

ASSESSORS RETURN

PURSUANT TO A WARRANT to us directed, from the York County Commissioners for the County of York, dated the 6th day of July, AD, 2016 we have assessed the estates of the inhabitants, and the estates of the non-resident proprietors of the Town/City of **SOUTH BERWICK** in said County, the sum of **THREE HUNDRED SIXTY-FOUR THOUSAND TWO HUNDRED FORTY-NINE DOLLARS AND SEVENTY-THREE CENTS (\$364,249.73)** and have committed lists thereof to the Tax Collector of said Town/City with Warrant in due form of law for collecting and paying same to the Treasurer of the Town/City of **SOUTH BERWICK** or his/her successor in said office to be paid by him/her to Frank P. Wood, Treasurer of the County of York, or his/her successor in said office the **FIRST DAY OF SEPTEMBER, 2016.**

Taxes not paid by the **THIRTY-FIRST DAY OF OCTOBER, 2016** will be considered **DELINQUENT** and will be assessed interest at the rate of **7%** compounded annually.

IN WITNESS, WHEREOF, we have hereunto set our hands the _____ day of _____, 2016.

ASSESSOR(S) OF SOUTH BERWICK

TO BE FILLED IN AND FORWARDED TO THE COUNTY TREASURER AS SOON AS THE ASSESSMENT IS COMPLETED TO:

**FRAND P. WOOD
TREASURER-COUNTY OF YORK
45 KENNEBUNK RD
ALFRED, ME 04002**

STATE OF MAINE

YORK, §

TO THE ASSESSOR(S) OF THE TOWN/CITY OF SOUTH BERWICK in said County.

GREETINGS:

AT THE COURT of County Commissioners, begun and holden at Alfred within and for the County of York, on the 6th day of July, AD, 2016.

WHEREAS, the York County Budget Committee, pursuant to M.R.S.A. 30-A § 833, passed at their last session, upon an estimate of the County Commissioners for said County, of the sums necessary for defraying the charges of the County for the budget year FY 17, July 1, 2016 through June 30, 2017 ensuing and exhibited by the Clerk of said Court, granted a tax of \$16,333,591.00 to be assessed, collected, and paid according to law, and applied for the purposes aforesaid.

AND WHEREAS, upon a due apportionment of said sum of the several Towns and Cities in said County, made at a session of the Court of County Commissioners, held on the 6th day of July, AD, 2016 your town's proportion is found to be \$364,249.73.

YOU ARE HEREBY REQUIRED, in the name of the State of Maine to assess the said sum last mentioned, upon the inhabitants of said Town/City, agreeable to the laws of said State, and cause the same in like manner to be collected and paid to Frank P. Wood, Treasurer of said County or his/her successor in said office, forthwith as of the FIRST DAY OF SEPTEMBER, 2016.

At its regular meeting duly held on July 6th, 2016 the Board of Commissioners of the County of York, pursuant to M.R.S.A. 30-A § 706, by motion, seconded, and unanimously voted that the Treasurer shall assess interest according to M.R.S.A. 36 § 892-A and § 186 amended 1996 at the rate of 7% compounded annually. A municipality will be considered DELINQUENT if the taxes are not received by the County by OCTOBER 31, 2016.

WHEREOF FAIL NOT, and make due returns to the said Treasurer of the names of person or persons to whom your list of assessments shall be committed.

IN WITNESS THEREOF WE, Sallie V. Chandler, Michael J. Cote, Richard R. Dutremble, Marston D. Lovell and Gary A. Sinden County Commissioners, have hereunto set our hands, this 6th day of July, 2016.

Sallie Chandler
Sallie V. Chandler

Michael J. Cote
Michael J. Cote

Gary A. Sinden
Gary A. Sinden

Richard R. Dutremble
Richard R. Dutremble

Marston D. Lovell
Marston D. Lovell

Gregory T. Zinser
ATTEST: Gregory T. Zinser
County Manager

TOWN COUNCIL
Agenda Information Sheet

Meeting Date: August 09, 2016	BoA #2
Agenda Item: 2016-17 Certificate of Assessment	
Department Head: Town manager / Tax Collector	
Town Manager's Recommendation: Set the 2016-17 tax Commitment at \$12,006.837	
Requested Action: Motion to sign the 2016/2017 Tax Commitment at \$12,006,837.29 & set the tax rate.	
Vote	

**South Berwick
Town Council Meeting
July 26, 2016**

Chairman John C. Kareckas called the meeting to order at 6:30pm. Councilors present included John James, Laura Leber, and Thomas Chase. Town Manager Perry A. Ellsworth was also in attendance. Russell H. Abell was not present.

Approval of Minutes

1. Council 07-12-16: On a motion by Mr. James, seconded by Mr. Chase, it was unanimously voted to adopt the minutes as written.

Treasurer's Warrant

1. On a motion by Mrs. Leber, seconded by Mr. James, it was unanimously voted to sign the warrant dated July 21, 2016 in the amount of \$1,131,398.59.

Mrs. Leber made note that this warrant is "a fairly alarming amount". However, it includes almost \$300,000 for paving (will come from road bond) and well over \$600,000 for the monthly school payment.

Public Comment

Shaye Cheslock, Academy St, expressed her concerns with the unsafe crossing at the end of Academy Street. The crosswalks are not well lit and the 25mph speed limit is too fast.

Town Manager's Report

- Speeding in town is an ongoing problem. The State won't set a limit of less than 25mph, except for school zones. Efforts have also been made to reroute walkers; don't cross near Dunkin' Donuts, cross in front of Town Hall, there is a crossing guard. The use of strobe lights was discussed. Mr. Kareckas also mentioned the feasibility of a (walking) under or over pass.
- The Route 236 project is wrapping up. Traffic on Academy Street should be slowed or decreased. There will be a three way stop at the new intersection. Enforcement is the issue.
- Had hoped to get all of the parking issues and ordinance changes done in a couple of meetings. Looks like it will take a couple of months. There are 517 public parking spaces within one block of the downtown.
- The winter parking ban is also being reviewed.
- Submissions for the Quamphagan newsletter are due so they can be included with the tax bills.
- The new hire for the Finance and Business Offices has started.
- The Council laptops should be ready on Thursday.
- Received consensus to hold a workshop on Tuesday, August 2nd at 6:30pm to discuss setting the tax rate and the police station.
- Will be able to attend the meeting on August 9th.
- Road projects continue.

New Business

1. On a motion by Mr. James, seconded by Mrs. Leber, it was unanimously voted to cast South Berwick's ballot for MMA Vice President in favor of Linda Cohen of South Portland and MMA Directors James Gardner, Jr. of Easton, Christine Landes of Bethel, and Mary Sabins of Vassalboro.

2. The Council reviewed the proposed changes to the Zoning Ordinance (sections 9, 24, 26, 32, 42, 44, 47.E, 56, 58, 60, 61. The changes are all relevant to sign lighting and landscaping.

Mr. Ellsworth cautioned the Council to give careful consideration to who and how an ordinance will be enforced prior to adopting.

It was agreed that some of the language was vague and needed clarification. Consensus was to place the issue on the next agenda for further discussion.

Councilor Comments

1. Mrs. Leber:

-Likes the look of the paving being done.

-Commented that she is very opposed to the legislation that would increase income taxes for anyone earning over \$200,000 for support of the schools. She added that it is unfair to half a small portion of tax payers pay for something that benefits everyone.

Executive Session

1. On a motion by Mr. James, seconded by Mr. Chase, it was unanimously voted to enter executive session at 7:44pm pursuant to 1MRSA, section 405.6D to discuss the police/dispatch contract.

The Manager reported the following to the Clerk:

On a motion by Mr. James, seconded by Mr. Chase, it was unanimously voted to end the executive session at 8:59pm.

Adjournment

On a motion by Mr. James, seconded by Mr. Chase, it was unanimously voted to adjourn the meeting at 9:00pm.

Attest:

Barbara Bennett, CCM

Draft

TOWN OF SO. BERWICK
CHECK REGISTER

Check Number	Account	Date Paid	Amount
00039021	030510 CENTRAL MAINE POWER	08/09/2016	-1,562.02
00039083	209999 TAX REFUNDS	08/09/2016	-2,597.02
00039206	241115 York's Wild Kingdom	08/09/2016	468.00
00039286	241115 York's Wild Kingdom	08/09/2016	-468.00
00039287	100900 KENNEBUNKPORT PTA	08/09/2016	91.00
00039288	230900 WHITE LAKE STATE PARK	08/09/2016	180.00
00039289	132500 SECRETARY OF STATE M/V	08/09/2016	14,109.16
00039290	090151 UNITED STATES TREASURY	08/09/2016	513.61
00039291	230700 TOWN OF WELLS	08/09/2016	50.00
00039292	240425 YORK AMBULANCE ASSN INC	08/09/2016	6,832.13
00039294	030510 CENTRAL MAINE POWER	08/09/2016	126.31
00039297	010209 ACES ANIMAL CARE	08/09/2016	132.20
00039298	160050 ALERE ESCREEN	08/09/2016	62.00
00039299	010585 AMAZON	08/09/2016	148.19
00039300	011100 LOUISE ANDERSON	08/09/2016	14.00
00039301	190528 JUDITH ANDREWS	08/09/2016	200.00
00039302	011422 KERA ASHLINE	08/09/2016	73.29
00039303	011800 AVESTA HOUSING	08/09/2016	374.00
00039304	020225 BAKER & TAYLOR	08/09/2016	1,002.59
00039305	022850 BUSINESS EQUIPMENT UNLIMITED	08/09/2016	221.92
00039306	021648 MARK BLANCHETTE	08/09/2016	700.00
00039307	021668 BLOW BROS	08/09/2016	55.00
00039308	022240 GARY BOUCHER	08/09/2016	23.20
00039309	022503 SHARON BRASSARD	08/09/2016	53.44
00039310	000006 LICENSE COMPLIANCE SERVICES	08/09/2016	110.00
00039311	030530 CENTRAL TIRE CO INC	08/09/2016	2,248.75
00039312	030510 CENTRAL MAINE POWER	08/09/2016	1,841.46
00039313	031425 COLONIAL LIFE & ACCIDENT INS.	08/09/2016	1,396.00
00039314	031485 COMMUNICATION TECHNOLOGIES INC	08/09/2016	120.00
00039315	031579 CONSTELLATION NEW ENERGY	08/09/2016	894.24
00039316	040487 DENS-A-CAN INTERNATIONAL	08/09/2016	10,793.50
00039317	041315 DUNKIN DONUTS	08/09/2016	16.19
00039318	050785 ELIMINATOR INC	08/09/2016	1,560.00
00039319	060100 HOWARD P FAIRFIELD INC	08/09/2016	2,169.69
00039320	141000 FAIRPOINT COMMUNICATIONS	08/09/2016	1,195.92
00039322	060240 FARWELL'S AUTO SERVICE	08/09/2016	979.44
00039323	060300 FAVORITE FOODS INC	08/09/2016	624.50
00039324	070210 GALLS LLC	08/09/2016	163.26
00039325	070600 GEORGE GORMAN	08/09/2016	123.68
00039326	071180 GROUP DYNAMIC INC	08/09/2016	154.00
00039327	071600 TIMOTHY W. SHAW	08/09/2016	206.37
00039328	191330 HANNAFORD'S	08/09/2016	346.32
00039330	080248 HANSCOM'S TRUCK STOP INC	08/09/2016	906.95
00039331	081305 HARRISON SHRADER ENTERPRISES	08/09/2016	134.56
00039332	080450 HARVARD PILGRIM HEALTH CARE	08/09/2016	34,357.50
00039333	080501 BRUCE HASTY'S PLUMB/HEATNG	08/09/2016	99.91
00039334	080998 HOME DEPOT	08/09/2016	888.58
00039335	081395 HUSSEY SEPTIC INC	08/09/2016	100.00
00039336	087200 IPROMOTEU	08/09/2016	281.95
00039337	090138 INVOICE CLOUD	08/09/2016	50.00
00039338	120970 LIBBY SCOTT INC.	08/09/2016	621.45
00039339	071170 M W GRENIER ENTERPRISES LLC	08/09/2016	20.00
00039340	130670 MAINE RESOURCE/RECOVERY	08/09/2016	460.00
00039341	132400 MAINE SAD #35	08/09/2016	635,442.11
00039342	133285 MARKET BASKET	08/09/2016	87.74
00039343	133428 MECHANICAL SERVICES INC	08/09/2016	835.00

PUBLIC RECORD

Check Number	-----Account-----	Date	Pay to	Amount
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00039344	132250	MAINE LOCAL GOV HUMAN RESOURCE	08/09/2016	25.00
00039345	134200	MAINE MUNICIPAL ASSO (INS)	08/09/2016	37,577.50
00039346	134300	MAINE MUNICIPAL EMPLOYEES	08/09/2016	4,575.41
00039347	134913	MOTOROLA	08/09/2016	3,149.77
00039348	140600	NEPTUNE INC	08/09/2016	52.00
00039349	150175	OFFICE OF INFORMATION TECH A/P	08/09/2016	120.00
00039350	200700	PIKE INDUSTRIES INC	08/09/2016	2,199.23
00039351	160320	PINE TREE WASTE INC	08/09/2016	1,492.79
00039352	190001	SAFETY KLEEN SYSTEMS INC.	08/09/2016	1,615.18
00039353	191335	SHOMETTE & ASSOCIATES	08/09/2016	245.00
00039354	191500	MAURICE ROBERGE	08/09/2016	265.00
00039355	191751	SMITH AND ASSOCIATES	08/09/2016	1,030.00
00039356	191916	SO BERWICK FIREFIGHTERS ASSOC	08/09/2016	92.34
00039357	192400	SO BERWICK PETTY CASH ACCOUNT	08/09/2016	28.59
00039358	192650	SO BERWICK SEWER DISTRICT	08/09/2016	895.60
00039359	193605	SOUTHWORTH-MILTON INC	08/09/2016	32.28
00039360	193640	STAPLES	08/09/2016	527.37
00039361	000004	CHAD TRUMAN	08/09/2016	235.00
00039362	201300	TWO-WAY COMMUNICATION SERV INC	08/09/2016	3,061.01
00039363	210532	MARGARET SMITH POLICY CENTER	08/09/2016	250.00
00039364	230300	WALMART COMMUNITY BRC	08/09/2016	152.33
00039365	230800	WEX BANK	08/09/2016	1,262.26
00039366	240425	YORK AMBULANCE ASSN INC	08/09/2016	6,832.17
00039367	241103	YORK HOSPITAL	08/09/2016	560.00
00093295	030510	CENTRAL MAINE POWER	08/09/2016	1,562.02

Total Not Prepaid	768,564.73
Total Prepaid	19,305.19
Grand Total	787,869.92

WARRANT NUMBER _____ \$ 787,869.92 DATE 08/04/2016

* * * TREASURER'S WARRANT * * *

THIS IS TO CERTIFY THAT THERE IS DUE AND CHARGEABLE TO THE APPROPRIATIONS LISTED ABOVE THE SUM SET AGAINST EACH NAME AND YOU ARE DIRECTED TO PAY UNTO THE PARTIES NAMED IN THIS SCHEDULE.

TOWN COUNCIL:

PUBLIC RECORD

TOWN COUNCIL

Agenda Information Sheet

Meeting Date: August 9,2016	UB #1
Subject: Ordinance Review	
Information:	
Landscaping & Sign Lighting review	
Staff Comments/Recommendation:	
Requested Action:	
Council wishes.	
Vote:	

Synopsis of Sign and Sign Lighting-Related Amendments Proposed for Chapter 140 Zoning

Draft – September 30, 2015

The sign and sign lighting-related amendments as proposed for Chapter 140 (Zoning) are intended to clarify the type of signs and sign lighting allowed and not allowed in South Berwick. The changes proposed include:

- Definitions for internally and externally illuminated signs, interior and window signs
- Clarification of various types of roof-mounted signs which are not allowed
- Addition of language describing animated-type signs and what is not allowed
- Addition of language encouraging energy-efficient illumination and setting standards for light intensity levels pertaining to illumination of signs
- Addition of language requiring sign lighting to prevent light trespass onto neighboring properties or travel ways.
- Addition of the BR zoning district to sign standards that currently pertain to the B1 and B2 zoning districts.
- Exemption of emergency and temporary construction-related signs from sign standards

Landscaping-Related Amendments Proposed for Chapter 140 Zoning
Draft – September 30, 2015 – red text is result of workshop (some new, some merely moved to a different location)

Chapter 140-24 Off-street parking and loading (non-residential)

J. Parking Landscaping standards for nonresidential uses.

- (1) Off-street parking and loading spaces for nonresidential uses, where not enclosed within a building, shall be effectively screened along exterior lot lines ~~adjoining all residential and institutional uses~~ by a continuous landscaped area not less than six feet in width containing evergreen or deciduous shrubs, trees, ornamental fences, walls or any combination thereof, forming a visual break not less than six feet in height along exterior lot lines except ~~to~~ for the lot line that abuts a public or private street which will provide access to the parking or loading area. ~~adjoining all residential properties-~~ provide Access, visibility and sight distance for vehicles and pedestrians entering and leaving shall be provided such that the landscaped area along this street-abutting lot line may be limited to a minimum of one tree for shade or ornament, at the Planning Board's discretion except as noted below. Native ~~and indigenous~~ trees and shrubs shall be planted whenever possible, at minimum, all species shall be non-invasive, and preferably drought and salt-tolerant.
- (2) ~~The interior parking area shall be generously planted with shade trees.~~ A minimum of 10% of any parking area consisting of ten or more parking spaces shall be landscaped with trees and landscaped islands. The Planning Board may require submission of such plan a landscaping plan ~~be~~ developed by a licensed landscape architect. If parking is to be placed in front of the building, the Board may require the placement of additional trees and landscaped islands (beyond the 10% minimum) for screening.
- (3) Where shade trees currently exist within a proposed parking area, these trees shall ~~shall~~ should be preserved and protected during construction to the maximum extent in accordance with the standards above. If existing trees do not survive, the Planning Board may require additional trees be planted to meet the 10% requirement or to meet the landscaping requirements previously established and approved for the site.
- (4) The Board may require the planting of street trees or the placement of a berm to more effectively buffer or screen the site.
- (5) If mulch is used on landscaped areas and islands, it shall be composed of natural materials in naturally occurring colors (no orange or red dyed mulches).

K. All other zoning districts uses.

The standards of §140-24A through J above shall apply to all off-street parking and loading for nonresidential uses in ~~other~~ all zoning districts except as specifically noted. ~~In addition, no off-street parking and loading shall be permitted within the front setback or any setback adjoining a public street.~~

N. Parking/loading within setbacks.

No off-street parking and loading shall be permitted within the front setback or any setback adjoining a public street.

140-25 Off-street parking (residential)

B. Multifamily dwellings shall meet the following standards:

- (1) The design, layout, size, area, construction, screening and landscaping standards of §140-24J shall be met.

Amendments Proposed Under Article V. Performance Standards Applicable to All Uses

140-32. ~~Buffer Areas~~ Landscaping for screening and buffering

A. General requirements

Landscaping used to meet screening or buffering requirements must be at least six feet in height and landscaped buffers must be a minimum of eight feet in width unless specified otherwise below. The landscaping shall consist of one or more of the following, as determined by the Planning Board:

1. fences, berms or walls
2. trees, shrubs, or hedges, evergreen and deciduous
3. naturally occurring woodland

B. Multifamily, planned residential development and mobile home parks

~~A continuous landscaped area not less than 25 feet in width containing shrubs, trees, fences, walls or any combination thereof which forms an effective visual barrier of not less than six feet in height shall be located on all exterior lot lines of the development, except that driveways and sidewalks shall be kept open to provide visibility for vehicles and pedestrians entering and leaving the development. Depending on site conditions and location of the development the Planning Board may modify this standard.~~

C. Industrial uses, including light industry

1. Except for clearing necessary to provide utilities and access to the site, no clearing shall be permitted within 50 feet of the dedicated right-of-way of the public road. In cases where ~~the~~ this buffer area has previously been substantially disturbed, a plan demonstrating it shall be re-vegetation with native trees, shrubs and grasses as determined by a licensed landscape architect shall be submitted to the Planning Board for approval.
2. Along all property lines abutting a residential zone ~~or use~~, setbacks shall be left in their existing vegetated state. ~~The buffering shall be sufficient~~ purpose of this buffer area is to minimize the visual impacts of any kind of potential use, such as loading and unloading operations, outdoor storage areas, vehicle parking, mineral extraction, waste collection and disposal areas. If the existing vegetation is not sufficient to provide such a buffer, as determined by the Planning Board, one or more of the landscaping options provided in A. above may be required within the setback area to provide the necessary buffer. The Planning Board may, where site constraints exist, allow landscaped buffers of lesser width. The buffer areas shall be maintained and dead, diseased or dying vegetation replaced as necessary within one growing season to ensure continuous year-round screening.
3. Where a potential safety hazard to children would exist, barriers or fences shall also be used to deter entry to such premises.

4. An additional buffer of 200 feet abutting Great Works Land Trust, State of Maine, and Town of Eliot-owned property shall be left in its existing vegetated state. If the existing vegetation is not sufficient to provide a buffer, as determined by the Planning Board, ~~a mix of fencing, vegetation and berms and screens~~ one or more of the landscaping options provided in A. above may be required within the 200-foot area. to provide the necessary buffer.

D. Commercial uses

1. ~~No All industrial or commercial buildings or uses shall be established in or abutting a residential district or use unless shall provide a landscaped buffer strip to visually screen the use(s) as described in A. except as noted below: strip is provided~~ Where no natural vegetation can be maintained or due to varying site conditions, the landscaping may consist of fences, walls, trees, plantings, hedges or combinations thereof at least six feet in height and for landscaped areas, six feet in width. Landscaping used to meet screening requirements must be at least six feet in height and for landscaped areas six landscaped buffers must be six feet in width.
 - a. Campgrounds, hotels and motels, shall provide a continuous landscaped area no less than 20 feet wide except where vehicles enter and exit.
 - b. Commercial recreation facilities shall provide adequate screening, buffer area or landscape provisions ~~shall be built, planted or maintained~~ to protect adjacent residences from adverse noise, light, dust, smoke, and visual impact as determined by the Planning Board.
2. The Planning Board may, where site constraints exist, allow landscaped buffers of lesser width. The buffering screening shall be sufficient to minimize the visual impacts of any kind of potential use, such as loading and unloading operations, outdoor storage areas, vehicle parking, waste collection and disposal areas as determined by the Planning Board. The buffer areas shall be maintained and dead, diseased or dying vegetation replaced as necessary within one growing season to ensure continuous year-round screening.
3. Where a potential safety hazard to small children would exist, ~~physical screening barriers or fences~~ shall also be used to deter entry to such premises.

E. Other uses

1. Outdoor activity areas and parking lots associated with public or private schools, colleges, churches, fraternal organization and not-for-profit clubs, when located within 200 feet of residences, must provide an adequately landscaped buffer as determined by the Planning Board. Applicants may be required to submit landscaping plans created by a licensed landscape architect.
-

Existing Landscaping-Related Language Under Article VA. Performance Standards for Specific Uses

Strike-outs indicate language has been moved to the proposed Article V. above.

140-42. Campgrounds

~~C. All campgrounds shall be screened from adjacent land areas by a continuous landscaped area not less than 24 feet in width containing evergreen shrubs, trees, fences, walls or any combination which forms an effective visual barrier of not less than six feet in height.~~

140-44. Light Industry

B. General requirements for nonresidential uses in or abutting the Industrial Zone.

[Amended 10-23-2006]

~~(1) Except for clearing necessary to provide utilities and access to the site, no clearing shall be permitted within 50 feet of the dedicated right of way of the public road. In cases where the buffer area has previously been substantially disturbed it shall be re-vegetated with native trees, shrubs and grasses as determined by a licensed landscape architect.~~

~~(2) Along all property lines abutting a residential zone, setbacks shall be left in their existing vegetated state. An additional buffer of 200 feet abutting Great Works Land Trust, State of Maine, and Town of Eliot shall be left in its existing vegetated state. If the existing vegetation is not sufficient to provide a buffer, as determined by the Planning Board, a mix of fencing, vegetation, berms and screens may be required within the setback area to provide the necessary buffer.~~

140-47.E Requirements for planned unit developments and multifamily developments.

In addition to requirements of §140-47C, the following requirements apply to all proposals reviewed as a planned unit (PUD) or multifamily development:

~~(6) A continuous landscaped area not less than 25 feet in width containing shrubs, trees, fences, walls or any combination thereof which forms an effective visual barrier of not less than six feet in height shall be located on all exterior lot lines of the development, except that driveways shall be kept open to provide visibility for vehicles entering and leaving the development. Depending on site conditions and location of the development the Planning Board may modify this standard.~~

140-56 Hotels and Motels

B. No part of any building on a motel lot shall be closer than 60 feet to the front lot line, rear lot line or either side line of such lot. ~~A green space, not less than 20 feet wide, shall be maintained open and green with grass, bushes, flowers or trees all along each side lot line, the rear lot line and the front line of such lot, except for entrance and exit driveways.~~ The green space shall not be used for automobile parking.

140-58. Restaurants and take-out restaurants

~~C. All parking and loading facilities shall be located to the side or rear of the building, and shall be screened from abutting residences within 200 feet. Screening shall be comprised of a continuous landscaped area not less than eight feet in width, containing evergreen shrubs, trees, fences, berms or any combination, forming a visual barrier not less than six feet in height.~~

140-60 Schools, colleges, churches, fraternal organizations and not-for-profit clubs

Public and private schools, colleges, churches, fraternal organizations and not-for-profit clubs shall meet the provisions below:

~~A. A green strip, suitably landscaped, at least 20 feet wide shall be provided along all property lines, except where driveways enter and exit.~~

B. No building shall be closer than 50 feet to a property line.

~~C. When adjacent to residences within 200 feet, parking areas and outdoor activity areas shall be effectively screened from view by a continuous vegetative barrier or stockade fence not less than six feet in height.~~

140-61. Recreation facilities

~~C. Adequate screening, buffer area or landscape provisions shall be built, planted or maintained to protect adjacent residences from adverse noise, light, dust, smoke, and visual impact.~~

140-63 Family day-care

C. If a safety hazard is perceived, the CEO may require a landscaped barrier or fence not less than 3 ½ feet in height.

140-65 Rural Overlay District standards

A. A fifty-foot vegetated buffer shall be retained along all lot lines with frontage on the public way, with the exception of driveways and clearings needed to meet safe sight distance requirements.

Sign Lighting-Related Amendments Proposed for Chapter 140 Zoning

Draft – September 29, 2015

Red underlined text indicates changes resulting from the workshop

Chapter 140-9 Definitions

SIGN, EXTERNALLY ILLUMINATED

A sign that is illuminated by a light source that is not contained within, or on the surface of the sign itself.

SIGN, INTERIOR

Any temporary or permanent sign located more than 3 feet from the window glass on any part of any building and which is not visible from the outside of the building.

SIGN, INTERNALLY ILLUMINATED

A sign that is illuminated by light from a source within the sign. Examples of internally illuminated signs include internally illuminated translucent signs, which may have opaque surfaces with translucent letters or translucent surfaces with opaque letters and channel letter signs. Other types of internally illuminated signs include signs using luminous gas-filled tubes (e.g., neon) or light-emitting diodes (LED).

SIGN, WINDOW

Any temporary or permanent sign affixed to the surface of the window glass on any part of any building or any sign which is within 3 feet of the window glass and which is visible from the outside of the building shall be considered a window sign even though it may not be affixed directly to the glass. Window displays of actual products or merchandise for sale or rent on the business premises shall not be considered interior signs.

Chapter 140-26 Signs

A. The following provisions shall apply to signs in all zoning districts:

- (1) No sign shall be erected adjacent to any public way in such a manner as to obstruct clear and free vision or where, by reason of its position, shape, color, illumination or wording, the sign may interfere with, obstruct the view of or be confused with any authorized sign, signal or device or otherwise constitute a hazard to pedestrian or vehicular traffic.
- (2) Flashing, moving Roof-mounted and animated signs are prohibited. Signs shall not project above the eave lines or parapet walls of buildings to which they are attached. Flat roofed buildings, with or without artifice to look like a gable roof from the front, are prohibited from using roof-mounted signs.
- (3) Any sign that uses movement or a change of lighting to depict action or create a special effect or scene is prohibited. A sign or portion thereof with characters, letters or illustrations that can be changed electronically without altering the face or surface of the sign and on which the message changes more than once per day is regulated as an animated sign and is therefore prohibited. A sign on which the only changes are electronic or mechanical indication of time or temperature is allowed if it complies with all other sign-related provisions.

- (4) No sign shall be located within 10 feet of a street line or other lot line except in the B1 District where no setback shall apply.
- (5) All signs shall relate to goods and services available on the premises on which the sign is located.
- (6) Light sources shall utilize energy efficient fixtures to the greatest extent practicable. Sign illumination shall be selected and positioned to achieve the desired brightness of the sign with the minimum possible wattage.
- (7) Sign illumination light levels shall be deemed acceptable if they do not exceed a factor of 3 above the ambient light intensity at any point on the ground when measured with an incident light meter and using the following procedure at least one hour after sunset:
 - a. The intensity of the sign illumination, in foot candles, is measured with all normal background and ambient illumination on;
 - b. With the sign turned off, the same measurement is repeated; c. The ratio of the measurement in (1) to that in (2) shall not exceed 3. It shall be the responsibility of the applicant to provide documentation that the proposed sign lighting meets the above requirement.
- (8) All illuminated signs must be hooded or shielded or otherwise designed so that the lighting is confined to the area of the sign in order to prevent direct light from spilling onto traveled ways or neighboring properties.

B. The following provisions apply to signs proposed in the residential zoning districts:

- (1) No sign or portion of a sign structure shall exceed eight feet in height, measured from the adjacent road surface.
- (2) Only one freestanding sign, no larger than six square feet in area on each side, shall be erected per building. Only one wall sign, not exceeding eight square feet in area and no higher than the peak of the roof, is permitted in addition to the freestanding sign.

C. For all commercial uses in the B1, ~~and~~ B2 and BR Districts, a sign or signs may be erected in accordance with the following:

- (1) Internally ~~illuminated~~ signs are prohibited. Signs shall be externally illuminated only with steady, stationary shielded light sources directed solely onto the sign without causing glare.
- (2) One freestanding sign up to 12 feet in height and 12 feet in area as measured on one display side, or one projecting sign projecting not more than five feet from the wall up to 10 square feet in size as measured on one display side, plus one of the following:
 - (a) One wall sign mounted flush on the wall up to eight square feet;
 - (b) One wall sign (when part of the architectural design of the building) consisting of individual letters or symbols not to exceed 15% of the wall area; or

- (c) One window sign consisting of individual letters or symbols not to exceed 30% of the total glass area of the building front.

D. In addition, signs in all districts are subject to the following provisions:

- (1) Where a wall sign is part of the architectural design of a building, the area of the sign shall be considered to be that of the smallest rectangle or other regular geometric shape which encompasses all of the letters or symbols.
- (2) All wall signs must be located below the cornice line or second story window sill, whichever is lower.
- (3) Where a number of signs are proposed as part of a unified complex, the maximum sign area permitted is 18 square feet for the sign bearing the name of the building or complex and two square feet for the name of each business located there. If a complex has over 300 feet of frontage, it will be allowed two freestanding signs.
- (4) The following signs are exempt from the above provisions: memorial tablets, public notices, public safety signs, emergency or temporary construction-related signs, on-premises real estate signs, flags and insignia except when displayed in connection with a commercial promotion, religious symbols or insignia, historical plaques, house numbers, political signs, temporary special event (30 days or less) banners, signs on vending machines or newspaper racks and interior signs.

[Amended 9-8-2008]

E. For retail or commercial uses in the Industrial Zone, one freestanding berm or monument sign up to 64 square feet is allowed for each street frontage.

F. The following shall apply to official business directional signs (OBDS):

[Added 11-26-2013]

- (1) An individual business or service, upon application, may be assigned OBD signs. An OBDS shall be designed and located as to not conflict with other signs and minimize impact on the scenic and historical environment through the following standards:
 - (a) Dimensions: Nine inches by 48 inches;
 - (b) Reflectorization: nonreflective only;
 - (c) Location: No new sign posts shall be placed within the designated areas of Town until all three designated spots on a post have been filled. If a sign is taken down due to business closure, a new business applying for an OBD sign shall locate on the existing open location before a new sign pole is erected.
- (2) No new OBD signs shall be located in the downtown area as defined on the accompanying map[1] and as follows:
 - (a) Main Street at Route 236 (Berwick Road), south to the intersection of Main Street/Route 236 (Harold L. Dow Highway) and Main Street (Route 4), as well as Portland Street (Route 4) at Main Street, east to the intersection of Agamenticus Road and Jewett Avenue.

- (b) No new signs shall be placed on any local streets at any location within the Town's limits.
- (c) No new signs for businesses located outside the Town of South Berwick shall be placed within the Town of South Berwick.
- (d) No more than two sign posts shall be located on the same approach to an intersection.
- (e) Sign locations shall be limited to State Routes 4, 91, 101 and 236.

[1]:

Editor's Note: The Official Business Directional Sign Map is included as an attachment to this chapter.

- (3) All OBD signs located within the area described above in Subsection F(2) shall be considered lawfully nonconforming at the effective date of adoption.
 - (a) No sign located in the area defined in Subsection F(2) shall be replaced or repaired in the future. If the Department of Transportation identifies the sign for repair or replacement, the sign cannot be replaced in this location but may be relocated to a post outside of the defined area.

TOWN COUNCIL
Agenda Information Sheet

Meeting Date: August 09, 2016	UB #2
Agenda Item: Police Station	
Department Head: Town Manager	
Town Manager's Recommendation:	
Requested Action: Narrow potential building sites to one site	
Vote	