



PLANNING BOARD MEETING MINUTES

Thursday January 17, 2019

Town Hall Meeting Room

6:30 p.m.

Call to Order

Pledge of Allegiance

Introduction of Board Members

David Andreesen; Paul Boisvert; Niles Schore; Sean Winston

Regular Member Absent:

Nichole Fecteau

Alternate Members Present:

Michael LaRue

Staff Members Present:

Lee Jay Feldman, Town Planner; Dan Vincent, Code Enforcement Officer; James Bellissimo, Planning Tech

Public Comment

Approval of Minutes

1. December 20, 2018

Motion: Paul Boisvert motioned to accept the minutes as presented.

Second: Niles Schore

VOTED – 5-0 in favor

Motion Passed

In favor: Dave Andreesen; Paul Boisvert; Niles Schore; Sean Winston; Michael LaRue

Opposed: None

Abstain: None

Public Hearing

2. Conditional Use Application, Mineral Industry. 6 Industry Drive (R72 12-5), Aquifer Protection Zone. Northeast Redi Mix.

Ms. Harris, an abutter to 6 Industry Drive on Stone Lane, stated she has heard pounding for the past two months. Mr. Harris said the building has been up for three of four weeks.

Old Business

2. Conditional Use Application, Mineral Industry. 6 Industry Drive (R72 12-5), Aquifer Protection Zone. Northeast Redi Mix.

Lee Jay Feldman said during the Planning Board site walk, there were buildings already moved to the site, putting the site and project in violation. A stop work order was given to the applicant. Mr. Feldman explained that the Berwick Land Use Ordinance clearly states the Board can deny the application due to violations, or decide to table the project until actions are taken by Northeast Redi Mix.

Mr. Feldman suggested to table the application with the following conditions:

1. Work shall cease on the lot.
2. All SMPDC fees and attorney fees incurred must be paid before approval.
3. Surety must be put in place for cost of improvements.

If/when the application is approved the Planning Board, the following conditions will also apply:

- The roadway and cul-de-sac must be built/completed.
- All building permits and CO permits must be issued.
- A third-party engineer paid for by the applicant to inspect construction daily.
- The Town shall be provided an as-built plan for records.

Lee Jay Feldman explained that the stormwater ponds were not constructed and this is a violation of Subdivision plan but more so a DEP permitting issue that they are aware of and are currently investigating.

Paul Boisvert and Dave Andreesen invited Lew Chamberlain to re-introduce and explain the project.

Sean Winston asked who is responsible to address the rest of the subdivision.

Bradley Morin, Northeast Redi Mix's attorney, said that Northeast Redi Mix would fold if the road is required to be constructed before any business could be conducted on site.

Motion: Paul Boisvert motioned to table the application until February 21st.

Second: Niles Schore

VOTED – 5-0 in favor

Motion Passed

In favor: Dave Andreesen; Paul Boisvert; Niles Schore; Sean Winston; Michael LaRue

Opposed: None

Abstain: None

The Public Hearing was left open to continue on February 21st.

New Business

~~3. Medical Marijuana Production Facility. 398 School Street (R54-19-1).
R3 Zone on Route 9. Dave Springer.~~

4. Minor Subdivision. 365 Hubbard Road (R11-4). AP Zone. England.

Lee Jay Feldman summarized the subdivision. Dustin Morrill, the representative of the Englands, explained that if the lot was split again it would come before Planning Board.

5. Land Use Ordinance Amendments Public Hearing - February 21, 2019

James Bellissimo summarized a list of proposed Land Use Ordinance changes.

Paul Boisvert asked why the Town has so many restrictions on SC/I. Mr. Bellissimo explained that the minimum lot size in SC/I is 60,000 square feet. Mr. Feldman said a General Development Zone he's been working with Ogonquit to reduce setbacks from the Shoreland.

Mr. Bellissimo brought up several issues within the Land Use Ordinance to think about as future points of discussion.

The Planning Board and Code Enforcement Officer discussed regulating aesthetics within Berwick.

There was an extended discussion on amendments regarding Medical Marijuana and Adult Use Marijuana.

Information Items

Public Comment

Adjournment

Motion: Michael LaRue

Second: Sean Winston

VOTED – 5-0 in favor

Motion Passed

In favor: Dave Andreesen; Paul Boisvert; Niles Schore; Sean Winston; Michael LaRue

Opposed: None

Abstain: None

Minutes prepared by Town Planning Technician James Bellissimo, for consideration at the next Berwick Planning Board meeting.

Signed as Approved by the Board:
