



PLANNING BOARD MEETING MINUTES

Thursday May 16, 2019
Town Hall Meeting Room
6:30 p.m.

Call to Order

Pledge of Allegiance

Introduction of Board Members

David Andreesen; Niles Schore; Paul Boisvert; Sean Winston

Regular Member Absent:

Nichole Fecteau

Alternate Members Present:

Noah Cobb; Michael LaRue (voting member)

Alternate Members Absent:

Staff Members Present:

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

Public Comment

Luisa Sheldon of 65 Sullivan Street spoke about the parking lot at 71 Sullivan Street. Ms. Sheldon requested that the Planning Board not act on the project until she has time to speak with her attorney. Ms. Sheldon requested that when the project moves forward, she is given advanced notice.

Dan Vincent, Building Inspector, said he and the Town Manager have discussed the lot. Dave Andreesen said the Town should stop using the lot. Sean Winston said there is no reason for it not to be closed off because baseball survived without it. Mr. Andreesen asked if this was any other project, a cease and desist order would be given. Mr. Vincent said several letters would be sent and it could take up to 90 days before an order is given.

Niles Schore asked why a sign hadn't been put up yet. James Bellissimo said a sign is in the works and should be up by the next day.

Approval of Minutes

1. May 2, 2019

Paul Boisvert requested to add a note on the site visit.

Motion: Niles Schore

Second: Paul Boisvert

VOTED – 4-0 in favor

Motion Passed

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

Opposed: None

Abstain: Michael LaRue

Public Hearing

2. Major Subdivision. Old Sanford Road (R41-16) AP Zone. Curtis

No comments were made.

3. Conditional Use Application. Medical Marijuana Storefront. 357 Portland Street (R70 12-1) RC/I Zone. Paper Birch Property LLC.

Dwayne Rice, abutter to the 357 Portland Street with a shared driveway. Mr. Rice said there was a verbal agreement to not have medical marijuana sales on that property. Mr. Rice has an agreement to maintain 50% of the roadway. Mr. Rice said he was concerned about the added car count to the road.

Old Business

2. Major Subdivision. Old Sanford Road (R41-16) AP Zone. Curtis

Dustin Morrill said the plan was updated to say Major Subdivision. Paul Boisvert asked for a shared road maintenance agreement. Mr. Boisvert asked for he Findings of Fact non-applicable sections to be changed. Mr. Boisvert asked about a letter from the Department of Inland Fisheries and Wildlife. Mr. Feldman stated a letter would come when there is a larger scale project which required DEP permitting.

Motion: Dave Andreesen motioned to approve the Conditions of Approval.

Second: Paul Boisvert

VOTED – 5-0 in favor

Motion Passed

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

Opposed: None

Abstain: None

Motion: Sean Winston motioned to approve the subdivision plan.

Second: Michael LaRue

VOTED – 5-0 in favor

Motion Passed

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

Opposed: None

Abstain: None

3. Conditional Use Application. Medical Marijuana Storefront. 357 Portland Street (R70 12-1) RC/I Zone. Paper Birch Property LLC.

Geoff Aleva of Civil Consultants said there are no restrictions in the Purchase and Sales agreement with Mr. Rice. Niles Schore requested that the applicant speak with his attorney to ask if there was a verbal agreement made between the seller and the attorney.

Paul Venuti said he does not mind fully maintaining the shared portion of the road. Mr. Aleva said the Maine DOT is aware there are other lots to be developed on the shared driveway.

Motion: Paul Boisvert motioned to approve the Findings of Fact.

Second: Sean Winston

VOTED – 5-0 in favor

Motion Passed

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

Opposed: None

Abstain: None

Motion: Sean Winston motioned to approve the Conditions of Approval.

Second: Paul Boisvert

VOTED – 5-0 in favor

Motion Passed

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

Opposed: None

Abstain: None

Motion: Michael LaRue motioned to approve the application.

Second: Sean Winston

VOTED – 5-0 in favor

Motion Passed

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

Opposed: None

Abstain: None

4. Conditional Use Application. Medical Marijuana Production Facility. 398 School Street, R3 Zone with frontage on Route 9. David Springer.

Dustin Morrill was in attendance to represent Mr. Springer. Mr. Morrill said Mr. Springer is going to purchase land that a structure on his property is infringing upon.

David Springer initially requested to put a fence for screening behind Building #5 on 398 School Street. Mr. Springer was advised not to put a fence off his property line.

Motion: Niles Schore motioned to table the application.

Second: Paul Boisvert

Mr. Morrill said Dan Vincent has seen filters and the added shades to light fixtures. Mr. Vincent showed the board lighting violations at 398 School Street.

VOTED – 5-0 in favor

Motion Passed

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

Opposed: None

Abstain: None

New Business

5. Expansion of Conditional Use Application. Warehouse. 4 Coffin Lane (R72 9B). RC/I Zone. Dionne.

Lee Jay Feldman read his memo to the Board. The building is being expanded by 1,200 square feet.

Motion: Niles Schore motioned to find the application complete.

Second: Paul Boisvert

VOTED – 5-0 in favor

Motion Passed

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

Opposed: None

Abstain: None

Motion: Niles Schore motioned to approve the application.

Second: Sean Winston

VOTED – 5-0 in favor

Motion Passed

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

Opposed: None

Abstain: None

Information Items

Mark Kehaya, owner of the Prime redevelopment site, was in Berwick and met with development partners.

Public Comment

Adjournment

Motion: Noah Cobb motioned to adjourn.

Second: Michael LaRue

VOTED – 5-0 in favor

Motion Passed

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

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:
