**Fryeburg Planning Board**

**February Meeting Minutes**

**February 23, 2021 – David and Doris Hastings Community Center**

**Members in Attendance:** Patrick Emery, Ed Price, Charlie Buterbaugh, Tom Rebmann, Edy Kizaki

**Call to Order:** Emery called the meeting to order at 6:04 p.m. It was determined that there was a quorum.

**Approval of November Minutes:** Price made a motion to approve the November, 2020 and January, 2021 meeting minutes. Rebmann second. Approved by unanimous vote.

**Public Hearing for CBW Labs (285 Main Street) opened at 6:05 p.m.**

Dan Tepe spoke for his business. He reinterated that CBW Labs is currently authorized to process (manufacturing of) hemp, sell CBD products, and process (manufacturing of) medical marijuana for wholesale distribution. The proposed expansion will include retail sale of medical marijuana at the same location, which if successful, will expand into the adjacent space. Tom Klinepeter asked if there would be any cultivation. Tepe: no. A member of the public asked if CBW Labs was adjacent to the dog training facility. Tepe: yes, previously, but they re-located. Another member of the public asked if the expansion would be into an adjacent space in the same building. Tepe: yes. No further comments. Emery closed the public hearing at 6:08 p.m.

**Planning Board Review for CBW Labs (285 Main Street) opened at 6:09 p.m.**

Price noted that Be Safe Driving School is located in the same building. Per the Land Use Ordinance (17.2.4.a.1), medical marijuana retail establishments cannot be located within 1,000 feet of a pre-existing school. Price noted that the driving school is a “special use school”. The Board debated whether the Ordinance language intended to include “special use schools”. Buterbaugh asked about the security procedures at CBW Labs. Tepe: The building is always locked; customers must ring bell to be let in. If medical marijuana sales are approved, customers will be required to show their medical card to enter the store. Emery reviewed the summary of how the proposed use does/does not comply with the applicable codes. Price made a motion to deny the application. Buterbaugh made a motion to approve the application with conditions. These might include conditions related to signage and security. Rebmann noted that a “special purpose school” is not a “school”. Rebmann seconded Buterbaugh’s motion to approve. No conditions were attached to the approval. Board voted 3-2 to approve (Price and Emery dissenting).

**Planning Board Review for Timbernook of Western Maine (55 Maillett Drive) opened at 6:45 p.m.**

Elizabeth Maillett (applicant) reviewed the proposal, which is to operate a special use school for kids ages 1.5 to 13. The curriculum is outdoor enrichment. The proposal is to operate 1-2 days per week from 9 a.m. to 3 p.m. Employees (1-2) and caregivers for small children will be provided with 8 parking spaces (2 handicap) and portapotty will be provided. Plans include erecting a three-sided structure for shelter. The classes will be held on the property behind 55 Maillett Drive (owned by Patrick Maillett), although access will be via Maillett Drive and 55 Maillett Drive. Price asked who maintained Maillett Drive. Maillett: it’s private. Price made a motion to find the application complete. Second by Kizaki. Board voted unanimously in affirmative. Emery reviewed the summary of how the proposed use does/does not comply with the applicable codes. Price made a motion to approve the application. Rebmann seconded. Board voted unanimously to approve.

**Review of Lake Region Self Storage (Bridgton Road) opened at 7:01 p.m.**

Jeff Amos of Terradyn Consultants presented on behalf of the owner, Mr. Lopez, who is proposing to develop a wooded lot on Bridgton Road into a self-storage facility. There will be seven buildings with 33,000 square feet of storage. There will be no office on site; therefore, no water or sanitary facilities will be supplied to the site. Due to the amount of to be land disturbed (> 1 acre) and the amount of new impervious surface proposed (> 20,000 square feet), a storm water permit must be obtained from the Maine Department of Environmental Protection (DEP). The proposed design includes an infiltration pond. The permit has not been obtained from Maine DEP; the applicant indicated the application would be submitted to the DEP after local approval is received. Mr. Amos noted that no hazardous materials would be permitted to be stored on site and security lighting would be directed downward, but the plan was for it to remain on all night. Mr. Amos also noted that the applicant will be seeking a driveway permit from Maine Department of Transportation (DOT) after local approval is secured. Rebmann asked about the proposed planting along Bridgton Road and whether or not the amount of screening proposed is adequate. Price asked several questions, regarding proposed erosion controls (Amos: only during construction), whether the entire lot would be cleared (Amos: yes), the height of the proposed buildings (Amos: 12 feet), the hours of operation (Amos: access is allowed for customers 24/7), whether outdoor storage would be allowed (Amos: no), and the proposed fence along the front of the lot (Amos: no, it will not extend around back. The proposed fence is six foot high, black, chain-link. Price: Can the security lights be on motion detectors? Amos will ask owner. Price asked about emergency vehicle access when gate is locked. Amos: Police and Fire will have the access code. Price asked about the infiltration pond and Amos described general operation (usually dry, only full immediately after rain, designed to keep storm water on site). Price asked about the total coverage of structures and impervious area on the lot. Amos: the buildings are 21% if the lot area and the total impervious area is 53% of the lot area. Price asked when the soil test pit was dug. Amos: a couple of months ago. Kizaki asked if the sign would have internal illumination. Amos: not sure, any sign will comply with local codes. Buterbaugh reiterated the desire for better screening from the road. Price suggested Arborvitae instead of the proposed oaks and maples. Price made a motion to deem the application complete. Rebmann seconded. Board voted unanimously in the affirmative. Price made a motion to propose a public hearing for this application. Buterbaugh seconded. The Board voted unanimously in favor. The public hearing will be on March 23, 2021.

**Planning Board Review of Revised Architectural Renderings for Nouria Energy (501 Main Street) opened at 7:49 p.m.**

Buterbaugh noted it was a step in the right direction. Rebmann would have liked to see something more rustic. Price made a motion to approve the proposed revisions. Buterbaugh seconded. The Board voted unanimously to approve.

**Public Forum opened at 7:55 p.m.**

Sally Whitten of 12 Jordan Camp Road spoke. She was concerned about the proposed expansion of the industrial zone near the airport to include the lots abutting Route 302. She noted that the state considers this to be a scenic by-way and she also noted that the Mountain Division trail runs through this area. She asked that the Board reconsider this proposal and save the rural residential zones from development.

Margaret Eastman of Cornshop Road spoke. She noted that Fryeburg does not want or need industrial development on Cornshop Road. The area is on an aquifer. It floods. She asked how many acres are un-used in the existing industrial zone. She asked if three-phase power was a critical part of choosing possible locations for new industrial development. She noted the Town needs housing and whether the Snow School would be developed for housing.

Christopher DeVries of 13 River Street spoke. He wanted to support the expansion of commercial zoning in the Village.

Public forum closed at 8:16 p.m.

**Other Business**

Emery noted that the next Planning Board meeting is scheduled for March 23, 2021.

**CEO’s Monthly Report**

A motion was made by Price to accept the report. Kizaki seconded. Board voted unanimously to approve.

**Meeting Adjourn**

Emery made a motion to adjourn. Seconded by all. Board voted unanimously to adjourn at 8:42 p.m.