



PLANNING BOARD MEETING AGENDA

Thursday October 3, 2019

Town Hall Meeting Room

6:30 p.m.

Call to Order

Pledge of Allegiance

Introduction of Board Members

Public Comment

Approval of Minutes

1. September 19, 2019

Public Hearing

2. Continued Public Hearing. Conditional Use Application. Parking Facility. 71 Sullivan Street (U3-11) CI Zone. Town of Berwick.

Old Business

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

New Business

3. Site Plan Amendment. Mineral Industry. 6 Industry Drive (R72 12-5) AP Zone. Northeast Redimix

Findings of Fact

4. Conditional Use Application. Adult Use Marijuana Store. 357 Portland Street (R70 12-1). RC/I Zone. Paper Birch Property

Public Comment

Adjournment



PLANNING BOARD MEETING MINUTES

Thursday September 19, 2019

Town Hall Meeting Room

6:30 p.m.

Call to Order

Pledge of Allegiance

Introduction of Board Members

Regular Members Present:

David Andreesen; Nichole Fecteau; Frank Underwood; Sean Winston; Michael LaRue

Regular Member Absent:

Alternate Member Present:

David Ross-Lyons

Staff Members Present:

Lee Jay Feldman, Director of Planning; James Bellissimo, Planner; Jenifer McCabe

Public Comment

Approval of Minutes

1. September 5, 2019

Nichole Fecteau pointed out a typo in the sentence that pointed out a typo and two additional section which required amendments.

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

Second: Frank Underwood

VOTED – 5-0 in favor

Motion Passed

In favor: Dave Andreesen; Sean Winston; Michael LaRue; Frank Underwood; Nichole Fecteau

Opposed: None

Abstain: None

Public Hearing

2. Conditional Use Application. Adult Use Marijuana Store. 357 Portland Street (R70 12-1). RC/I Zone. Paper Birch Property.

Old Business

2. Conditional Use Application. Adult Use Marijuana Store. 357 Portland Street (R70 12-1). RC/I Zone. Paper Birch Property.

A site walk was conducted prior to the September 19th meeting at 5:30PM. The applicant showed and explained to the Planning Board the site work and building construction that was completed to date.

Lee Jay Feldman recommended to the Board that the applicant provide proof of a State license before operating.

Nichole Fecteau said the site work is well done, secure, and the work completed is thorough.

Frank Underwood said he will be voting no based on his conversations with Paul Boisvert. Mr. Boisvert would prefer to see the State regulations finalized before acting on Mr. Venuti's application.

Lee Jay Feldman explained Mr. Venuti's Medical Marijuana Conditional Use will be active until the State licensed is shown to the Planning Department. At that point, the Medical Marijuana Conditional Use would no longer be active and the Conditional Use would be for Adult Use Marijuana.

Motion: Nichole Fecteau motioned to approve the application with the Conditions that the State permit is provided to the Town. If the State requires an amendment to the plan, Mr. Venuti will have to come back to the Planning Board.

Second: Michael LaRue

VOTED – 4-1 in favor

Motion Passed

In favor: Dave Andreesen; Nichole Fecteau; Sean Winston; Michael LaRue

Opposed: None

Abstain: Frank Underwood

New Business

- 3. Site Plan Review & Conditional Use Application. School & Parking Expansion. 20 Blackberry Hill Road, Hussey School (R57 27). R2 Zone. MSAD60.**

Lee Jay Feldman explained the project is a Site Plan Review Application. The project required DEP permitting. Mr. Feldman said the project includes a new drop off area, two new parking areas, a building expansion, a new playground and stormwater infrastructure.

Neil Rapoza of Civil Consultants introduced himself as the representative of MSAD60. Mr. Rapoza said the project has been in the works for seven years. Mr. Rapoza explained all the changes on the site. The project may need to come back if the building footprint needs to change. Current day, there is very little room for cars to stack. The existing playground is encroaching into the stream setback, a new playground will be moved away from the setback.

Frank Underwood asked if there is enough room for bus stacking. Mr. Rapoza said the school administration said the room is sufficient for the existing conditions and can fit two more busses.

The building expansion will go on the already existing impervious area. The DEP requested that the applicant look at every option possible for treating water.

Frank Underwood asked about a third-party engineer to look at drainage.

Sean Winston asked about the pervious pavement and pointed out the systems often fail. Frank Underwood suggested an alternative.

Motion: Nichole Fecteau motioned to 9.8.f.2.b.i

Second: Michael LaRue

VOTED – 5-0 in favor

Motion Passed

In favor: Dave Andreesen; Nichole Fecteau; Sean Winston; Michael LaRue; Frank Underwood

Opposed: None

Abstain: None

Motion: Nichole Fecteau motioned to find the application complete.

Second: Sean Winston

VOTED – 5-0 in favor

Motion Passed

In favor: Dave Andreesen; Nichole Fecteau; Sean Winston; Michael LaRue; Frank Underwood

Opposed: None

Abstain: None

Site walk & Public Hearing Scheduled for October 17th at 5PM for the site walk and 6:30PM for the Public Hearing.

Findings of Fact

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

Motion: Nichole Fecteau motioned to approve the Findings of Fact

Second: Frank Underwood

VOTED – 5-0 in favor

Motion Passed

In favor: Dave Andreesen; Nichole Fecteau; Sean Winston; Michael LaRue; Frank Underwood

Opposed: None

Abstain: None

Informational Items

Lee Jay Feldman informed the Board that the Registry of Deeds is no longer accepting mylar, 20-pound white paper is now required.

Public Comment

Adjournment

Motion: David Ross-Lyons motioned to adjourn.

Second: Sean Winston

VOTED – 5-0 in favor

Motion Passed

In favor: Dave Andreesen; Nichole Fecteau; Sean Winston; Michael LaRue; Frank Underwood

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:

TO: Steve Eldridge, MPA – Town Manager
Lee Jay Feldman – Director of Planning
James Bellissimo – Planner

FROM: Peter F. Heil, PE, CPESC – Milone & MacBroom, Inc.

RE: 71 Sullivan Street – Stormwater Review

DATE: August 28, 2019

MMI #: 6744-03

Milone & MacBroom, Inc. (MMI) was tasked with a review of the 71 Sullivan Street project submission materials. MMI understands the Town of Berwick is proposing to reconstruct an existing parking lot and to permit the parking use. As part of our discussions with town staff, we specifically reviewed the plans submitted regarding stormwater management design. The existing conditions of the site show relatively flat topography (2-5% grades), sloping downwards from north to south towards Parcel: TM U-3 Lot 10 (Sheldon, N/F). The project's parking lot reconfiguration proposes to modify the existing entrance along Sullivan Street, re-delineate parking spaces and drive aisles, remove existing impervious coverage, retain existing gravel groundcover, and construct drainage swales adjacent to the parking area.

MMI understands the southerly abutter is concerned about possible additional stormwater runoff from the project heading towards their property and the potential for groundwater issues to their existing house. The proposed conditions generally match existing conditions topography, with a shallow drainage swale intercepting stormwater runoff from the parking lot and redirecting the flow towards the street, which will enter into the existing paved swales to the municipal stormwater collection system. By removing impervious coverage and re-establishing lawn areas, it is presumed that the post-development stormwater runoff will be less than the pre-development conditions.

To address potential stormwater runoff infiltrating into the soils and groundwater, MMI recommends carrying the parking lot drainage swale back further to the 211' elevation contour (show spot grades, if necessary) and install a perforated underdrain beneath the swale to potentially intercept surface runoff and groundwater heading towards the southerly abutters property. The new underdrain could either daylight at the 208' contour and discharge into the existing roadside swale or tie in directly to the municipal stormwater system within Sullivan Street. Please refer to Figure 1 for a potential configuration.

Please feel free to reach out to us if you have any questions or need further review.

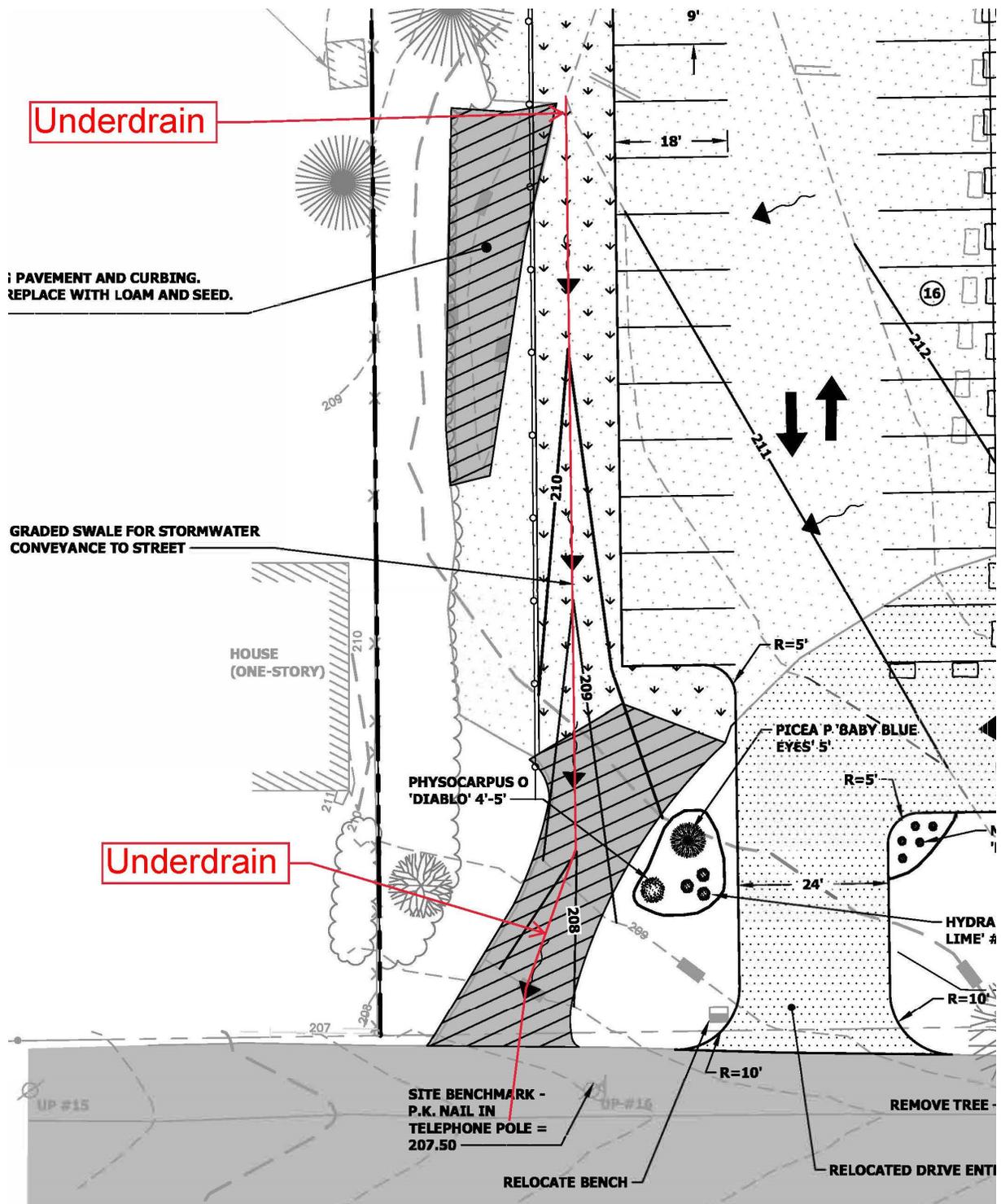


Figure 1: Potential Underdrain Layout

Written Narrative

71 Sullivan Street

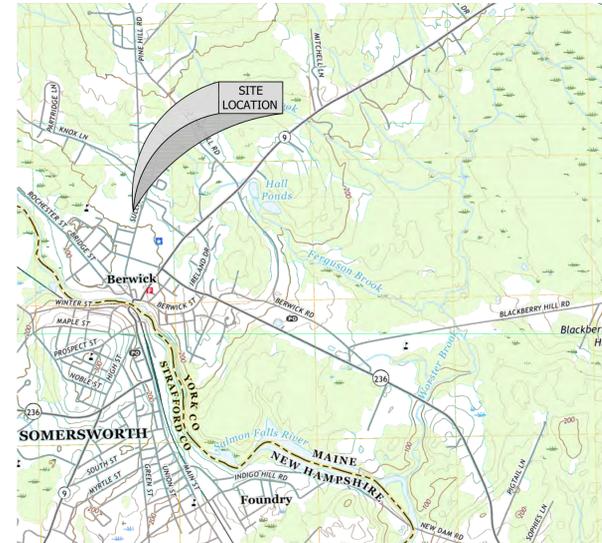
The Community Parking Lot will serve parking needs for Memorial Field and special community events. No new building construction is planned for this phase. Since no building is proposed, Sewer hook-in is not- applicable. No lighting is currently proposed. The setbacks in C/I are 15' in the side, 25' in front and rear, although the setbacks will not factor in this phase. The Town of Berwick has installed new fencing to screen 65 Sullivan Street and 75 Sullivan Street. The fence was placed off the property line enough to be able to maintain both sides of the fence and not have to go on either neighbor's property and to be able to preserve the trees. The proposed hours of operation are from 5am until 9pm. The zone of the property is the Commercial/Industrial District.

71 Sullivan Street will be kept as gravel surface for the time being. The parking area is shown on the site plan, there will be a total of 68 spaces. Grass strips will be planted on each side of the lot next to the fences and a graded swale with an underdrain trench installed near the entrance of the lot. Additional plantings are shown on the plan. The entrance is proposed to be moved toward the middle of the property.

COMMUNITY PARKING LOT 71 SULLIVAN STREET BERWICK, MAINE



PREPARED FOR:
TOWN OF BERWICK, MAINE
11 SULLIVAN STREET
BERWICK, ME 03901



VICINITY MAP

1"=2000'

PREPARED BY:
BLAIS CIVIL ENGINEERS
27 GORHAM ROAD, SUITE 207
SCARBOROUGH, MAINE 04074
(207) 730-7200

INDEX OF DRAWINGS:

SHEET NO.	DRAWING TITLE
T-100	TITLE SHEET
REF-1	BOUNDARY & TOPOGRAPHIC SURVEY
C-101	SITE PLAN
C-301	SITE DETAILS & EROSION CONTROL NOTES

TITLE SHEET
COMMUNITY PARKING LOT
71 SULLIVAN ST
BERWICK, ME 03901

DRAWING:
PROJECT:

DRAWINGS PREPARED FOR:
TOWN OF BERWICK
11 SULLIVAN STREET
BERWICK, ME 03901

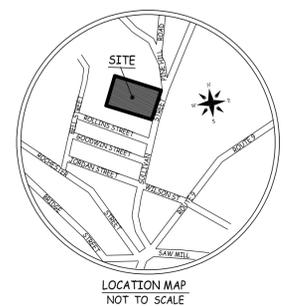
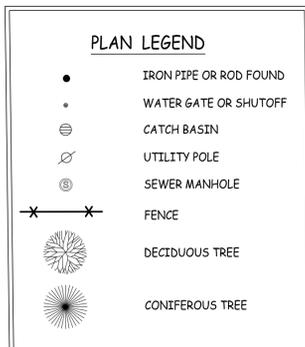
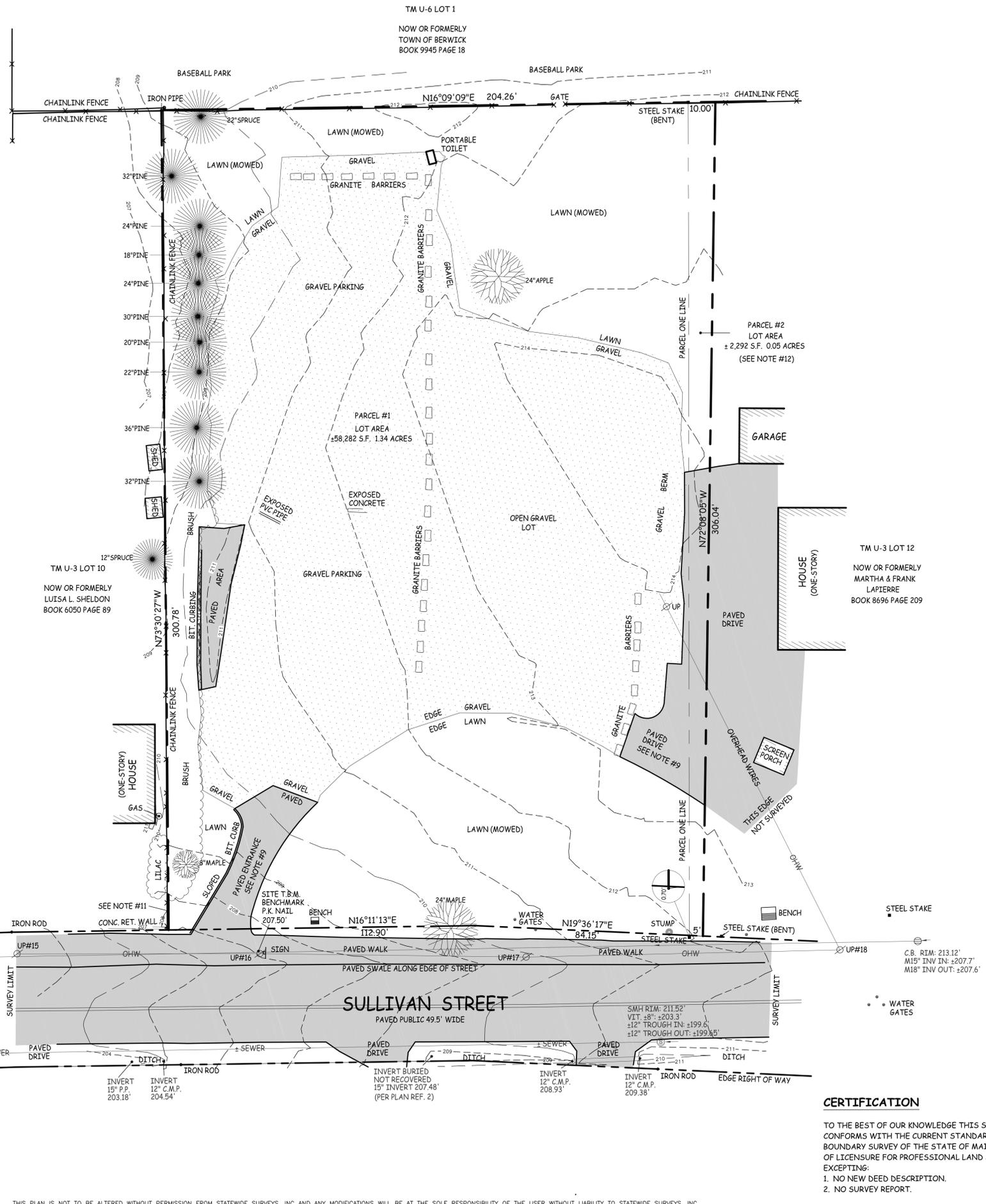
PROJECT #: 19133

DESIGNED BY: MKT
DRAWN BY: MKT
CHECKED BY: TJG

ISSUED DATE: 9/23/19
ISSUED FOR: **FINAL TOWN REVIEW**

THIS DOCUMENT IS ISSUED FOR REVIEW PURPOSES ONLY AND NOT FOR CONSTRUCTION.

T-100



SURVEY NOTES

- THE OWNER OF RECORD: TOWN OF BERWICK BOOK 17,574 PAGE 736.
- THE PROPERTY IS SHOWN AS LOT 11 ON TAX MAP U-3 OF THE BERWICK TAX MAPS.
- THE PROPERTY IS LOCATED IN THE COMMERCIAL-INDUSTRIAL ZONE (C/I) WITH THE FOLLOWING REQUIREMENTS (SUBJECT TO CONDITIONS PLEASE CONFIRM WITH TOWN OFFICIALS):
 MINIMUM FRONTAGE: 100 FEET.
 MINIMUM LOT SIZE: 10,000 S.F. (WITH SEWER CONNECTION).
 FRONT SETBACK: 25 FEET.
 SIDE SETBACK: 15 FEET.
 REAR SETBACK: 25 FEET.
- THE UNDERGROUND UTILITIES (IF PRESENT) AT THE PROPERTY WERE NOT LOCATED AS A RESULT OF THIS FIELD SURVEY. ANY SUBSURFACE UTILITIES (IF SHOWN) SHOULD BE CONSIDERED TO BE APPROXIMATE UNTIL CONFIRMED IN THE FIELD. WE RECOMMENDED THAT ANY SITE UTILITIES BE CONFIRMED AND MARKED IN THE FIELD BY THE APPROPRIATE UTILITY COMPANIES PRIOR TO ANY SITE MODIFICATIONS.
- BASIS OF BEARINGS: GRID NORTH N.A.D. - 83, MAINE WEST ZONE, U.S. FEET.
- ELEVATIONS ARE BASED ON N.A.V.D. - 88, U.S. FEET.
- TOTAL LOT AREA: ± 60,574 SQUARE FEET (1.39 ACRES).
 PARCEL #1 AREA: ± 58,282 SQUARE FEET (1.34 ACRES).
 PARCEL #2 AREA: ± 2,292 SQUARE FEET (0.05 ACRES).
- THE CURRENT DEED DESCRIPTION FOR THE SUBJECT PROPERTY CONFLICTS (SCRIVENERS ERROR) WITH THE REFERENCED PLAN #3 AS RECORDED IN THE Y.C.R.D. PLAN BOOK 55 PAGE 36 AND DOES NOT MATHEMATICALLY "CLOSE". THE REFERENCED PLAN #3 GEOMETRY OF THE LOT SUBJECT LOT IS A MORE ACCURATE REPRESENTATION OF THE LOT AND USED.
- IT IS UNCLEAR IF LEGAL RIGHTS STILL EXIST IN THE EGRESS AND INGRESS ACROSS THE PROPERTY BY OTHERS, SPECIFICALLY THE PARTIES IDENTIFIED IN THE CURRENT DEED DESCRIPTION. LEGAL COUNCIL IS SUGGESTED TO UNDERSTAND THE RIGHT OF WAY DESCRIPTION AS APPLIED TO PRESENT OWNERSHIP AND CONDITIONS.
- THE SULLIVAN STREET LINE IS PER PLAN REFERENCE #2 AND MONUMENTATION FOUND ALONG THE RIGHT OF WAY. THE WIDTH IS 49.5 FEET PER BERWICK LAYOUT.
- THE EXISTING FENCE ALONG THE LINE WITH THE ABUTTER SHELDON IS NOT "STRAIGHT" WITH MINOR "JOGS" AND "BENT" IN SECTIONS AND IS ON BOTH THE TOWN AND SHELDON PROPERTIES. HOWEVER THIS SURVEY FOUND THE CHAINLINK FENCE IS MAINLY LOCATED ON OR ALONG THE SUBJECT PROPERTY LINE WITH SOME SEGMENTS LOCATED ONTO THE SHELDON PROPERTY NEAR THE FRONTAGE WITH SULLIVAN STREET.
- THE DEED FOR PARCEL 2 ALSO DOES NOT CLOSE BY ±5 FEET DUE TO THE POORLY WRITTEN DEED DESCRIPTION. A BOUNDARY AGREEMENT IS RECOMMENDED BETWEEN THE ABUTTERS (LAPIERRE) AND THE TOWN OF BERWICK TO ESTABLISH THIS LINE AND NEW DEED DESCRIPTIONS PREPARED TO CORRECT THE EXISTING DEEDS.

PLAN REFERENCES

- BOUNDARY & TOPOGRAPHIC SURVEY AT 20 WILSON STREET, BERWICK, MAINE MADE FOR PORT CITY ARCHITECTURE BY OWEN HASKELL, INC. DATED MAY 2, 2019.
- FINAL PLAN SHOWING WEDGEWOOD COMMONS A 7 LOT SUBDIVISION BY WEDGEWOOD COMMONS, LLC BY CORNER POST LAND SURVEYING, INC. DATED MAY 5, 2014 RECORDED IN Y.C.R.D. PLAN BOOK 370 PAGE 26.
- PLAN OF LAND ALBERT AND AMELIA NEWCOMB BY G.L. DAVIS & ASSOCIATES DATED JULY 1964 RECORDED IN Y.C.R.D. PLAN BOOK 55 PAGE 36.

CERTIFICATION

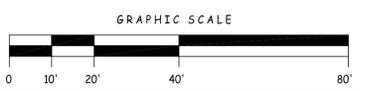
TO THE BEST OF OUR KNOWLEDGE THIS SURVEY CONFORMS WITH THE CURRENT STANDARDS FOR BOUNDARY SURVEY OF THE STATE OF MAINE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS, EXCEPTING:
 1. NO NEW DEED DESCRIPTION.
 2. NO SURVEY REPORT.



BOUNDARY & TOPOGRAPHIC SURVEY
 #71 SULLIVAN STREET, BERWICK, ME.
 FOR
 TOWN OF BERWICK

STATEWIDE SURVEYS, INC.
 LAND SURVEYORS & SOIL SCIENTISTS
 35 EASTMAN ROAD, CAPE ELIZABETH, ME 04107
 PHONE: (207) 767-4200

DRAWN BY: ECB	DATE: JULY 2019	JOB #: 190105
CHECKED BY: DAB	SCALE: 1" = 20'	DRAWING #: ONE
FIELD BOOK: #46		



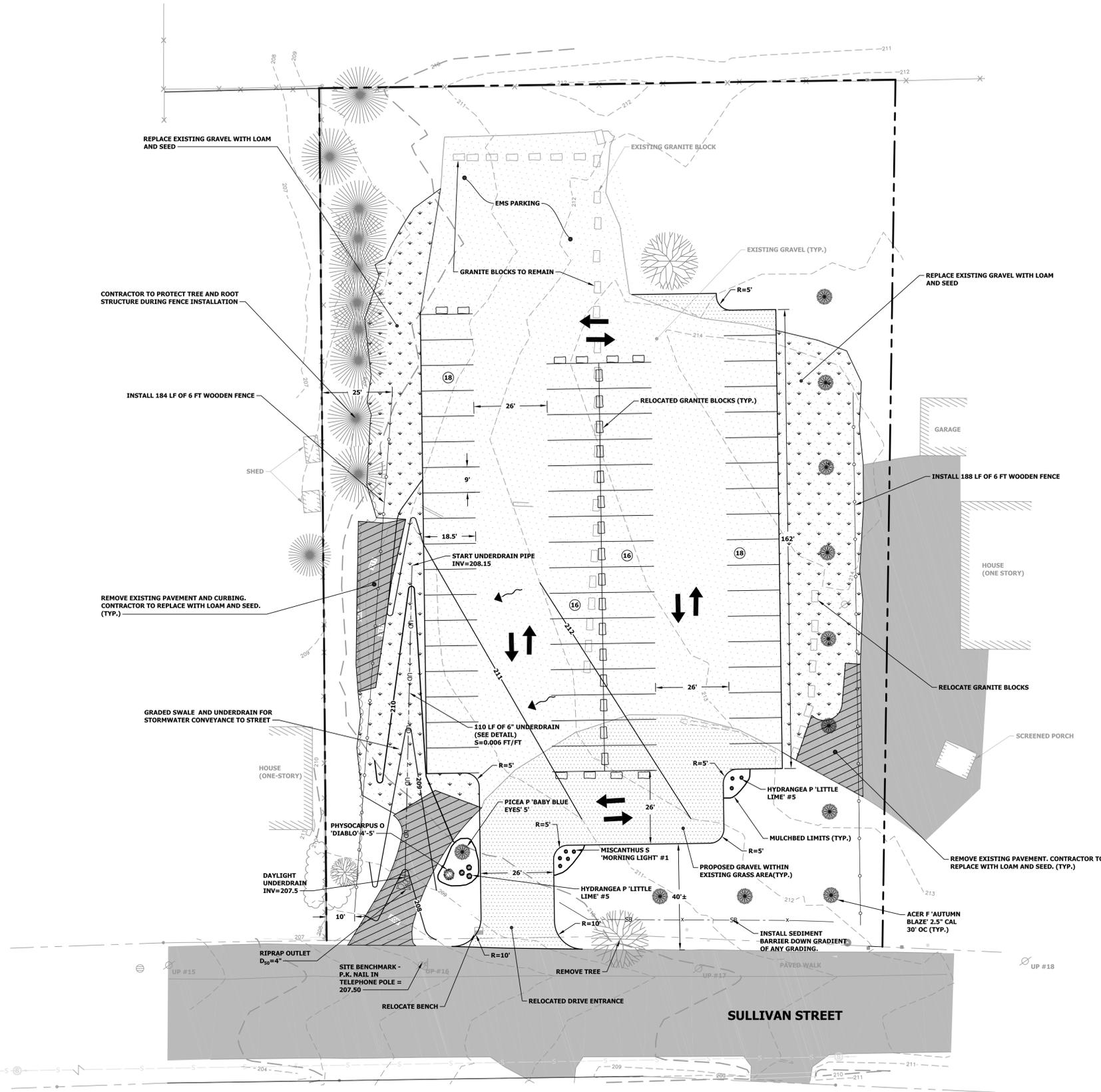
THIS PLAN IS NOT TO BE ALTERED WITHOUT PERMISSION FROM STATEWIDE SURVEYS, INC AND ANY MODIFICATIONS WILL BE AT THE SOLE RESPONSIBILITY OF THE USER WITHOUT LIABILITY TO STATEWIDE SURVEYS, INC.

LEGEND

PROPERTY LINE	---
EXISTING MINOR CONTOUR	- - - - 208
EXISTING MAJOR CONTOUR	- - - - 210
PROPOSED MINOR CONTOUR	— 208
PROPOSED MAJOR CONTOUR	— 210
EXISTING BUILDING	[Hatched Box]
SEDIMENT BARRIER	— SB — X
EXISTING OVERHEAD UTILITY	— OHW —
EXISTING SANITARY SEWER	— S — S
EXISTING CATCH BASIN	[Circle with X]
PROPOSED WOOD FENCE	— X — X
RUNOFF FLOW ARROW	[Arrow with Wavy Tail]
EXISTING GRAVEL	[Dotted Pattern]
PROPOSED GRAVEL	[Dotted Pattern]
EXISTING PAVEMENT	[Solid Grey]
PROPOSED GRASS	[Stippled Pattern]
TRAFFIC FLOW	[Arrow]
UTILITY POLE	[Circle with X]
PARKING COUNT	(18)
EXISTING PAVEMENT TO GRASS	[Hatched Box]

GENERAL NOTES:

- OWNER/DEVELOPER: TOWN OF BERWICK, MAINE
- ALL WORK SHALL BE IN CONFORMANCE WITH LOCAL, STATE, AND FEDERAL REGULATIONS INCLUDING ALL SAFETY REGULATIONS (OSHA, ETC.). ANY CONFLICTS BETWEEN THE REGULATIONS AND THESE PLANS SHALL BE REPORTED TO BLAIS CIVIL ENGINEERS, PA PRIOR TO COMMENCING/CONTINUING CONSTRUCTION.
- THE CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS SHOWN ON THE DRAWINGS. IF ANY DISCREPANCIES ARE FOUND, THE ENGINEER SHALL BE NOTIFIED IMMEDIATELY.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR NOTIFYING "DIG SAFE" AND LOCAL UTILITY COMPANIES AT LEAST THREE (3) BUSINESS DAYS, BUT NOT MORE THAN 30 CALENDAR DAYS, PRIOR TO THE COMMENCEMENT OF ANY EXCAVATION, IN ACCORDANCE WITH MAINE STATE LAW. THE "DIG SAFE" TELEPHONE NUMBER IS 1-888-244-7233.
- NO SUBSURFACE INVESTIGATION WAS PERFORMED RELATED TO LEDGE, SOILS, OR GROUNDWATER.



REFERENCE:

- EXISTING CONDITIONS FROM "BOUNDARY AND TOPOGRAPHIC SURVEY" BY STATEWIDE SURVEYS, INC. DATED JULY 2019.

NOTE:

- 68 PARKING SPACES ARE LOCATED ON PLAN.
- TOWN INTENDS TO UTILIZE GRANITE BLOCKS AND GRASS EDGES TO DELINEATE PARKING SPACES.
- LANDSCAPING DESIGN BY SALMON FALLS NURSERY.

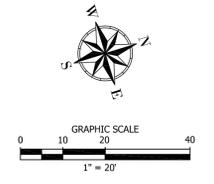


SITE PLAN
COMMUNITY PARKING LOT

71 SULLIVAN ST
BERWICK, ME 03901

DRAWINGS PREPARED FOR:
TOWN OF BERWICK
11 SULLIVAN STREET
BERWICK, ME 03901

DRAWING:
PROJECT:



PROJECT #: 19133

DESIGNED BY: MKT
DRAWN BY: MKT
CHECKED BY: TJG

ISSUED DATE: 9/23/19
ISSUED FOR: **FINAL TOWN REVIEW**
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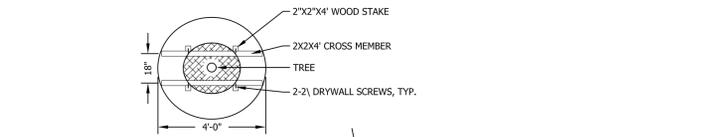
C-101

EROSION CONTROL NOTES

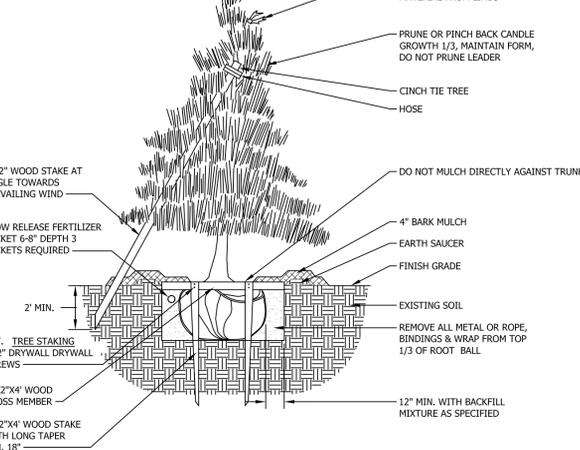
1. EROSION AND SEDIMENTATION CONTROL MEASURES SHALL BE PROVIDED IN ACCORDANCE WITH THE LATEST "MAINE EROSION AND SEDIMENT CONTROL BMPs" BY THE BUREAU OF LAND AND WATER QUALITY, MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION.
2. THE CONTRACTOR SHALL ONLY DISTURB THE AREAS OF THE PROPOSED CONSTRUCTION AND GRADING. ANY DISTURBANCE OUTSIDE THESE LIMITS MUST BE APPROVED BY THE ENGINEER.
3. THE CONTRACTOR SHALL INSTALL ALL EROSION AND SEDIMENTATION CONTROL MEASURES IN ACCORDANCE WITH THE EROSION CONTROL PLAN. THE CONTRACTOR SHALL BE RESPONSIBLE FOR EMPLOYING EROSION CONTROL METHODS BEYOND THE CONTROLS SHOWN ON THE PLANS IN ORDER TO MEET THE ABOVE-REFERENCED DEP EROSION CONTROL STANDARDS.
4. ALL EROSION CONTROL MEASURES SHALL BE INSTALLED PRIOR TO ANY SITE EXCAVATION OR RE-GRADING. ALL DISTURBED AREAS ON SITE NOT COVERED BY BUILDINGS OR DESIGNATED PARKING AREAS, DRIVEWAYS, OR SIDEWALKS SHALL BE STABILIZED WITH LOAM AND SEED OR OTHER METHODS AS REQUIRED/DESCRIBED IN THE MAINE DEP BMP STANDARDS.
5. PERMANENT SEEDING OR STABILIZATION SHALL BE PERFORMED IMMEDIATELY AFTER FINAL GRADING IS COMPLETED OR TEMPORARY MEASURES SHALL BE APPLIED SUCH AS MULCHING OR SEEDING UNTIL PERMANENT MEASURES ARE IN PLACE.
6. WITHIN 7 CALENDAR DAYS FOLLOWING THE COMPLETION OF ANY SOIL DISTURBANCE, AND PRIOR TO ANY STORM EVENT, MULCH MUST BE SPREAD ON ANY EXPOSED SOILS.
7. THE CONTRACTOR SHALL STABILIZE ANY SOIL STOCKPILES WHICH WILL REMAIN UNUSED FOR MORE THAN 7 DAYS, OR PRIOR TO A STORM EVENT.
8. ALL EROSION CONTROL DEVICES MUST BE CHECKED WEEKLY AND AFTER EACH SIGNIFICANT RAINFALL TO MINIMIZE PONDING, DAMAGE, DETERIORATION OR UNDERMINING. ANY PROBLEMS SHALL BE REPAIRED IMMEDIATELY. TRAPPED SEDIMENT SHALL BE REMOVED WHEN IT HAS ACCUMULATED TO NO MORE THAN HALF THE ORIGINAL HEIGHT OF ANY BARRIER OR AS OTHERWISE SHOWN ON THE PLANS.
9. SEDIMENT BARRIERS MUST BE MAINTAINED UNTIL DISTURBED AREAS ARE PERMANENTLY STABILIZED.
10. EROSION CONTROL DEVICES [CHECK DAM, EROSION CONTROL BLANKET, SEDIMENT BARRIER, STABILIZED CONSTRUCTION ENTRANCE] SHALL BE REMOVED WITHIN 30 DAYS OF FINAL STABILIZATION.
11. SEEDED AREAS SHALL BE FERTILIZED AND RESEEDED AS NECESSARY TO ENSURE VEGETATION IS ESTABLISHED.

EROSION CONTROL SEEDING NOTES

- SEEDING:**
1. USE PERMANENT SEED MIXES AND TATES BETWEEN 5/15 AND 9/30.
 2. USE TEMPORARY SEED MIXES FOR PERIODS LESS THAN 12 MONTHS. IF USING TEMPORARY SEED MIXES AND RATES BETWEEN 10/1 AND 5/14, RE-SEED WITH PERMANENT SEED MIX AFTER 5/15.
- PERMANENT SEED:**
- NOOT 71.703(a) METHOD NUMBER # 1 FOR GRASS AREAS AND METHOD #2 FOR MEADOW AREAS.
- TEMPORARY SEED:**
- | | | |
|---------------------------------------|-----------------|------------|
| OATS | 80.00 LBS/ACRE | 4/01-5/14 |
| ANNUAL RYEGRASS | 40.00 LBS/ACRE | 5/15-8/14 |
| SUDANGRASS | 40.00 LBS/ACRE | 5/15-8/14 |
| ANNUAL RYEGRASS | 80.00 LBS/ACRE | 5/15-9/14 |
| WINTER RYE | 112.00 LBS/ACRE | 9/15-9/30 |
| WINTER RYE (PROTECT WITH MULCH COVER) | 112.00 LBS/ACRE | 10/01-3/31 |
- LIME AND FERTILIZER:**
- LIMING AND FERTILIZER RATES WILL BE BASED ON FIELD SOIL TESTING OF ON-SITE TOPSOILS BY A CERTIFIED LABORATORY. SUBMIT TEST RESULTS TO THE ENGINEER.
- MULCH:**
- | | |
|--|-------------|
| STRAW OR HAY (ANCHORED) | 70-90 LBS |
| PROTECTED AREAS | 185-275 LBS |
| WINDY AREAS | 185-275 LBS |
| SHREDDED OR CHOPPED | AS REQUIRED |
| LITE MESH | AS REQUIRED |
| MODERATE TO HIGH VELOCITY AREAS & STEEP SLOPES | AS REQUIRED |
| EXCELSTOR MAT | AS REQUIRED |
- MULCH ANCHORING:**
- | | |
|--------------------------------|----------------------|
| PEG AND TWINE | LIQUID ASPHALT |
| MULCH NETTING | WOOD CELLULOSE FIBER |
| ASPHALT EMULSION CHEMICAL TACK | |



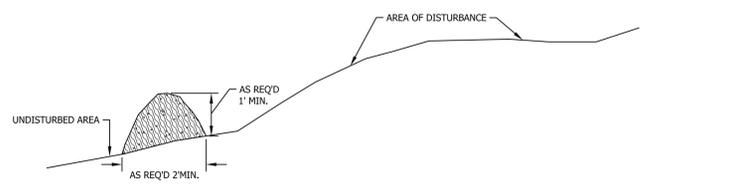
ALT. TREE STAKING PLAN



- NOTES:**
1. INSTALL STAKES AND GUYS TO TREES IF THE FOLLOWING APPLY: THE TREE IS OF SUBSTANTIAL SIZE.
 2. THE PLANTING LOCATION IS EXTREMELY WINDY, AS ON OPEN UNDEVELOPED SITES.
 3. THE PLANTING LOCATION IS COMPRISED OF SAND OR OTHER LOOSE TEXTURED SOILS.
 4. IF STAKES AND GUYS ARE REQUIRED, REMOVE AFTER ONE YEAR TIME.

DECIDUOUS TREES UNDER 2" CALIPER OR EVERGREEN TREES 7'-0" IN HEIGHT & UNDER

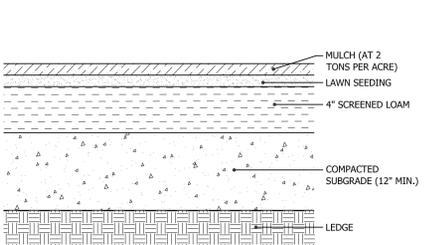
3 NOT TO SCALE



- NOTES:**
1. EROSION CONTROL MIX CAN BE MANUFACTURED ON OR OFF THE PROJECT SITE. IT MUST CONSIST PRIMARILY OF ORGANIC MATERIAL, SEPARATED AT THE POINT OF GENERATION, AND MAY INCLUDE: SHREDDED BARK, STUMP GRINDINGS, COMPOSTED BARK, OR ACCEPTABLE MANUFACTURED PRODUCTS. WOOD AND BARK CHIPS, GROUND CONSTRUCTION DEBRIS OR REPROCESSED WOOD PRODUCTS WILL NOT BE ACCEPTABLE AS THE ORGANIC COMPONENT OF THE MIX.
 2. EROSION CONTROL MIX SHALL CONTAIN A WELL-GRADED MIXTURE OF PARTICLE SIZES AND MAY CONTAIN ROCKS LESS THAN 4" IN DIAMETER. EROSION CONTROL MIX MUST BE FREE OF REFUSE, PHYSICAL CONTAMINANTS, AND MATERIAL TOXIC TO PLANT GROWTH. THE MIX COMPOSITION SHALL MEET THE FOLLOWING STANDARDS: O THE ORGANIC MATTER CONTENT SHALL BE BETWEEN 80 AND 100%, DRY WEIGHT BASIS.
 - 2.1. PARTICLE SIZE BY WEIGHT SHALL BE 100% PASSING A 6" SCREEN AND A MINIMUM OF 70%, MAXIMUM OF 85%, PASSING A 0.75" SCREEN.
 - 2.2. THE ORGANIC PORTION NEEDS TO BE FIBROUS AND ELONGATED.
 - 2.3. LARGE PORTIONS OF SILTS, CLAYS OR FINE SANDS ARE NOT ACCEPTABLE IN THE MIX.
 - 2.4. SOLUBLE SALTS CONTENT SHALL BE < 4.0 MMHOS/CM.
 - 2.5. THE PH SHOULD FALL BETWEEN 5.0 AND 8.0.
 3. THE BARRIER MUST BE PLACED ALONG A RELATIVELY LEVEL CONTOUR. IT MAY BE NECESSARY TO CUT TALL GRASSES OR WOODY VEGETATION TO AVOID CREATING VOIDS AND BRIDGES THAT WOULD ENABLE FINES TO WASH UNDER THE BARRIER THROUGH THE GRASS BLADES OR PLANT STEMS.
 4. ON SLOPES LESS THAN 5% OR AT THE BOTTOM OF STEEPER SLOPES (<2:1) UP TO 20 FEET LONG, THE BARRIER MUST BE A MINIMUM OF 12" HIGH, AS MEASURED ON THE UPHILL SIDE OF THE BARRIER, AND A MINIMUM OF TWO FEET WIDE. ON LONGER OR STEEPER SLOPES, THE BARRIER SHOULD BE WIDER TO ACCOMMODATE THE ADDITIONAL RUNOFF.
 5. OTHER BMPs SHOULD BE USED AT LOW POINTS OF CONCENTRATED RUNOFF, BELOW CULVERT OUTLET APRONS, AROUND CATCH BASINS AND CLOSED STORM SYSTEMS, AND AT THE BOTTOM OF STEEP PERIMETER SLOPES THAT ARE MORE THAN 50 FEET FROM TOP TO BOTTOM (I.E., A LARGE UP GRADIENT CONTRIBUTING WATERSHED).
 6. BERMS SHALL BE INSPECTED IMMEDIATELY AFTER EACH RAINFALL AND AT LEAST DAILY DURING PROLONGED RAINFALL. THEY SHALL BE REPAIRED IMMEDIATELY IF THERE ARE ANY SIGNS OF EROSION OR SEDIMENTATION BELOW THEM. IF THERE ARE SIGNS OF UNDERCUTTING AT THE CENTER OR THE EDGES OF THE BARRIER, OR IMPOUNDING OF LARGE VOLUMES OF WATER BEHIND THEM, SEDIMENT BARRIERS SHALL BE REPLACED WITH A TEMPORARY CHECK DAM.
 7. SEDIMENT DEPOSITS MUST BE REMOVED WHEN DEPOSITS REACH APPROXIMATELY ONE-HALF THE HEIGHT OF THE BARRIER.
 8. FILTER BERMS SHOULD BE RESHAWED AS NEEDED.
 9. ANY SEDIMENT DEPOSITS REMAINING IN PLACE AFTER THE BERM IS NO LONGER REQUIRED SHOULD BE GRADED TO CONFORM TO THE EXISTING GRADE, PREPARED AND SEEDED.

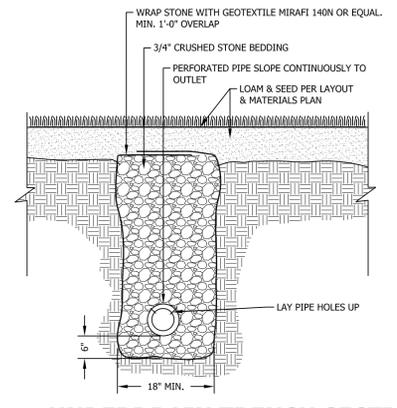
SEDIMENT BARRIER DETAIL - EROSION CONTROL MIX BERM OPTION

1 NOT TO SCALE



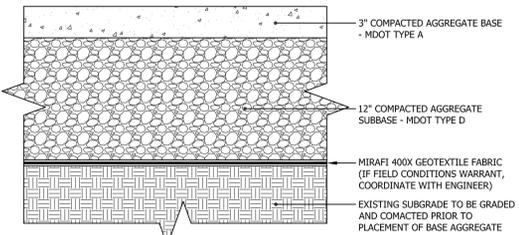
LOAM AND SEED DETAIL

4 NOT TO SCALE



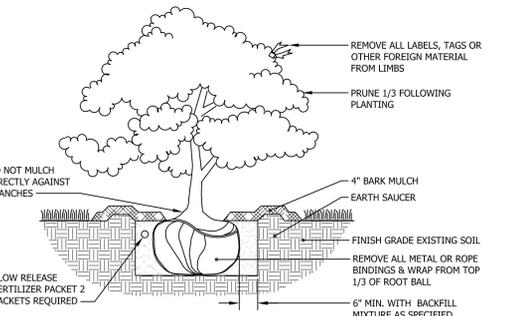
UNDERDRAIN TRENCH SECTION

7 NOT TO SCALE



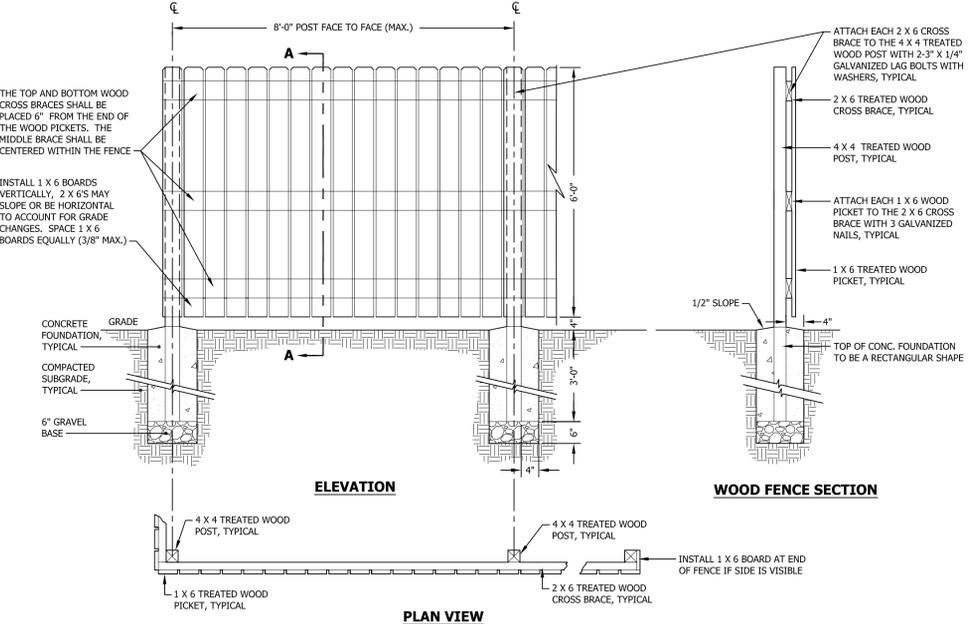
GRAVEL ROAD DETAIL

5 NOT TO SCALE



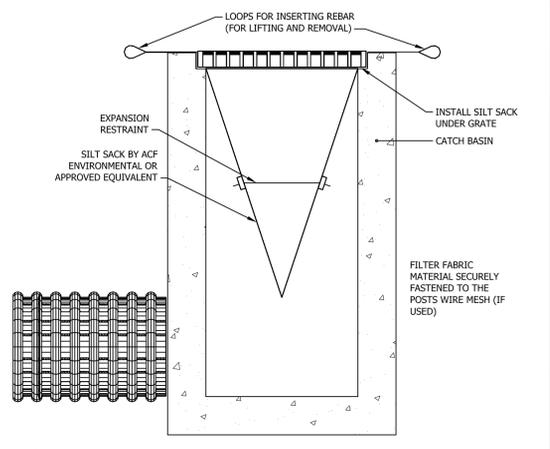
DECIDUOUS & EVERGREEN SHRUB DETAIL

6 NOT TO SCALE



WOOD FENCE DETAIL

8 NOT TO SCALE



- NOTES:**
1. INSTALL SILTSACK PER MANUFACTURERS' RECOMMENDATIONS.
 2. SILTSACKS SHALL BE CHECKED FOR SEDIMENT LEVEL AND OVERALL CONDITION IMMEDIATELY AFTER EVERY RAIN EVENT AND AT LEAST EVERY DAY DURING PROLONGED RAINFALL.
 3. SEDIMENT SHALL BE REMOVED WHEN THE SEDIMENT HAS ACCUMULATED TO 1/2 THE DESIGN DEPTH OF THE SILTSACK. REMOVED SEDIMENT SHALL BE DEPOSITED IN A SUITABLE AREA AND IN SUCH A MANNER THAT WILL NOT ERODE.
 4. SEDIMENT SHALL ONLY BE REMOVED BY REMOVING THE SILTSACKS FROM THE CATCH BASINS ACCORDING TO MANUFACTURER RECOMMENDATIONS.
 5. CARE SHALL BE TAKEN TO AVOID SPILLING SEDIMENT WHILE REMOVING THE SILTSACK.
 6. ANY DAMAGED SILTSACK SHALL BE REPLACED WITH A NEW SILTSACK.

INLET PROTECTION - SILT SACK

2 NOT TO SCALE



SITE DETAILS & EROSION CONTROL NOTES

COMMUNITY PARKING LOT

DRAWING: PROJECT:

PROJECT #: 19133

DESIGNED BY: MKT
DRAWN BY: MKT
CHECKED BY: TJG

ISSUED DATE: 9/23/19
ISSUED FOR: FINAL TOWN REVIEW

**Town of Berwick Planning Board
Conditional Use Findings of Fact**

Applicant: Northeast Redimix
6 Industry Drive (Tax Map R-072, Lot 12-5)
October 3, 2019

Back on July 29, the applicant proposed an amended site plan application to:

- Revise General Note #4 on the approved plan to allow non-potable water to be supplied to the site by gravel wells, rather than by a drilled well as originally approved. Potable water has been used by the facility through a commercial bottled water company. Potable water will continue to be provided by a bottled water company or by a drilled well. Clear Water Artesian Well company has provided a letter to you with the justification to provide a change to the well.
- The applicant also needed to obtain approval from the Maine DEP for a change to the Washout pit which had not been initially lined and which needed to be lined. The applicant went back to the DEP for an amendment to the approvals for the well issue but also needed to seek approvals for the washout pit at the same time. The DEP permit is attached for your review as part of this application.

Staff did not want to see this application before the planning board until such time as the DEP approved all of the modifications so that the board and staff could be assured that the changes would be approved and no further modifications to the plan would be needed.

The 3rd party review has finished at this time and the applicant had complied with all of the requirements discussed during the approval process.

Findings of Fact

1. **Conformance with the Comprehensive Plan:** *All proposed conditional uses and site plans shall conform to the Comprehensive Plan of the Town of Berwick and with the provisions of all pertinent federal, state and local codes, ordinances, and regulations.*

The application conforms to the Comprehensive Plan because it is permitting an appropriate commercial use within the RC/I zoning district.

2. **Preserve and enhance the landscape:** *The landscape shall be preserved in its natural state insofar as practicable by minimizing tree removal, disturbance of soil, retaining existing vegetation during construction. After construction is complete, landscape shall be designed and planted that will define, soften or screen the appearance of off street parking areas from the right of way and abutting properties and/or structures in order to enhance the physical design of the building(s) or site, and to minimize the encroachment of the proposed use on the neighboring land uses.*

This standard is being met insofar as it can. The site has been utilized as a Concrete mix facility for a number of years. The applicant is proposing the expansion in an area that will not impact the buffers or abutting neighbors.

3. **Relationship of the proposed buildings to the environment:** *Proposed structures shall be related harmoniously to the terrain and to the existing buildings in the vicinity which have a visual relationship to the proposed buildings. Special attention shall be paid to the bulk, location and height of the building(s) and such natural features such as slope, soil type and drainage ways.*

This has previously been met

4. **Vehicular access:** *The proposed site layout shall provide for safe access and egress from public and private roads by providing adequate location, numbers and controls of access points including site distances, turning lanes, traffic signalization when required by existing and projected traffic flow on municipal road systems.*

The applicant does not plan to modify the existing access to the site.

5. **Parking and circulation:** *The layout and design of all vehicular and pedestrian circulation, including walkways, interior drives, and parking areas shall provide for safe general interior circulation, separation of pedestrian and vehicular traffic, service traffic, loading areas, and arrangements and use of parking areas.*

This is not applicable

6. **Surface water drainage:** *Adequate provision shall be made for surface drainage so that removal of surface waters will not adversely affect neighboring properties, downstream conditions, soil erosion or the public storm drainage system. Whenever possible, on-site absorption of unpolluted run-off waters shall be utilized to permit groundwater recharge on the site.*

This standard has been met, the stormwater pond on-site has been designed to accommodate the full buildout on the site. The site has been constructed with third party oversight and all objectives have been met

7. **Existing utilities:** *The development shall not impose an unreasonable burden on sewers, sanitary and storm drains, water lines or other public utilities.*

This standard is not applicable. There will be no impacts to the existing utilities.

8. **Advertising features:** *The size, location, design, lighting and materials of all exterior signs and outdoor advertising structures or features shall not detract from the design of proposed buildings and structures and the surrounding properties.*

N/A

9. **Special features of the development:** *Exposed storage areas, exposed machinery installation, service areas, truck loading areas, utility buildings and similar structures shall have sufficient setback and screening to provide an audio/visual buffer to minimize their adverse impact on other land uses within the development area and surrounding properties.*

N/A

10. **Exterior lighting:** *All exterior lighting shall be designed to minimize adverse impact on neighboring properties.*

N/A

11. **Emergency vehicle access:** *Provisions shall be made for providing and maintaining convenient and safe emergency vehicle access to all buildings and structures.*

N/A

12. **Municipal services:** *The development will not have an unreasonable adverse impact on the municipal services including municipal road systems, fire department, police department, solid waste program, sewer treatment plant, school, open spaces, recreational programs and facilities, and other municipal service and facilities.*

The proposed uses will not have adverse impacts on municipal services.

13. **Will not result in water or air pollution:** *In making this determination, it shall at a minimum consider: The elevation of the land above sea level and its relationship to the floodplains, the nature of soils and subsoils and their ability to adequately support waste disposal; the slope of the land and its attest on effluents; and the applicable state and local health and water resources regulations.*

Nothing on the site will be changing to impact the site beyond what currently exists on the site.

14. **Has sufficient water available for the reasonable foreseeable needs of the development** *(this is usually considered to be ten years approximately).*

This standard has been met. The site is serviced by a private well and has been approved by the Maine DEP

15. **Will not cause an unreasonable burden on an existing water supply, if a municipal or community water supply is to be utilized.**

This standard has been met. The site is serviced by a private well

16. **Will not cause soil erosion or reduction in the capacity of the land to hold water** *so that dangerous or unhealthy conditions may result.*

This standard has been met since the site has been designed to accommodate stormwater and the Maine Dep has reviewed and permitted this project.

17. **Will provide for adequate sewerage waste disposal.**

This standard has been met. The septic system will not receive any wash water with the use of an onsite evaporator.

18. **Will not have adverse effects on the scenic or natural beauty of the area, aesthetics, or rare and irreplaceable natural areas.**

This standard does not apply since the site is zoned for Industrial/Commercial uses.

19. **The developer has adequate financial and technical capacity to meet the above stated standards.**

This standard has been met.

20. **Whenever situated in whole or in part within 250 feet of any pond, lake or river, will not adversely affect the quality of such body of water or affect the shoreline of such body of water, based on the standards outlined in Section 9.8.I.1.j.**

This standard does not apply because the site is not located near any type of water body.

21. **Low Impact Design:** *Each applicant is required to submit a statement to the Planning Board documenting proposed Low Impact Design (LID) for the site, which will help to reduce storm water volumes and help to enhance storm water quality. LID includes, but is not limited to, green roofs, rain gardens, tree wells, infiltration basins and permeable pavement.*

This standard has been met because the parking area as proposed will be gravel and an existing swale will be utilized for stormwater runoff.

I, David Andreesen, certify that I am Chair of the Planning Board of the Town of Berwick, Maine, a Planning Board established pursuant to Maine State Statute (30 MRSA § 1917 and Title 30-A § 4401) and I further certify that this decision was approved by the Planning Board at its meeting of May 17, 2018

October 3, 2019

**Town of Berwick Planning Board
Conditional Use Findings of Fact
September 19, 2019**

**Applicant: Paul Venuti, Paper Birch Property, LLC
357 Portland Street (Tax Map R-070, Lot 12-1)**

The Applicant, Paul Venuti, submitted an application to the Town dated August 22, 2019, for the development of a change of use from Medical Marijuana retail sales facility to an Adult Retail Store Front at a property that is in the RC/I Zoning District with Condition Use approval by the Planning Board.

The applicant, Paper Birch, LLC is seeking approval of the currently approved and under construction Medical Marijuana Store Front to allow for the sale of Adult Recreational Marijuana Store Front at some point in the future.

The reason I suggest sometime in the future is that the State rules have not been finalized at this time and will not be out until sometime in the spring of 2020. At this point the applicant is planning on continuing to open and operate the current facility in late fall. Once the state rules are finalized, he would than convert to Adult Recreation as I understand it.

The applicant is not proposing to change the site as previously approved but rather just change the use once the new rules are put in place. As a side note to all of this, it is my understanding that the applicant is planning on building out the parking lot as proposed in phase I & II. Also, Paper Birch has purchased the abutting parcel where the joint access had existed.

At the meeting of September 19, the board discussed the project further with the applicant. One board member was concerned that the applicant is seeking approvals for this use prematurely to the State finalizing the rules for the Adult Use portion of the law. During the meeting there was a motion to approve the application with one condition:

The applicant provide a State permit to the town prior to the operation of the Adult Recreational sales and If the rules change at the state level that requires any change in the applicants approach to this approval, than an additional amendment be sought with the planning board prior to that start of retail sales.

The vote to Approve was 4-1

Findings of Fact

1. **Conformance with the Comprehensive Plan:** *All proposed conditional uses and site plans shall conform to the Comprehensive Plan of the Town of Berwick and with the provisions of all pertinent federal, state and local codes, ordinances, and regulations.*

The application conforms to the Comprehensive Plan because it is permitting an appropriate commercial use within the RC/I zone. Provided the use does not change until a State of Maine permit has been issued to the applicant under the Rules for Adult Use Retail sales

2. **Preserve and enhance the landscape:** *The landscape shall be preserved in its natural state insofar as practicable by minimizing tree removal, disturbance of soil, retaining existing vegetation during construction. After construction is complete, landscape shall be designed and planted that will define, soften or screen the appearance of off street parking areas from the right of way and abutting properties and/or structures in order to enhance the physical design of the building(s) or site, and to minimize the encroachment of the proposed use on the neighboring land uses.*

No change is proposed to the physical site since the Conditional Use was approved.

3. **Relationship of the proposed buildings to the environment:** *Proposed structures shall be related harmoniously to the terrain and to the existing buildings in the vicinity which have a visual relationship to the proposed buildings. Special attention shall be paid to the bulk, location and height of the building(s) and such natural features such as slope, soil type and drainage ways.*

The one-story building will be wood framed and sided and located 75 feet off the road while the parking area will be at the side of the building and designed so that only the closest parked car to the road will be 85 feet off the street.

4. **Vehicular access:** *The proposed site layout shall provide for safe access and egress from public and private roads by providing adequate location, numbers and controls of access points including site distances, turning lanes, traffic signalization when required by existing and projected traffic flow on municipal road systems.*

The parking areas are accessed directly from the street and provide adequate sight distance onto the public way. The Maine DOT has provided a revised permit for the access opening to Portland Street.

5. **Parking and circulation:** *The layout and design of all vehicular and pedestrian circulation, including walkways, interior drives, and parking areas shall provide for safe general interior circulation, separation of pedestrian and vehicular traffic, service traffic, loading areas, and arrangements and use of parking areas.*

Parking as shown on the plan is adequate to allow for vehicles to circulate on site. Access will also accommodate the abutting parcel to the east through a common drive easement.

6. **Surface water drainage:** *Adequate provision shall be made for surface drainage so that removal of surface waters will not adversely affect neighboring properties, downstream conditions, soil erosion or the public storm drainage system. Whenever possible, on-site absorption of unpolluted run-off waters shall be utilized to permit groundwater recharge on the site.*

This standard has been met and complies

7. **Existing utilities:** *The development shall not impose an unreasonable burden on sewers, sanitary and storm drains, water lines or other public utilities.*

This standard is not applicable. The water will be services via onsite well and the sewer will be onsite septic system.

8. **Advertising features:** *The size, location, design, lighting and materials of all exterior signs and outdoor advertising structures or features shall not detract from the design of proposed buildings and structures and the surrounding properties.*

The Applicant must apply and receive a permit from the Town for any proposed new signs.

9. **Special features of the development:** *Exposed storage areas, exposed machinery installation, service areas, truck loading areas, utility buildings and similar structures shall have sufficient setback and screening to provide an audio/visual buffer to minimize their adverse impact on other land uses within the development area and surrounding properties.*

The applicant has received a letter from the Police Chief indicating that the less screening proposed is better for security purposes.

10. **Exterior lighting:** *All exterior lighting shall be designed to minimize adverse impact on neighboring properties.*

All lighting on the building shall be cut-off types. See note 13 of the plan set.

11. **Emergency vehicle access:** *Provisions shall be made for providing and maintaining convenient and safe emergency vehicle access to all buildings and structures.*

Emergency vehicles may access the building from the parking area.

12. **Municipal services:** *The development will not have an unreasonable adverse impact on the municipal services including municipal road systems, fire department, police department, solid waste program, sewer treatment plant, school, open spaces, recreational programs and facilities, and other municipal service and facilities.*

The proposed uses will not have adverse impacts on municipal services.

13. **Will not result in water or air pollution:** *In making this determination, it shall at a minimum consider: The elevation of the land above sea level and its relationship to the floodplains, the nature of soils and subsoils and their ability to adequately support waste disposal; the slope of the land and its attest on effluents; and the applicable state and local health and water resources regulations.*

This standard has been met and is in compliance

14. **Has sufficient water available for the reasonably foreseeable needs of the development** *(this is usually considered to be ten years approximately).*

This standard has been met. The use is not residential and the Applicant will be using a well.

15. **Will not cause an unreasonable burden on an existing water supply,** *if a municipal or community water supply is to be utilized.*

This standard does not apply since the Applicant will be utilizing a well.

16. **Will not cause soil erosion or reduction in the capacity of the land to hold water** *so that dangerous or unhealthy conditions may result.*

This standard has been met since the site has been designed to accommodate stormwater.

17. Will provide for adequate sewerage waste disposal.

This standard has been met as a septic system is proposed.

18. Will not have adverse effects on the scenic or natural beauty of the area, aesthetics, or rare and irreplaceable natural areas.

This standard does not apply since the site is zoned for Industrial/Commercial uses.

19. The developer has adequate financial and technical capacity to meet the above stated standards.

This standard has been met and complies.

20. Whenever situated in whole or in part within 250 feet of any pond, lake or river, will not adversely affect the quality of such body of water or affect the shoreline of such body of water, based on the standards outlined in Section 9.8.I.1.j.

This standard does not apply because the site is not located near any type of water body.

21. Low Impact Design: *Each applicant is required to submit a statement to the Planning Board documenting proposed Low Impact Design (LID) for the site, which will help to reduce storm water volumes and help to enhance storm water quality. LID includes, but is not limited to, green roofs, rain gardens, tree wells, infiltration basins and permeable pavement.*

This standard has been met because the parking area as proposed will be gravel.

Conditions

1. Any modifications to the Conditional Use plans and application as approved, prior to being made, must also be reviewed and approved by the Planning Board..
2. The Applicant shall ensure that all lighting installed on the building is dark-sky compliant with cut-off fixtures to prevent light trespass on neighboring properties or the street.
3. The property owner for Tax Map 70, Lot 12-1 otherwise known as 357 Portland Street will be responsible for all of the future maintenance and upkeep of the shared portion of the driveway.
4. Per Section 9.8.H.2 conditional use approval for the use stated in this decision shall expire in one year if that use has not commenced.
5. This Conditional Use shall inure to the benefit of the Applicant, and bind its successors and assigns, and shall be deemed to run with the land.

All of the above conditions still apply to this amended approval, however; one additional condition has been added to the plan as follows:

6. The applicant provide a State permit to the town prior to the operation of the Adult Recreational sales and If the rules change at the state level that requires any change in the applicants approach to this approval, than an additional amendment be sought with the planning board prior to that start of retail sales

I, David Andreesen, certify that I am Chair of the Planning Board of the Town of Berwick, Maine, a Planning Board established pursuant to Maine State Statute (30 MRSA § 1917 and Title 30-A § 4401) and I further certify that this decision was approved by the Planning Board at its meeting of XXXXX2019

Approval of the Findings of Fact

Approval of the Application 4-1

David Andreesen, Chair, Berwick Planning Board