



PLANNING BOARD MEETING MINUTES

Thursday June 21, 2018
Town Hall Meeting Room
6:30 p.m.

Call to Order

Pledge of Allegiance

Introduction of Board Members

Paul Boisvert (acting Chair); David Dow; Niles Schore; Nichole Fecteau

Regular Members Absent:

David Andreesen

Alternate Members Present:

Sean Winston; Michael LaRue (voting member)

Staff Members Present:

Lee Jay Feldman, Town Planner; James Bellissimo; Planning Tech

Approval of Minutes

1. June 7, 2018

On two occasions, Paul Boisvert's vote was listed as abstain, it should be listed as opposed.

Motion: Nichole Fecteau motioned to accept the minutes as amended.

Second: Michael LaRue

VOTED – 5-0 in favor

Motion Passed

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

Opposed: None

Abstain: None

Public Comment

James Bellissimo said he invited Dave Springer to speak during Public Comment. He is the owner of 398 School Street where buildings were approved under an Agriculture use and a new garage was permitted in February of 2018, this garage is the source of some disagreement between Mr. Springer and the Town of Berwick, and it has been an on-going challenge.

Tammy Snow, Dave Springer's attorney introduced herself. Ms. Snow brought a timeline of events to the Planning Board. Ms. Snow summarized the timeline of events.

Paul Boisvert asked how the buildings did not have to come to Planning Board. The buildings were permitted as an Agriculture use, which is allowed in the district.

Lee Jay Feldman said the building that was permitted in 2018 as a garage is fine but could not have been permitted as a Medical Marijuana Production Facility. Mr. Feldman said the Code Enforcement Officer needs to deny the permit and then Mr. Springer will go to the Board of Appeals as an Administrative Appeal.

Les Bodwell said he noticed his neighbor on one of his properties has pigs, he asked if pigs were allowed in the R1 zone. Nichole Fecteau added the pigs are within 100 feet of a delineated wetland. Les Bodwell asked about an odor control in the Land Use Ordinance.

Public Hearing

2. Major Subdivision. Preliminary Plan. 115 Old Pine Hill Road (U7-47). LRB Leasing.

Chris Mende of Civil Consultants introduced and summarized the project to the abutters in attendance.

Tinuviel Sampson of Old Pine Hill Road said the added cars is a lot of added traffic on Old Pine Hill Road. Ms. Sampson asked if there were any considerations to slow down traffic.

Keith Ferland of Old Pine Hill Road said he is a direct abutter of the property. Mr. Ferland said he had to call the police to have people removed from his property when renters moved into Windgate. Mr. Ferland said he would like a lot more than trees.

Maryann Ott of Windgate Lane asked about the dimensions of the buildings.

Mr. Bodwell invited the neighboring abutters to visit his existing properties. Mr. Bodwell said his buildings are market rate and he vets his tenants, and so far, no tenants have had issues with property owners. There was an extended discussion about screening.

Pat Leavitt asked if there was a traffic study completed. Mr. Mende said there is a standard traffic evaluation completed based on tables.

Old Business

2. Major Subdivision. Preliminary Plan. 115 Old Pine Hill Road (U7-47). LRB Leasing.

Nichole Fecteau & Sean Winston recused themselves.

Chris Mende said they are still working with the sewer to finalize their plan.

Les Bodwell said he would be open to a combination of trees and possible a berm for screening and to clearly identify the lot lines.

Niles Schore requested the calculations from the traffic study on the plan. There was an extended discussion on traffic on Old Pine Hill Road and speeding.

Motion: Niles Schore motioned to grant preliminary approval with the understanding that the Planning Board will see additional screening and traffic calculations and they will be submitted to the police department for their review.

Second: Michael LaRue

VOTED – 4-0 in favor

Motion Passed

In favor: Paul Boisvert; Niles Schore, David Dow; Michael LaRue

Opposed: None

Abstain: None

3. Minor Subdivision at Cranberry Meadow & Old Sanford Road (R42 3)
Applicant: Clement. **Approval of Findings of Fact.**

Motion: Nichole Fecteau motioned to approve the Findings of Fact.

Second: Niles Schore

VOTED – 5-0 in favor

Motion Passed

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

Opposed: None

Abstain: None

Land Use Ordinance Amendments

4. Design Standards in the Village Overlay District.

Lee Jay started a Design Guidelines document which is about twenty pages.

5. Marijuana

The proposed ordinance change was shared with the board. The ordinance will combine recreation and medical as one use. Niles Schore requested the size in square foot of the tiers. Lee Jay Feldman said marijuana rules will not be in place until June or July or even longer.

Paul Boisvert said a ball was dropped where the large buildings were allowed to be built without a Conditional Use. Mr. Feldman said he has put in provisions for building size for Conditional Use in other communities.

James Bellissimo said the four marijuana licenses should be split out as different uses. Paul Boisvert said he would like to have a public forum on the topic. Sean Winston said he would not want to see growing in the downtown. Niles Schore said given the efforts, it would be a disappointment to see cultivating as the first use in Downtown Berwick.

Adjournment

Motion: Michael LaRue motioned to adjourn

Second: Sean Winston

VOTED – 5-0 in favor

Motion Passed

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

Opposed: None

Abstain: None

Minutes prepared by Town Planning Technician James Bellissimo, for consideration at the Berwick Planning Board's July 19, 2018 meeting.

Signed as Approved by the Board:
