,

31 **Deny:** None, **Abstain:** None  
32

33 Noted the 12/21/2022 Planning Board Meeting was cancelled, no minutes to approve.  
34

35 **NEW BUSINESS:**

36 Ordinance Amendment/Discussion on Site Plan Submission

37 Mr. Zinser suggested, and Planning Board Members agreed, to table this item until the end of the meeting.  
38

39 **OLD BUSINESS:**

40 MSP# 22-003, Sam Ville Estates Subdivision, Meadow Pond Road Map 13 Lots 17, 17-A & 100.

41 Site Plan Review; Joint Meeting with Town of Berwick Planning Board  
42

43 Ken Wood with ATTAR Engineering, representing the applicant, MICK Development, addressed the Planning  
44 Board and the Berwick Planning Board Members with the Sketch Plan that was previously reviewed by the  
45 board in December 2022. This is an expansion on an existing previous cluster subdivision, known as Phase I and  
46 Phase II. There were prior questions on rights and title of interest with the applicant, MICK Development and  
47 the Town of Berwick Maine. Mr. Wood stated IF&W and Maine DEP permits and surveys have proven no  
48 issues. Applicant is seeking approval of sketch plan.  
49

50 The Berwick Planning Board Members and Planning Staff in attendance plan to discuss the application at their  
51 next meeting, as the Town of Berwick owns a 500-foot portion of Industry Drive from the town line that may be  
52 used by the property owners of this development. Discussion between the two towns included a school bus turn  
53 around, a gated knox box at Industry Drive, life-safety precautions, commercial and residential traffic on  
54 Industry Drive, traffic impacts from additional drivers and thru-way drivers. The applicant is aware Industry  
55 Drive will be built up to both town standards by the applicant. Regardless of a gate or knox box.

56  
57 Ms. Hirschkop made a motion to accept the MSP # 22-003 Sketch Plan as a cluster subdivision and move to  
58 Preliminary Plan with discussed traffic concerns that were addressed. Mr. Nobel second the motion.

59 **VOTE: 5-0-0. APPROVED**

60 **Approve:** Greg Zinser, Hershey Hirschkop, Bill Cole, Zachariah Nobel, Christine Prunier,

61 **Deny:** None **Abstain:** None

62  
63 **OLD BUSINESS CONTINUED:**

64 SMSWG Kristie Rabasca RE: letter, MS4 Changes in Ordinances

65  
66 Kristie Rabasca with Integrated Environmental Engineering, representing SMSWG (Southern Maine  
67 Stormwater Group) addressed the Planning Board with review of ordinance updates.

68  
69 The material for review by the Planning Board is related to three ordinance changes required by the General  
70 Permit for Stormwater Discharges from the Municipal Separate Storm Sewer Systems (MS4s), as well as an  
71 update related to a fourth ordinance change for Low Impact Development.

72  
73 **Changes required by 6/30/2023:** The changes listed below are required to be updated by June 30, 2023:

- 74  
75 1. Requiring timely removal of non-stormwater discharges from the Town’s separated storm drain system,  
76 2. Requiring timely maintenance of private stormwater infrastructure after construction and updating  
77 3. Schedules for enforcement, and adoption of specific erosion and sedimentation control standards for  
78 proposed developments. The changes will affect Chapter 96 Non-Stormwater Discharge, Chapter 108 Post  
79 Construction Stormwater Management, Chapter 121 Subdivision, and Chapter 140 Zoning.

80  
81 We provided a brief overview of these requirements to the Town Council at their March 8, 2022, meeting, and a  
82 more detailed overview to the Planning Board at their April 20, 2022, meeting. Because these changes must be  
83 codified by 6/30/2023, we suggest the Planning Board review these in January to allow the Town Council to  
84 review the changes and hold public hearings before the June 2023 deadline.

85  
86 **LID Ordinance Change Updates:**

87  
88 On 8/17/2022 we held a brief workshop with the Planning Board to review the MS4 requirements to adopt Low  
89 Impact Development Standards. We presented a draft set of standards that the Town intended to adopt, which  
90 the Planning Board sent to the Town Council. The Town Council gave preliminary approval of these, and they  
91 were subsequently sent to the Maine DEP for Clean Water Act-based Public Comment. Maine DEP sent these  
92 out for Public Comment in September. Though there were comments from Friends of Casco Bay on the  
93 standards, the Maine DEP approved the Town’s submittal without change, and the Town is clear to commence  
94 adoption of these standards.

95  
96 Ms. Hirschkop made a motion to adopt the following ordinance updates, as discussed and as presented in a  
97 memo from Kristie Rabasca on December 30, 2022, with annotations and a separate cover letter referencing  
98 suggestions to impact fees, to be forwarded to the South Berwick Town Council for their review and approval:  
99

- 100 1. Adopted as presented:  
101 Chapter 96, Non-Stormwater Discharge; Requiring timely removal of non-stormwater discharges  
102 from the Town's separated storm drain system,  
103 2. Adopt with an amendment to the stormwater control officer qualifications listed:  
104 Chapter 108 Post Construction Stormwater Management; Requiring timely maintenance of private  
105 stormwater infrastructure after construction by certified stormwater management.  
106 3. Adoption of this language to include it is implemented with reference to Section 500:  
107 Chapter 121 Subdivision, and Chapter 140 Zoning; Schedules for enforcement, and adoption of  
108 specific erosion and sedimentation control standards for proposed developments.  
109

110 Mr. Cole seconded the motion.

111 **VOTE: 5-0-0. APPROVED**

112 **Approve:** Greg Zinser, Hershey Hirschkop, Bill Cole, Zachariah Nobel, Christine Prunier,

113 **Deny:** None **Abstain:** None  
114  
115

116 **BOARD MEMBER COMMENTS:**

117 Mr. Zinser stated under New Business: Ordinance Amendment/Discussion on Site Plan Submission will be  
118 tabled until further notice.  
119

120 **INFORMATIONAL MATERIAL:**

121 Planning Department Staff reminded Planning Board Members of the Joint Meeting with the Town Council  
122 scheduled for January 17, 2023, at 6:30pm. Re: Solar Farm Ordinance and Med Marijuana Ordinance.  
123

124 Schedule Planning Board Training with SMPDC (Southern Maine Planning & Development Commission).  
125 Planning Board members agreed to schedule an hour for training with Lee Jay Feldman with SMPDC before a  
126 scheduled Planning Board meeting in March 2023.  
127

128 **ADJOURNMENT:**

129 Ms. Hirschkop moved to adjourn the meeting at 9:02pm. Mr. Nobel seconded the motion.

130 **VOTE: 5-0-0. APPROVED**

131 **Approve:** Greg Zinser, Hershey Hirschkop, Bill Cole, Zachariah Nobel, Christine Prunier, **Deny:** None

132 **Abstain:** None  
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137

138 Attested By: \_\_\_\_\_