



PLANNING BOARD MEETING MINUTES

Thursday October 15, 2020

Burgess Meeting Room, Berwick Town Hall

6:30 p.m.

Call to Order

Pledge of Allegiance

Introduction of Board Members

Dave Andreesen; David Ross-Lyons; Michael LaRue; Nichole Fecteau; Frank Underwood;

Alternate Member Present: David Ross-Lyons; Jerry Graybill

Staff Members Present: James Bellissimo, Director of Community Development & Planning; Jenifer McCabe, Code Enforcement Officer

Approval of Minutes

Dave Andreesen and Frank Underwood pointed out typos.

- October 1, 2020

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

Second: Michael LaRue

VOTED – 5-0 in favor

Motion Passed

In favor: Dave Andreesen; Nichole Fecteau; Michael LaRue; David Ross-Lyons; Frank Underwood

Opposed: None

Abstain: None

Old Business

- Site Plan Review. Adult Use and/or Medical Marijuana Production Facility. Industrial. Off Portland Street (R72-17). RC/I Zone. 3G's Realty.

James Bellissimo said the most significant change from the last meeting is the clarification that the buildings will have one license holder rather than each individual building licensed with tenants. One of the Conditions of Approval is that the State and Local license shall be held by the same entity. Mr. Bellissimo said that while General Industrial is not a use identified on the Land Use Table, Industrial is

Neil Rapoza introduced himself as the representative of the project. Mr. Rapoza summarized the changes to the site plan.

Michael LaRue asked for clarification on the licenses and how the buildings will be occupied. Dave Andreesen asked what did the attorney say. Mr. Bellissimo said it all comes back to the 1,000-foot setback and the way that section is written and based on how Adult Use Production is defined. Michael LaRue said the intention of the Ordinance is to prevent clustering of facilities. Mr. Bellissimo said the individual businesses will not be able to get separate licenses.

Scott Kearnan said he understood why having multiple tenants and licenses does not meet the ordinance. Mr. Kearnan said having space between growing is important and one example is mold being brought into a grow area and it would be isolated to that one building. Mr. Kearnan said with having multiple buildings the project can be built in phases.

Neil Rapoza said the abutters asked about the lot line and he said if they would like to do a survey on their property, they would be happy to work with them.

Jerry Graybill asked about the building height and filtration. Mr. Rapoza said the building height will be under the maximum for the zone and that the filtration system will include both carbon filtration and negative pressure.

Frank Underwood brought up Marijuana Testing and that it is not in the Berwick Land Use Ordinance and he mentioned it may be good for the Board to review. Mr. Kearnan said the Marijuana Industry needs Testing Facilities and this component is the source of a bottleneck in Massachusetts.

Nichole Fecteau asked to clarify a Condition of Approval #6.

Motion: Nichole Fecteau motioned to approve the Findings of Fact.

Second: David Ross-Lyons

VOTED – 5-0 in favor

Motion Passed

In favor: Dave Andreesen; Nichole Fecteau; Michael LaRue; David Ross-Lyons; Frank Underwood

Opposed: None

Abstain: None

Dave Andreesen read the Conditions of Approval.

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

Second: David Ross-Lyons

VOTED – 5-0 in favor

Motion Passed

In favor: Dave Andreesen; Nichole Fecteau; Michael LaRue; David Ross-Lyons; Frank Underwood

Opposed: None

Abstain: None

Motion: Nichole Fecteau motioned to approve the application.

Second: David Ross-Lyons

VOTED – 5-0 in favor

Motion Passed

In favor: Dave Andreesen; Nichole Fecteau; Michael LaRue; David Ross-Lyons; Frank Underwood

Opposed: None

Abstain: None

Public Comment

Richard Harris of 26 Stone Lane said he's worried about the water runoff from the 3G's Realty project. Mr. Bellissimo said the project is subject to a Site Location of Development Permit which has an extensive permitting requirement. Mr. Bellissimo said water cannot adversely impact his property, it would be a Land Use violation and Site Plan violation. Neil Rapoza explained Pre and Post Stormwater Construction requirements. Mr. Harris asked why environmental questions were not answered. Ms. Fecteau clarified that the high-level environmental issues that require engineering are dealt with through the DEP.

Informational Items

James Bellissimo said Marijuana Testing will have relatively high business personal property taxes and it is a fairly benign use so the use should be treated more like a lab than a Marijuana Establishment.

Frank Underwood said The Edge Presentation showed a Site Plan for the former Prime Tanning redevelopment. They will be in front of Planning Board in the Winter time and have a goal to have a shovel in the ground for Spring/Summer.

Adjournment

Motion: Jerry Graybill motioned to adjourn

Second: Michael LaRue

VOTED – 5-0 in favor

Motion Passed

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