



# PLANNING BOARD MEETING MINUTES

Thursday February 2, 2017

Town Hall Meeting Room

6:30 p.m.

## Call 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; Joseph Rousselle CEO*

## Public Comment

## Approval of Minutes

- January 19, 2017

Mr. Boisvert suggests adding “medical marijuana” to provide context for Amanda Meader’s comments. Also Mr. Boisvert request to clarify that Function halls has been changed to C/I in the Land Use Table.

**Motion:** Nichole Fecteau made a motion to approve the minutes as amended.

**Second:** Paul Boisvert

**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**

- Proposed Land Use Ordinance Amendments
  - Medical Marijuana Regulations

Mr. Stoll summarizes the Medical Marijuana ordinance. Production facilities will be zoned to the RC/I and dispensaries in the C/I districts. In the ordinance marijuana cooperatives will be considered production facilities.

Mr. Schore suggests clarifying the ordinance to make it more clear that growing of medical marijuana must be inside.

In 8.25.1 – Purpose, Mr. Schore suggests adding the following language: “While still allowing for the treatment or alleviation of a qualifying patient’s debilitating medical condition or symptoms of a qualifying patient’s debilitating condition.”

Ralph Morang of Jordan Street asks the board to clarify Medical Marijuana cooperative.

Susan Morse thanks the Planning Board and Mr. Stoll for going through all the work. Her question is about caregivers, as there are no regulations for caregivers. Her concern is about the smell of thirty plants. Joe Rousselle says the course of action would be to take the caregiver to court if there was a nuisance from smell.

## **Old Business**

- Workshop Land Use Ordinance Amendments – Propose that we move this to Other  
*Was indeed moved to after New Business.*

## **New Business**

- Conditional Use Application – 136 Cemetery Road (R37, 13A9-1)
  - Storage and/or Maintenance Facility - Great Escapes Patio & Stonework

The zone of the application is in R2 transitional residential. The hours of operation of the business would be 5:30 am to 6:30 pm. John Prince of Great Escapes Patio & Stonework says that the employees would meet at the location in the morning and then meet back in the afternoon.

Nichole Fecteau says she has experience with the property and states this business would be the perfect use for the building and location.

The board will not schedule a formal site visit, but will each drive by to visit and will come back to the next meeting with comments if there are concerns.

**Motion:** Nichole Fecteau moves to accept the application as complete.

**Second:** Niles Schore

**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 scheduled for February the 16<sup>th</sup>.

### **Information Items**

#### **Other**

- Workshop Land Use Ordinance Amendments

Mr. Stoll presents to the board the definition of a drive-through. Ms. Fecteau states to the board that she would not like to see drive through in the Village Center. Mr. Schore suggest adding services to the definition of drive though.

Mr. Stoll says that Pharmacy is categorized as a Drug Store, in the definition it does state this does not include the sale of recreational or medical marijuana.

In a proposed change, Light Intensity has been changed Low Impact. The board suggests making changes to the raw materials in the definition. Mr. Stoll proposes removing the raw materials part and just controlling Low Impact through the design standards. Mr. Schore suggests adding manufacturing and fabrication to the definition.

Mr. Stoll presents a new section on non-conformance. A non-confirming structure on a non-conforming lot can be replaced as long as the non-conformance is not increased.

8.23 changes now just have Hotels & Motels.

On the Land Use Table, numbers changed to asterisks, where instead of the numbers leading to a comment on the Land Use Table section, it is now a Performance Standard.

#### **Public Comment**

*No Public Comment.*

**Adjournment**

**Motion:** John England

**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 February 16, 2017 meeting.

Signed as Approved by the Board:

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