



PLANNING BOARD MEETING MINUTES

Thursday July 18, 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;

Regular Member Absent:

Paul Boisvert; Sean Winston

Alternate Members Present:

Michael LaRue

Alternate Members Absent:

Staff Members Present:

Dan Vincent, Code Enforcement Officer; James Bellissimo, Planner

Public Comment

Nichole Fecteau clarified the purpose and authority of the Planning Board is to uphold the Comprehensive Plan and Land Use Ordinance. Ms. Fecteau read an explanation of what a Comprehensive Plan is and how it informs the Berwick Land Use Ordinance. If a project meets the Land Use Ordinance and Comprehensive Plan, the project will be approved. Ms. Fecteau said the public votes for the Land Use Ordinance and the public can propose amendments. Ms. Fecteau said there is a committee forming to update the Town's Comprehensive Plan and welcomed members of the public to join the committee. Niles Schore added there is a vacancy on the Planning Board.

Shawn Goodwin of 65 Sullivan Street said he has lost his patience with the nuisance at the parking lot at 71 Sullivan Street. Mr. Goodwin asked why the permanent barrier was moved.

Tom Wright said the CEO works for the Town Manager and he cannot instruct the CEO to perform enforcement actions.

Tom Wright said the Town is in the process of updating the Town's Comprehensive Plan. Mr. Wright said there will be subcommittees for different topics and for members of the community to share their expertise and opinions.

Mr. Wright said it is important for the Town to get a handle of what is going on and that it is important for the Town to retain agricultural land. Mr. Wright said the Town needs to look at non compatible uses.

Approval of Minutes

1. June 20, 2019

Motion: Nichole Fecteau motioned to approve the minutes as presented.

Second: Niles Schore

VOTED – 3-0 in favor

Motion Passed

In favor: Dave Andreesen; Nichole Fecteau; Niles Schore

Opposed: None

Abstain: Michael LaRue

Public Hearing

2. Subdivision Amendment. Blackberry Hill Road (R56 3-2). Black Dog Realty.

Niles Schore said the application before the Board is the reduction of lots from 90 units to 77 units.

Joe Mulledy, the representative of Black Dog Realty explained why the reduction was needed. A turtle habitat radius was expanded by one hundred feet.

Tom Wright said this property is taking up valuable open space and to let this be a lesson to people who don't want these types of development to happen outside the village area. Mr. Wright encouraged people to get involved.

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

Ryan McCarthy introduced himself as the representative for William Dame and summarized the project.

Old Business

2. Subdivision Amendment. Blackberry Hill Road (R56 3-2). Black Dog Realty.

The Planning Board and applicant agreed there would be no action taken to approve the project until the DEP permit is back.

Rebecca Brown from Greenman-Pedersen, Inc. said her company completed a review of the initial traffic study in 2006. The traffic volume projections projected a 1.5% growth rate each year or 18% total, which ended up as a higher projection than the current condition today. The 2006 traffic volumes were based on a land use code for Manufactured Homes, but since this project is age-restricted, there will be even less projected trips. Ms. Brown stated overall the traffic impact will be lower than projected in 2006.

Ms. Brown recommended a series of safety improvements, including signage and replacing a stop line at the intersection of Berwick Road and Route 236 and increasing the site line distances.

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

Ryan McCarthy said the fence will be placed on the boundary line and the plan has been updated to show the change.

Motion: Niles Schore motioned to approve the Findings of Fact as amended.

Second: Nichole Fecteau

**VOTED – 4-0 in favor
Motion Passed**

In favor: Dave Andreesen; Nichole Fecteau; Niles Schore; Michael LaRue

Opposed: None

Abstain: None

Motion: Nichole Fecteau motioned to approve the Conditions of Approval.

Second: Michael LaRue

**VOTED – 4-0 in favor
Motion Passed**

In favor: Dave Andreesen; Nichole Fecteau; Niles Schore; Michael LaRue

Opposed: None

Abstain: None

Motion: Michael LaRue motioned to approve the application.

Second: Niles Schore

VOTED – 4-0 in favor

Motion Passed

In favor: Dave Andreesen; Nichole Fecteau; Niles Schore; Michael LaRue

Opposed: None

Abstain: None

New Business

4. Conditional Use Application. 537 Portland Street. (R72-7). AP Zone. Doucette Forestry.

James Bellissimo read the memo to the Board. Mr. Bellissimo said a discussion point is determining if the project is a Saw Mill, a Waste Facility or both, and if it is considered a Waste Facility the project would not be allowed in the AP Zone.

Brian Nielson of Attar Engineering introduced himself as the representative to Doucette Forestry. Mr. Nielson said he and the applicant do not believe their project falls under the Berwick Land Use definition of a Solid Waste Facility. Travis Doucette explained his business operations. Mr. Doucette explained the tub grinder and wood chipper will convert material to products to be sold. Niles Schore clarified with the applicant the chipping and grinder are a result as a byproduct of the Sawmill operation. Nichole Fecteau read the definition of a Solid Waste Facility.

Brian Nielson summarized the project. There will be a 5,000 square foot office constructed. Mr. Nielson said there will be vegetation added and some impervious surface taken out, overall the project would reduce the overall impervious area by 3,300 square feet.

Motion: Nichole Fecteau motioned to find the application complete.

Second: Niles Schore

VOTED – 4-0 in favor

Motion Passed

In favor: Dave Andreesen; Nichole Fecteau; Niles Schore; Michael LaRue

Opposed: None

Abstain: None

Site Walk Scheduled for 5:30 & Public Hearing for 6:30PM

5. Land Use Ordinance Amendments

Public Hearing to be set for August 1, 2019.

The first amendment proposed was changing Owner Occupied Apartments to Accessory Dwelling Units and amending the standards. Niles Schore asked why limit the max size on an Accessory Apartment. The Board requested more information on the topic.

James Bellissimo said if someone were to come into the office for Industrial Hemp, it would likely end up falling under regular marijuana because of how close it is within the Land Use Ordinance. The Board agreed with the amendment.

There was a discussion about marijuana cooperatives and marijuana licensing.

Information Items

Public Comment

Luisa Sheldon of 65 Sullivan Street said she attended a Public Hearing two years ago before the Town purchased 71 Sullivan Street. Ms. Sheldon asked about buffering and water. Ms. Sheldon said the excavation has caused damage to her property. Ms. Sheldon said the damage occurred only after the excavation was done.

James Bellissimo said a survey has been completed and he and the Town Manager will be meeting early next week with the engineer to go over 71 Sullivan Street.

Adjournment

Motion: Michael LaRue

Second: Nichole Fecteau

VOTED – 4-0 in favor

Motion Passed

In favor: Dave Andreesen; Nichole Fecteau; Niles Schore; Michael LaRue

Opposed: None

Abstain: None

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

Signed as Approved by the Board:
