



PLANNING BOARD MEETING MINUTES

Thursday January 16, 2020

Town Hall Meeting Room

6:30 p.m.

Call to Order

Pledge of Allegiance

Introduction of Board Members

Dave Andreesen; Frank Underwood; Sean Winston; Michael LaRue

Regular Member Absent:

Nichole Fecteau

Alternate Member Present:

David Ross-Lyons

Alternate Member Absent:

Staff Members Present:

James Bellissimo, Planner; Jenifer McCabe, Code Enforcement Officer; Lee Jay

Feldman, Director of Planning

Public Comment

Thomas Dupuis, property owner of land off Ridlon Road introduced himself. Mr. Dupuis said he is seeking a Land Use Ordinance amendment to increase the number of dwelling units on private gravel roads. Mr. Dupuis said the road would be built as if it was ready to be paved. Mr. Dupuis said South Berwick has gone to five units on private gravel roads.

Approval of Minutes

1. January 2, 2019

Motion: Frank Underwood motioned to approve the minutes as presented.

Second: Michael LaRue

VOTED – 3-0-1 in favor

Motion Passed

In favor: Dave Andreesen; Michael LaRue; Frank Underwood

Opposed: None

Abstain: David Ross-Lyons

Public Hearing

2. Conditional Use Application. Adult Use Marijuana Storefront. 513 Portland Street (R72-5) RC/I Zone. Tricann Alternatives.

Old Business

2. Conditional Use Application. Adult Use Marijuana Storefront. 513 Portland Street (R72-5) RC/I Zone. Tricann Alternatives.

A site walk was completed earlier in the day. David Ross-Lyons said that the site walk was positive. Frank Underwood said it was informative and all questions were answered.

Aaron Barth of Tricann Alternatives introduced himself.

Lee Jay Feldman said the security measures are impressive, including the internal circulation within the building and having separate entrances and exits.

Aaron Barth said the State of Maine has started to accept applications. Mr. Barth estimated that there are 60 storefront requests and 20 cultivation facility requests submitted to the State of Maine. There will be a hold on the opening of storefronts until there is enough supply for the facilities.

Motion: Michael LaRue motioned to approve the application

Second: David Ross-Lyons

VOTED – 3-0-1 in favor

Motion Passed

In favor: Dave Andreesen; Michael LaRue; David Ross-Lyons

Opposed: None

Abstain: Frank Underwood

3. Preliminary Plan. Major Subdivision. 100 Old Pine Hill Road (R44-20) R1 & R2 Zone. NC Berwick LLC.

Lee Jay Feldman read his memo to the Board. Mr. Feldman said he received the stormwater report today. Mr. Feldman said the letter from Sewer and review from DEP are missing from the application.

Paul Hollis of NC Berwick LLC introduced himself. Mr. Hollis said he has let his previous engineer go and is now going to work with Attar. Mr. Hollis said he is not ready for Preliminary Approval.

Frank Underwood indicated he would like to see an application with all materials required in Section 8.8 of the Berwick Land Use Ordinance. Mr. Underwood requested to see the delineation between the R1 and R2 Zone. Mr. Underwood asked for the net density calculations and soil classifications. Mr. Underwood said all Open Spaces need to be lots of record.

Dave Andreesen asked about a 25' buffer zone for abutting properties.

The Board asked about remaining land of the parcel. Mr. Feldman said the land ought to be included on the entire plan. Mr. Hollis said he was unsure if the additional piece of land was deeded out.

New Business

4. Conditional Use Application. Adult Use Marijuana Storefront & Adult Use Marijuana Production Facility. 569 Portland Street (R72 9-1) RC/I Zone. Straight Fire Farms.

Lee Jay Feldman read his memo to the Board.

Paul Blanc with MJS Engineering introduced himself as the representative of Straight Fire Farms. Mr. Blanc said a revision of the plan included the required 7 parking spaces. Mr. Blanc said the site plan has been updated to reflect Mr. Feldman's memo. Mr. Blanc said the septic is going to be moved and redesigned.

Dave Andreesen pointed out that the application requires an odor control plan. Ron Fousak said he is contracting out with an HVAC company to control the odor.

Frank Underwood asked about holding tanks for the grow facility. Mr. Underwood asked about notice to the Town of North Berwick.

Land Use Ordinance Amendments

5. Land Use Ordinance Amendments

James Bellissimo summarized an amendment in the Marijuana section. The intent behind the amendment is to set the cap at the number of permits granted.

Jodie Rodgers asked about the ability to apply. The Board encouraged Ms. Rodgers to apply before the change and they would not act upon the application until after the amendment. There was a discussion about the history of the ordinance and how the setback was initially established.

James Bellissimo introduced reducing the front setback in the RC/I Zone from 50' to 35' to encourage development. Mr. Bellissimo said the RC/I Zone is encumbered by the railroad track and CMP power line easement. Dave Andreesen said he would like to hold off on this discussion until safety issues on Route 4 are addressed. Mr. Feldman said pulling buildings closer to the road has a slowdown effect on cars because it has a tunneling effect.

The next amendment introduced is allowing more houses on gravel roads. Mr. Bellissimo said a lot of the time it is families that want to build on these roads and that would be a good thing to encourage. Mr. Bellissimo said from the Town's perspective, private roads can degrade and at a certain point becomes a life safety issue the Town may need to get involved with. Also, if private roads were allowed to have additional house lots, how many additional house lots would that lead to in Berwick's rural areas?

Mr. Feldman said the road must be constructed to a proper standard in case the property owners petition the Town to take over the road.

There was a discussion about what is a Subdivision.

Public Comment

Paul Amatucci of 12 Perrys Way introduced himself. Mr. Amatucci said his concern is that a lovely residential area is being negatively impacted by marijuana uses. Mr. Amatucci said Route 4 is becoming Little Havana. Mr. Amatucci said his concern is odor and security.

James Bellissimo said with licensing if there are persistent odors issues and active Code violations with the Code Enforcement Officer, they are not getting a renewed license.

Informational Items

Lee Jay Feldman announced a workshop on solar, hosted by SMPDC in the Sanford City Hall.

Frank Underwood requested information on the PREP annual report.

Adjournment

Motion: David-Ross Lyons motioned to adjourn.

Second: Sean Winston

VOTED – 4-0 in favor

Motion Passed

In favor: Dave Andreesen; David Ross-Lyons; 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:
