



PLANNING BOARD MEETING MINUTES

Thursday June 6, 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; Nichole Fecteau

Regular Member Absent:

Sean Winston

Alternate Members Present:

Noah Cobb (voting member); Michael LaRue

Alternate Members Absent:

Staff Members Present:

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

Public Comment

Nichole Fecteau said the Planning Board's job is to uphold the Land Use Ordinance and Comprehensive Plan for everyone, including the Town of Berwick. Paul Boisvert clarified that the Town is purchasing a sliver of land and not an entire lot.

Approval of Minutes

1. May 16, 2019

Motion: Paul Boisvert

Second: Niles Schore

VOTED – 4-0 in favor

Motion Passed

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

Opposed: None

Abstain: Nichole Fecteau

Old Business

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

Lee Jay Feldman said the applicant said trees were planted for screening on Building 5. Mr. Feldman said his concern is if the Purchase & Sale falls through with the abutter, how would the shed issue infringing on property lines be addressed?

Dustin Morrill, representative to David Springer said the filters were inspected by the Building Inspector and the lights were pointed away from neighbors. Dan Vincent said the lighting is unresolved at this time. There was an extended discussion on lighting and glare. There was an extended discussion on the shed and how the Planning Board may proceed.

Niles Schore read through the lighting requirements line by line. The Board determined there are not harmful effects on abutters' property. Mr. Schore said he understands the problem has been resolved. Dan Vincent says the problem with the Ordinance is being able to see the luminaire. The Board pointed out the sentence continues that says normal view.

Nichole Fecteau said she would like to see financial capacity to move the shed infringing on two setbacks if a Purchase & Sale falls through. Mr. Springer said he could provide a copy of proof to the Planning Office next week.

There was a back and forth between the applicant and the Board regarding tabling the application.

Motion: David Andreesen

Second: Paul Boisvert

VOTED – 4-1 in favor

Motion Passed

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

Opposed: Niles Schore

Abstain: None

New Business

3. Subdivision Amendment. Blackberry Hill Road (R56 3-2). R2 and R3 Zone. Black Dog Realty.

Lee Jay Feldman read his memo to the Board. The subdivision was previously approved for 90 lots but because of updated Department of Inland Fisheries and Wildlife requirements, the project is being proposed to be amended to 77 lots. Mr. Feldman recommended to the Board that the application is tabled until the DEP permit is finalized.

Joe Mulledy of Ambit Engineering introduced himself as the representative of Mark Phillips. Mr. Mulledy said the project was initially approved in 2009 but because of the economic conditions at the time, the project was paused.

Nichole Fecteau emphasized that the review will come under the 2009 Land Use Ordinance.

Mark Phillips said the development is a 55-plus community and the roads will be privately maintained. Mr. Phillips stated the water and sewer will be brought in and that infrastructure could continue potentially up to Route 4 in the future.

A Public Hearing was set for 6:30PM on June 20th

4. Conditional Use Application. 115 School Street (U3 42). R1 Zone with frontage on Route 9. William Dame.

Ryan McCarthy of Tidewater Engineering introduced the project on behalf of William Dame.

Nichole Fecteau asked if there was a building elevation on the proposed building and said it would be helpful to have for the Public Hearing.

Nichole Fecteau said there is a Low Impact Design (LID) statement missing and would be required for application completeness. Ms. Fecteau said she would move to find the application complete and expects to see the LID statement at the next meeting.

Motion: Nichole Fecteau motioned the application complete provided that the LID statement is prepared for the next meeting.

Second: Noah Cobb

VOTED – 5-0 in favor

Motion Passed

In favor: Dave Andreesen; Paul Boisvert; Nichole Fecteau; Niles Schore; Noah Cobb
Opposed: None
Abstain: None

Site walk scheduled for 5:30PM

Review and Approval of Findings of Fact

5.

- 4 Coffin Lane
- 357 Portland Road
- Ally Way Subdivision

The Board and Mr. Feldman discussed minor changes to the Findings of Fact.

Information Items

The Board discussed the Low Impact Design requirements and to encourage them more strongly during meetings.

Public Comment

Adjournment

Motion: Dave Andreesen

Second: Noah Cobb

VOTED – 5-0 in favor

Motion Passed

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

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:
