



PLANNING BOARD MEETING MINUTES

Thursday May 2, 2019
Town Hall Meeting Room
6:30 p.m.

Call to Order

Pledge of Allegiance

Introduction of Board Members

David Andreesen; Niles Schore; Nichole Fecteau; Paul Boisvert

Regular Member Absent:

Sean Winston

Alternate Members Present:

Noah Cobb

Alternate Members Absent:

Michael LaRue

Staff Members Present:

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

Public Comment

Approval of Minutes

1. April 18, 2019

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

Second: Nichole Fecteau

VOTED – 5-0 in favor

Motion Passed

In favor: Dave Andreesen; Paul Boisvert; Noah Cobb; Nichole Fecteau; Niles Schore

Opposed: None

Abstain: None

Public Hearing

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

Lorraine Hughes of 404 School Street said her complaint is the lights shining into her house and the smell of marijuana. Ms. Hughes said she has to shut the windows at her house.

3. Conditional Use Application. Parking Facility. 71 Sullivan Street (U3-11) CI Zone. Town of Berwick.

Luisa Sheldon of 65 Sullivan Street distributed a packet to the Planning Board. Ms. Sheldon said the Town has costed her thousands of dollars in property damage and legal fees over thirty years. Ms. Sheldon said the Town of Berwick is not exempt from Land Use Ordinance requirements. Ms. Sheldon requested setbacks from the cars and drainage improvements. Ms. Sheldon said the grading would probably be over 5,000 square feet of expansion, which would require Site Plan Approvals.

Ms. Sheldon said the original approval for the Boarding Home at 71 Sullivan Street was for 22 vehicles. Ms. Sheldon asked the Board to not accept the application because it was not submitted properly. Ms. Sheldon would like for all stakeholders to negotiate to find an agreement that works for all parties.

John Goodwin explained he supports the activities at Memorial Field. Mr. Goodwin said he regrets not being able to see the baseball games at Memorial Field. Mr. Goodwin said he deals with issues of food and rubbish being thrown over the fence. Mr. Goodwin said the changes have impacted him and his family financially and emotionally.

Chorng Moeng of 68 Sullivan Street submitted a letter read by Mr. Goodwin. Mr. Moeng expressed his concern of traffic speed endangering children at Memorial Field and the parking area.

Old Business

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

A site visit was conducted at 5:30PM at 398 School Street.

Lee Jay Feldman explained the Stormwater report submitted on Mr. Springer's behalf is sufficient and there is sufficient drainage on the site.

Nichole Fecteau said the site walk was good. There were three abutters at the site walk who explained their complaints and observations. Ms. Fecteau said they noticed a building which is not on the plan. Ms. Fecteau said there was an odor outside of building 2 and 3.

Ms. Fecteau pointed out behind building 5 there was a lack of buffer. Niles Schore said Mr. Springer would work with the Town on the buffer. Mr. Schore said there is some work needed on the lighting.

Mr. Springer said shades were put on one of the lights, and more shades for the other lights have been ordered. There is one flood light that appears to be pointed through the woods that could be an issue that will be redirected. Mr. Springer agreed that the Code Enforcement Officer will inspect each building for proper filtration before a Certificate of Occupancy is granted for building 5.

The Board and Lee Jay Feldman revised the Conditions of Approval.

3. Conditional Use Application. Parking Facility. 71 Sullivan Street (U3-11) CI Zone. Town of Berwick.

Dave Andreesen recommended ceasing use of the property until the application is approved.

Lee Jay Feldman asked if parking was ever ceased for one year. Mr. Feldman said any parking that was utilized before the demolition of the building could be continued, any more would be an expansion of the use.

Tom Wright said he was advised by previous Planners and Code Enforcement Officers the use could continue. Mr. Wright did say in the past there would be a change of use. Mr. Wright said the Town is behind the 8-ball on this issue. Mr. Wright agreed use should be stopped until approval from the Planning Board. Mr. Wright said the final plan on the parking lot will meet all requirements of the Berwick Land Use Ordinance.

Dave Andreesen suggested slowing the traffic down to 15-miles per hour similar to school crossing signals. Nichole Fecteau requested the parcel be surveyed.

Niles Schore said he heard the Chairman of the Select Board say parking lot use will cease altogether. Mr. Wright said it is not his decision to make alone. Stephen Eldridge, Town Manager, explained if the 71 Sullivan Street lot is closed off, that would re-open the issues on Sweetser Street. Mr. Eldridge said granite was moved to improve the traffic parking layout.

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

Lee Jay Feldman said the changes that the Board asked for were updated on the plan. A site visit was not scheduled.

Public Hearing was scheduled for May 16th.

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

Lee Jay Feldman explained the Berwick Police Chief submitted a letter supporting the applicant's request for a landscaping waiver. Geoff Aleva of Civil Consultants explained revisions from the last meeting.

Motion: Nichole Fecteau motioned to find the application complete.

Second: Paul Boisvert

VOTED – 5-0 in favor

Motion Passed

In favor: Dave Andreesen; Paul Boisvert; Noah Cobb; Nichole Fecteau; Niles Schore

Opposed: None

Abstain: None

Public Hearing scheduled for May 16th.

New Business

6. Conditional Use Application. Public Facility (Fire Department). 20 Wilson Street (U4-142-1). Town of Berwick.

Tom Wright summarized the history of the project and explained how the Town arrived at the place it is in today. Mr. Wright explained the Fire Station was built in 1967 and because of mold issues and a lack of size, it was time for the Station to be moved. The Town voted nearly 2-1 to have the Fire Station at the Estabrook location.

Mr. Wright explained elderly housing seems impossible to have along with the Station based on the topography. Mr. Wright said the Police Chief, Fire Chief, architects and engineers believe elderly houses should not be at the site. Mr. Wright explained a solar array could be placed behind the Fire Station to offset the Town's electricity costs.

Lee Jay Feldman summarized his memo.

Andy Hyland from Port City architecture introduced himself, the development team and presented the project to the Board. Mr. Hyland showed the Board existing conditions and proposed using Sketch Up. Mr. Hyland explained the emergency exit to Sullivan is close to wetlands. The Police Station will receive upgrades as well which will turn the area into a Safety Complex.

Todd Gammon, engineer, introduced himself. Mr. Gammon showed the surrounding parcels, topography and more details on existing and proposed conditions. There is a potential for four permits with the DEP on this project. Mr. Gammon explained they are attempting to reduce the impervious surface as much as possible. Mr. Gammon explained infrastructure plans and needs.

Nichole Fecteau asked about Open Space and the walking trail easement. Mr. Wright explained the plan is to not use the Open Space. Mr. Hyland explained the walking trail easement was once part of land the Town did not own, currently the town owns the land. Paul Boisvert asked about walkability from Sullivan to the Estabrook site. Mr. Hyland did not suggest putting a sidewalk on the emergency access because fire trucks will be responding to emergencies and it would not be ideal for walking. Mr. Hyland and Mr. Wright confirmed some of the Open Space left could be used for the trail in future plans separate from the Fire Station plans.

The Board asked about the Estabrook building. Mr. Hyland explained because of the wetlands, the building needed to be placed where it is shown. Because of where the building is situated, the Estabrook School needs to come down for the grading of the site and apparatus turning. Mr. Hyland said it isn't feasible to keep the building and fit the Fire Station.

Paul Boisvert and Nichole Fecteau explained their concern for the walking trail which is in the Town's Comprehensive Plan.

Mr. Hyland said the important safety feature is to separate the Safety Complex from public use.

Information Items

Public Comment

Adjournment

Motion: Noah Cobb motioned to adjourn.

Second: Nichole Fecteau

VOTED – 5-0 in favor

Motion Passed

In favor: Dave Andreesen; Paul Boisvert; Noah Cobb; Nichole Fecteau; Niles Schore

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:
