



Town of South Berwick

Planning Department

180 MAIN STREET
SOUTH BERWICK, MAINE 03908

TEL. 207-384-3012

To: South Berwick Town Council
From: South Berwick Planning Board
Date: March 15, 2023

RE: Change in Ordinance- Chapter 121-27-Sketch Plan Procedures

The Planning Board received an Ordinance Amendment from Town Staff for an amendment to the sketch plan procedures. As the Planning Board sees more applications, it makes sense for a required meeting at the Staff level first to ensure ordinances are being met before the Planning Board hears the application. This will not only help the Planning Board but the applicant as well.

In summary, the changes affect the following chapter of the South Berwick Code:
Chapter 121-27 Sketch Plan Procedures

The Planning Board held a public hearing on March 1, 2023, with no comments from the public. The Planning Board recommends this Ordinance Change.

Sincerely,

Greg Zinser, Chair

- C. Street layout. Wherever existing or planned streets, topographical features and public safety permit, streets shall run in east-west directions and lots on a north-south axis, to maximize access to direct sunlight for solar energy systems. The character, extent, width and grade of all streets shall be considered in their relation to existing or planned streets.

Article IV Sketch Plans

[Amended 2-26-1990; 6-15-2009; 10-11-2011; 10-10-2017, 02/27/2023]

§ 121-26 Purpose.

The purpose of the sketch plan meeting and the on-site inspection/site walk is for the applicant to present general information regarding the proposed subdivision to the Board and receive the Board's comments prior to expenditures on such things as soil analysis and engineering by the applicant.

§ 121-27 Sketch plan procedures.

- ~~A. 1.~~ Prior to formal application submittal- Pre-Submittal Meeting shall be held with the Town Planner and the Code Enforcement Officer before submittal of documents to the planning board to ensure ordinances are being met and any waivers being submitted are properly addressed.

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- ~~B. A.~~ At the time of application, the subdivider shall submit a sketch plan and other data relative to the proposed subdivision which may be of assistance to the Planning Board during informal discussion. See § 121-28 for submission requirements. The Planning Board shall meet to discuss the application within 30 days of application submission.

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- ~~1. Pre-Submittal Meeting shall be held with the Town Planner and the Code Enforcement Officer before submittal of documents to the planning board to ensure ordinances are being met and any waivers being submitted are properly addressed.~~

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- ~~C.~~ The applicant shall present the sketch plan and make a verbal presentation regarding the site and the proposed subdivision to the Planning Board.

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- ~~C.D.~~ Following the applicant's presentation, the Board may ask questions, point out potential problems or issues for future discussions, and make suggestions to be incorporated by the applicant into the subsequent preliminary plan application.

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- ~~D.E.~~ Prior to concluding the discussion, a date for the site inspection walk is selected. Site walks allow the Planning Board to be fully informed about the site and be in a knowledgeable position to discuss the plans.

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§ 121-28 Submissions.

- A. Ten copies of the sketch plan shall be submitted to the Planning Board according to a submission schedule set by the Town. The plan shall be presented on a standard-sized sheet (24 inches by 36 inches) and at a scale of 50 feet to the inch or less.
- B. The sketch plan shall show, in simple sketch form on a topographic map, the proposed layout of streets, lots and other features in relation to existing conditions.
- C. The sketch plan, which may be a freehand penciled sketch, should include the data listed in § 121-32 or such of it as the Planning Board determines is necessary for its consideration of the proposed sketch

plan.

- D. General subdivision information shall describe or outline the existing conditions of the site and the proposed development as necessary to supplement the drawing required above. This information shall include data on existing easements or covenants, high-intensity soil survey and soil interpretation log sheets, available community facilities and utilities, and information describing the subdivision proposal, such as number of residential lots, typical lot width and depth, price range, service areas, playgrounds, parks, open space areas and other public areas, proposed protective covenants and proposed utilities and street improvements. All wetlands, water bodies, streams and existing drainage patterns shall be shown. The applicant shall provide a list of all permits required for approval of the subdivision, including, but not limited to, permits from the Maine Department of Environmental Protection, Maine Department of Transportation, and permits for common water supply and septic systems, if applicable. In order to integrate the subdivision into both the built and natural environment, the following information in the form of plans and statements will be required:
- (1) A context plan showing the site and its surrounding scale should be appropriate to show major ecological systems, natural features, rivers, developed areas, trail systems and wetlands as defined in the Town Zoning Ordinance and Shoreland Zoning.
 - (2) Existing site vegetation plan.
 - (3) Schematic plan showing how the proposed subdivision fits into the given site and off-site context.
 - (4) Planting and vegetation plan along with items in § 121-32.
 - (5) The Planning Board may wish to limit or expand on the above, based upon the complexity and size of the project.

§ 121-29 Status of sketch plans.

- A. The acceptance of a sketch plan indicates acceptance of rough overall concepts only. Details of the proposal will be reviewed at the preliminary plan and final stages. All sketch plans shall include the two previous sentences on the plan itself.
- B. Failure to achieve sketch plan acceptance within one year of submission shall require resubmission of the sketch plan to the Planning Board.
- C. The sketch plan meeting, subsequent meetings or discussion of the sketch plan, the submittal or review of the sketch plan or the site inspection walk shall not be considered substantive review as described by 1 M.R.S.A. § 302.

**Article V
Preliminary Plans**

[Amended 2-26-1990; 8-26-1991; 6-15-2009; 10-11-2011; 10-17-2017]

§ 121-30 Purpose.

The purpose of the preliminary subdivision plan process is to allow a detailed review and discussion of the proposed subdivision in order to provide guidance to the applicant prior to submission of a final plan.

§ 121-31 Application procedure.

- A. Within six months after acceptance of the sketch plan by the Planning Board, the subdivider shall submit an application for the consideration of a preliminary plan. See § 121-32 for submission requirements. Failure to do so within six months shall require resubmission of the sketch plan to the Planning Board. The preliminary plan shall conform to the layout shown on the sketch plan accepted by



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Planning Department

180 MAIN STREET
SOUTH BERWICK, MAINE 03908

TEL. 207-384-3012

To: South Berwick Town Council
From: South Berwick Planning Board
Date: March 15, 2023

RE: Change in Chapter 140 Attachment 2, Table B, Dimensional Requirements I1 and I2 Zone

The Planning Board received an Ordinance Amendment from Town Staff a change in Chapter 140 Attachment 2, Table B, Dimensional Requirements for the I1 and I2 Zone to reduce the setbacks from 75'-40'. This Amendment was accompanied by a letter from Denise Clavette, Director of Economic and Community Development, which the Planning Board has attached to this letter.

In summary, the changes affect the following chapter of the South Berwick Code:
Chapter 140 Attachment 2- Table B- Dimensional Requirements

The Planning Board held a public hearing on March 1, 2023 with no comments from the public. The Planning Board recommends this Ordinance Change.

Sincerely,

Greg Zinser, Chair



Denise M. Clavette, Director
Economic and Community Development
Town of South Berwick
180 Main Street
South Berwick, ME 03908
dclavette@sbmaine.us

TO: Jenifer McCabe, Town Planner/CEO and Planning Board Members
FROM: Denise Clavette, Director, Economic and Community Development
CC: Tim Pellerin, Town Manager
DATE: February 6, 2023
RE: Recommendation to Change I1 and I2 front setbacks from 75 to 40 feet

I am writing in support of changing the I1 and I2 zone front setbacks from the current requirements of 75 feet, down to 40 feet. When businesses are interested in locating in South Berwick (or other communities), setbacks of 75 feet can be quite prohibitive for businesses to appropriately locate within the sites / lots they are exploring.

Whether small businesses, with building footprints of less than 5000 SF or large businesses with business footprints of over 100,000 SF – both would find these front setbacks challenging. In all likelihood, many would rule out South Berwick on that basis, or if interested – would need to spend significant resources just to request a waiver with no guarantee on approval. For example, a small business would have to spend a disproportionate amount of funds in order to develop a road, its infrastructure and utility expenses just to make it to their building. And a large business may not be able to locate on the site, due to site restrictions and conditions, when eliminating available land that they could develop, along a major route or roadway. In addition, a building's /business' visibility along a major roadway is a great "marketing" tool – for free – both for the business and our South Berwick community.

Please let me know, Jeni or members of the Planning Board, if you have any questions or would like me to provide additional information. Happy to help.

ZONING

140 Attachment 2

Town of South Berwick

Table B
Dimensional Requirements
[Amended 4-13-2009; 5-11-2009]

| | R1 | R1A | R2 | R2A | R3 | R4 | R5 | B1 | B2 | I and I2 | BR |
|--|--------|--------|--------|--------|--------|---------|---------|----|--------|--------------------------|------------|
| Residential minimum lot size (square feet) | | | | | | | | | | | |
| Without sewer | 40,000 | 80,000 | 40,000 | 80,000 | 80,000 | 120,000 | 120,000 | NA | 40,000 | 80,000 | NA |
| With sewer | 10,000 | 20,000 | 30,000 | 40,000 | 80,000 | 120,000 | 120,000 | NA | 10,000 | 80,000 | NA |
| Single-family | | | | | | | | | | | 10,000 |
| Two-family | | | | | | | | | | | 5,000 |
| Multifamily | | | | | | | | | | | 3,500 (19) |
| Congregate | | | | | | | | | | | 5,000 |
| Commercial minimum lot size (square feet) | (1) | (1) | (1) | (1) | (1) | (1) | (1) | NA | (2) | 80,000 | 10,000 |
| Minimum street frontage (feet) | | | | | | | | | | | |
| Without sewer | 100 | 200 | 125 | 200 | 200 | 300 | 300 | NA | 100 | 200 | NA |
| With sewer | 100 | 125 | 125 | 150 | 200 | 300 | 300 | NA | 100 | 200 | 70 |
| Maximum street frontage | | | | | | | | | | | 150 |
| Minimum yard dimensions (feet) | | | | | | | | | | | |
| Front setback | 20 | 50(4) | 25 | 50(5) | 50 | 50 | 50 | NA | 20 | 75-40 20 (18) | |
| Side setback | 15 | 25* | 25 | 25 | 25 | 50 | 50 | NA | 15 | 35 | 10 |
| Rear setback | 15 | 25 | 25 | 25 | 25 | 50 | 50 | NA | 15 | 35 | 15 |
| Lot coverage (%) | 30 | 30 | 25 | 25 | 20 | 20 | 15 | NA | 50 | 60 | 60 |
| Height limitation (feet) | 35 | 35 | 35 | 35 | 35 | 35 | 35 | NA | 35 | 35 | 35 |
| [See footnote (16) and (17)] | | | | | | | | | | | |

2/8/2023
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