



# PLANNING BOARD MEETING MINUTES

Thursday August 20, 2015

Town Hall Meeting Room

6:30 p.m.

## Call to Order

Vice Chair Paul Boisvert called the meeting to order

## Pledge of Allegiance

## Introduction of Board Members

### ***Regular Board Members Present:***

*Paul Boisvert; David Dow; Nichole Fecteau; Niles Schore*

### ***Regular Board Member(s) Absent:***

*David Andreesen*

### ***Alternate Members Present:***

*None*

### ***Staff Members Present:***

Joe Rousselle, Code Enforcement Officer; John Stoll, Town Planner

## Public Comment

## Approval of Minutes

- August 6, 2015

Ms. Fecteau noted that she was recognized as a voting member on the rest of the agenda items following her recusal for 24 Rochester Street.

**Motion:** Niles Schore made a motion to accept the minutes as amended

**Second:** Nichole Fecteau

**VOTED – 4-0 in favor**

**Motion Passed**

In favor: Paul Boisvert; David Dow; Nichole Fecteau; Niles Schore

Opposed: None

Abstain: None

### **Public Hearing**

- Proposed Change of Use Childcare to Residential – Clifton Locke
  - Tax Map U-5, Lot 34A; 19A Morse Street.
  -

Vice Chair Boisvert opened the public hearing at 6:33 p.m.

Clifton Locke explained that the childcare facility was closed last summer and would like to convert the building into a single family residential unit. Mr. Locke explained that the existing lot lines on the parcel would be changing in the future.

Vice Chair Boisvert closed the public hearing at 6:37 p.m.

- Proposed Conditional Use – Non Profit/Boxing Gym – Joseph Siudut
  - Tax Map U-4, Lot 86; 24 Rochester Street

Vice Chair Boisvert opened the public hearing at 6:37 p.m.

Joseph Siudut explained that Jass Boxing works with young people to help teach discipline through boxing. Jass Boxing helps young people find their way to college or the armed services after high school to help create good citizens.

Mr. Schore asked if the program was for both boys and girls and how many girls had been in the program over the years. Mr. Siudut said that it was for both and that around 100 girls had participated in the program. 2500 students have gone through the program and only around 35 have competed in boxing events. Jass Boxing attempts to hold two boxing events per year, and those usually range from 100-200 attendees.

Vice Chair Boisvert explained that Ms. Fecteau would be recused from this item because she is the real estate agent for the property.

Mr. Boisvert said that the applicant would need to acquire a special events permit from the Town for the boxing events at this location.

Mr. Siudut explained that during normal training hours there are usually 5-6 people working out in the gym. There could be as many as 20-30 but it is rare.

Eleanor Murphy, Berwick resident, explained that the building used to be a school, church, and cabinet shop. Ms. Murphy stated that she was concerned about parking at this location especially large events. The funeral home on Rochester Street takes up a lot of parking when funerals are held. Mr. Siudut said that nobody would be parking from his organization along Rochester Street. The bulk of the training will take place after 6:00 pm.

Clifton Locke stated that Mr. Siudut was a very good coach. Mr. Locke's son and daughter have participated in Jass Boxing for the last 10 years, and Mr. Locke's son is the current super heavy weight golden gloves champion under Mr. Siudut's coaching.

Ms. Murphy asked if a conditional use would transfer with the property to the next owner. Mr. Stoll stated that the applicant could offer to have the conditional use expire with Jass Boxing or Mr. Siudut. Mr. Siudut stated that he did not have a problem with allowing the conditional use to expire with his business.

Vice Chair Boisvert closed the public hearing at 7:04 p.m.

### **Old Business**

- Proposed Change of Use Childcare to Residential – Clifton Locke
  - Tax Map U-5, Lot 34A; 19A Morse Street.

Nichole Fecteau was reinstated as a voting member for this item.

John Stoll, Berwick Town Planner, read the findings of fact & conclusions of law into the record for this item. Mr. Stoll stated that there was an existing 16 foot right of way giving the property frontage.

**Motion:** Niles Schore made a motion that the Board approve the conditional use based on the findings, workshop, and public hearing based on the existing performance standards in the Berwick Land Use Ordinance.

**Second:** Nichole Fecteau

**VOTED – 4-0 in favor**

**Motion Passed**

In favor: Paul Boisvert; David Dow; Nichole Fecteau; Niles Schore

Opposed: None

Abstain: None

- Proposed Conditional Use – Non Profit/Boxing Gym – Joseph Siudut
  - Tax Map U-4, Lot 86; 24 Rochester Street

Nichole Fecteau recused herself as a voting member for this item.

Mr. Stoll read aloud the staff report and findings of fact into the record.

Mr. Schore stated that the average attendants at this location would be 10 and that there are 10 parking spaces available. A conclusion of law was added to the findings of fact stating that the parking standard was met.

Mr. Schore asked how big an event had to be in order to trigger the special event policy. Mr. Boisvert stated that he believed the event was triggered at 150 attendees. Mr. Stoll stated that it would be a good idea for the applicant to be held to the special events policy for any special boxing events so that parking could be accounted for on a case by case basis. Mr. Schore stated that this should be included in the conditions of approval for all boxing events other than regular training events.

**Motion:** Mr. Schore made a motion to approve the conditional use application submitted based upon the information provided by the applicant, workshops, and public hearing, and that the proposed use is consistent with the Berwick Land Use Ordinance performance standards.

**Second:** Mr. Dow

**VOTED – 3-0 in favor**

**Motion Passed**

In favor: Paul Boisvert; David Dow; Niles Schore

Opposed: None

Abstain: None

#### **New Business**

- Proposed Conditional Use Amendment – STK Storage
  - Tax Map R-54, Lot 15-8; 424 School Street

Mr. Stoll explained that the Planning Board granted a conditional use amendment to expand his use with an additional building. The applicant had returned to the Code Enforcement Officer for another permit and was denied based on not meeting the 75 foot front setback. The Berwick Board of Appeals granted a variance to place a 15' x 130' storage building 65' from the front setback on July 29<sup>th</sup>. The applicant is now returning with a variance to request permission to place the proposed building on his existing lot.

Mr. Schore stated that he believed the Board should hold a public hearing and notice abutters for the meeting on September 3, 2015.

Mr. Boisvert asked about 20% lot coverage and if the original storm water plan was still acceptable for this use.

#### **Other/Non-Agenda Items**

Mr. Schore requested that the new Town Manager attend the September 18<sup>th</sup> meeting in order to observe a Planning Board meeting.

#### **Public Comment**

#### **Adjournment**

**Motion:** Mr. Schore made a motion to adjourn

**Second:** Ms. Fecteau

**VOTED – 4-0 in favor**

**Motion Passed**

In favor: Paul Boisvert; David Dow; Nichole Fecteau; Niles Schore

Opposed: None

Abstain: None

The Board adjourned at approximately 7:45 p.m.

Minutes prepared by Town Planner John Stoll, for consideration at the Berwick Planning Board's September 3, 2015 meeting

Signed as Approved by the Board:

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Dave Andreesen, Chair

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Date