



PLANNING BOARD MEETING MINUTES

Thursday January 5, 2017
Town Hall Meeting Room
6:30 p.m.

Call to Order

Chair David Andreesen called the meeting to order.

Pledge of Allegiance

Introduction of Board Members

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

Regular Board Member(s) Absent:

Alternate Members Present:

Sean Winston, John England

Alternate Member Absent:

Staff Members Present:

John Stoll, Town Planner

Nominations/Elections

Motion: Niles Schore motions to re-nominate David Andreesen as Chair of Planning Board.

Second: Nichole Fecteau

VOTED – 4-0 in favor

Motion Passed

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

Opposed: None

Abstain: David Andreesen

Motion: David Andreesen motions to re-nominate Paul Boisvert as Vice- Chair.

Second: Niles Schore

VOTED – 4-0 in favor

Motion Passed

In favor: David Andreesen; David Dow; Nichole Fecteau; Niles Schore

Opposed: None

Abstain: Paul Boisvert

Motion: Paul Boisvert motions nominate Nichole Fecteau as Secretary.

Second: Niles Schore

VOTED – 4-0 in favor

Motion Passed

In favor: David Andreesen; Paul Boisvert David Dow; Niles Schore

Opposed: None

Abstain: Nichole Fecteau

Public Comment

Susan Morris of Jordan Street would like to speak during workshop session.

Approval of Minutes

- December 1, 2016

Motion: Niles Schore moves to approve minutes as presented.

Second: Nichole Fecteau

VOTED – 5-0 in favor

Motion Passed

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

Opposed: None

Abstain: None

Public Hearing

Old Business

New Business

- Workshop – Proposed Land Use Ordinance Amendments

Medical Marijuana

John Stoll says the only thing Berwick is allowed to regulate currently is a medical marijuana production facility. According to the Code Enforcement Officer it is considered agriculture. The document discussed will be an ordinance in the Land Use Ordinance.

Niles Schore suggests there is a need to define qualifying patient.

Susan Morris shares her experience that in York growers rented multiple rooms in warehouses and were growing 200 plants. The smell was unpleasant, traffic unbelievable. She would like to see growing facilities regulated in restrictive zones.

Mr. Stoll says that the Board of Selectmen are likely to go for the moratorium on retail recreational marijuana.

Ms. Morris says that once a building has 36 plants growing, it then becomes a business. She reiterates that traffic is an issue.

Mr. Schore asks the board if there is difference between growing wheat or growing marijuana and if they could be regulated differently.

Susan Morris asks when a caregiver becomes as production facility. Niles suggests defining production facility as 31 or more mature plants.

Ms. Fecteau states that a medical marijuana dispensary is no different than a pharmacy.

Niles has questions:

1. In the definition of medical marijuana can two caregivers share a location for growing purposes?
2. If you have a patient and caregiver who live in the same location, can both grow there?
3. If you can, does that mean you could have a patient, and caregiver for 5 other people all in the same location?
4. What is the difference between a separate growing facility or growing marijuana in their own home? Why would there be a difference between personal home growing and a marijuana production facility?
5. What can Berwick do to regulate in a home?

Berwick can give permits, not licenses.

Niles clarifies what the board is trying to regulate is traffic and odor.

Replacing a Structure

There is nothing in the non-conforming section of the Land Use Ordinance that allows replacement/improvement of a building when non-conformance is not increased.

Article 10.5

Showing of “good cause” is the reason Berwick is going to court. Finding out what a good cause is the issue. Mr. Stoll says that in the Planning manuals good cause is not included because of the confusion.

Industrial

Medium & Light there is not much of a difference. Either re-define or leave out medium. Mr. Schore says it makes most sense to simply take out Medium.

Minor Site Plan

Mr. Stoll would like to do minor site plan internal and then come to Planning Board with a recommendation.

Hotel, Inn, Bed & Breakfast

Niles suggest removing Inn. The board agrees that Bed & Breakfast must have an owner who lives at property and less than 10 bedrooms.

Mr. Stoll requests that the board look over what they do not want in the downtown, and to be clear about it.

SC/I

Discussion was held about density in the SC/I and being tied to sewer.

Information Items

Public Comment

Adjournment

Motion: John England makes the motion to adjourn.

Second: Sean Winston

VOTED – 5-0 in favor

Motion Passed

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

Opposed: None

Abstain: None

Minutes prepared by Planning Tech James Bellissimo, for consideration at the Berwick Planning Board’s January 19, 2017 meeting.

Signed as Approved by the Board:
