

**BERWICK PLANNING BOARD**  
**MINUTES**  
**July 21, 2011**

Present: Kerry Ashburn, Paul Boisvert, Judy Burgess, Peter Perri, Tom Wright, Mary Gagnon (Alternate), Jim Webster (CEO) and Susie Scott (Planning Coordinator).

Tom Wright will be a voting member as Ron Morrell is absent.

**PUBLIC HEARINGS**

- **Michel Gharios-Gateway Gas / Amendment to Conditional Use – Vehicle Sales, 6 Saw Mill Hill (Map U-4, Lot 7)**

Michel Gharios, General Manager of Gateway Gas, explained this resubmittal of his 2007 request that was denied. He would like to display four (4) vehicles for sale onsite with relevant signage to be posted on the cars. He will stripe the parking spaces. Board and public members inquired to issues of signage, lighting, existing propane tank and ingress/egress issues. The Board agreed no site walk was needed as one occurred in 2007.

Jim Webster, CEO, confirmed the 50% threshold relative to mixed uses would not apply, and that the site met the lot coverage requirement of 80% or less.

MOTION by Judy Burgess, SECOND by Paul Boisvert to approve the amended Conditional Use Permit for Michel Gharios of Gateway Gas to include Vehicle Sales for property located at 6 Saw Mill Hill (U-4, 7) subject to Conditions of Approval, PASSED unanimously 5-0.

- **Vigue-Thompson Hill Sand & Gravel, LLC / Amendment to Conditional Use – Mineral Extraction/Gravel Pit, 55 Thompson Hill Road (Map R-31, Lot 12)**

Ron Vigue requested to amend his 2010 Conditions of Approval to provide greater flexibility by increasing 20 daily truck loads to 100 weekly truckloads, a start time of 7am instead of 8am (M-F), and allowance of crushing and blasting within certain guidelines and timeframe. Mr. Vigue stated his operation will still remain small scale, and would like to provide a better product for local contractors.

Public Comments:

- Bob Butch – Discussed proposed operation as a rock quarry, and inquired about requiring a pre-blast survey for residences located within a 2,000 foot radius of operation.
- Christine Butch – Discussed effects of noise and trucks on neighborhood, and the operation becoming larger than originally presented.

- Ed Minnick – Discussed potential well damage to neighboring properties, reclamation of the pit, repercussions of proposed blasting, and the need for an independent, certified/licensed expert to review the proposal.

Steve Clement, local contractor working with Mr. Vigue, discussed potential areas for blasting.

Mr. Vigue will coordinate with a representative of Maine Drilling and Blasting to provide the Planning Board further information including:

- Percentage of land to be blasted for reclamation purposes;
- Confirmation that land to be blasted will remain within the allowed 5-acres; and
- Affects and limitations to water table depth.

The Board will schedule a site walk once Mr. Vigue contacts the expert.

MOTION by Tom Wright, SECOND by Paul Boisvert to table the public hearing, and reconvene on August 4, 2011, PASSED unanimously 5-0.

- **Philip Malonson-Berwick Sober Home / Amendment to Conditional Use, 71 Sullivan Street (Map U-3, Lot 11)**

Philip Malonson requested assistance from the Planning Board as he recently received a letter of violation from the CEO due to unmet Conditions of Approval including #'s 9, 10 and 15. He noted the number of residents has always been much lower than the allowed 22, and would like to lower the subsequent staff ratio to match the lowered census. He noted difficulty in providing verification of residency as well as attendance by the residents for their weekly educational meetings. The Planning Board Chair requested Mr. Malonson coordinate with Mrs. Scott and provide the appropriate information for further Board review.

Jay Wheeler, Berwick Sewer District Administrator, stated that water usage for this facility was based on the number of beds and not actual metered readings.

The Planning Board requested Mrs. Scott contact the Town Attorney to confirm the method or ratio in which the original determination was used for 3 employees to 22 residents as drafted by the Town Attorney in the Findings of Fact.

- **Amanda Avery and Justin Avery / Conditional Use – Vehicle Sales, 276 School Street (Map R-49, Lot 7)**

Applicants, Justin and Amanda Avery, and property owner, Boe Green, were in attendance to discuss the new Conditional Use permit for Vehicle Sales of five (5) cars. The Board discussed safe ingress/egress to site, a turnaround for interested individuals, and confirmed the need for the

repair shop owned by Mr. Green to work directly with the Applicants in order to meet the state requirement for the sale of vehicles. The Board agreed no site walk was needed.

MOTION by Paul Boisvert, SECOND by Judy Burgess to approve the Conditional Use Permit for Amanda and Justin Avery for property located at 276 School Street (R-49, 7) subject to Conditions of Approval, PASSED unanimously 5-0.

### **APPROVAL OF MINUTES**

- Minutes – June 16, 2011: Approved.

### **PUBLIC COMMENTS**

- Vicky Ware: Discussed possibility of instituting a new Condition to Conditional Use approvals permits specific to a monitoring requirement for a given amount of time for the purpose of ensuring both the Planning Board and Applicant remain committed to the original terms of approval.
- David Stolpe: Discussed the sign regulations and the image of Berwick's gateway filled with an array of signs creating an uninviting appearance. Inquired as to Berwick's building code, and the need to address residential, unlicensed electrical work in conjunction with relevant inspections.
- Jay Wheeler: Discussed Sewer District forms for monthly reporting that could assist with reviewing Conditional Use permits as noted earlier by Ms. Ware.

Meeting adjourned at 9:25 pm.

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Kerry Ashburn, Chairman