**Fryeburg Planning Board**

**May Meeting Minutes**

**May 25, 2021 – David and Doris Hastings Community Center**

**Members in Attendance**

Patrick Emery, Ed Price, Tom Rebmann, Charlie Buterbaugh

**Call to Order**

Emery called the meeting to order at 6:05 p.m. It was determined that there was a quorum.

**Approval of May 10, 2021 Minutes**

Price made a motion to approve the May 10th minutes. Seconded by Buterbaugh. Vote: all in favor (4-0).

**Approval of April 27, 2021 Minutes**

Price requested that the comments gathered by Kizaki be incorporated to the April minutes.

**New Business**

Price made a motion, seconded by Rebmann, to move the Green Acres hearing up ahead of the other two hearings. Vote. All in favor (4-0). The Board also agreed to combine the two marijuana-related hearings, as the applicants are essentially the same.

**Public Hearing: CDL, LLC Green Acres Minor Subdivision Application Review opened at 6:08 p.m.**

Jon Bliss described the proposed subdivision, which consists of two lots of approximately six acres each and one remaining (undevelopable) parcel of approximately 24 acres. Each lot extends from Route 5 (Main Street) to the Saco River. He also noted that the deed and covenants require any development of the 24 acres parcel to be approved by the Planning Board. Bliss pointed out that the two building lots are able to choose between public water or on-site wells. Emery closed the Public Hearing at 6:13 p.m.

Price asked if the height of land (six feet above flood stage was adequate). Bliss noted it was. Buterbaugh asked if the Saco River Corridor Commission had approved the plans. Bliss: No. Emery reviewed compliance with Ordinance. Price made a motion to approve the application with the following conditions: the landowner/developer will comply with the requirements of the MDOT driveway permits, the landowner/developer will comply with the permitting requirements of the SRCC, the landowner/developer will comply with the Deed Restrictions and Covenants, and the issuance of a building permit is contingent upon the landowner/developer submitting a Stormwater Management Plan. Buterbaugh seconded. Vote: all in favor (4-0).

**Public Hearing for East Coast Growers, LLC Land Use Authorization Application opened at 6:36 p.m.**

Eric Felice presented to the public. Ed Wilkey asked about the odor. Felice assured the public that the odor is only detectable during the flowering stage of the cannabis plant, which last for approximately 4-6 weeks during mid fall (October). He noted their proposed grow area is in a low area and far from the property lines. He also noted that 24/7 surveillance would be installed and they intend to establish a working farm with other products besides cannabis. A member of the public asked about pesticides and herbicides. Felice stated they are going to be an organic operation. Another member of the public was concerned about the water use and its effect on nearby wells and the Baker Spring. Felice stated that they were expecting to use no more than 5,000 gallons per week and they are working with a hydrogeologist to establish a well. Another member of the public asked about access. Felice noted that the primary access would be via Lovell Road, with secondary access from Fish Street. Tom Kingsbury asked how far they would be from the site in case of an emergency. Felice stated that he would be living in an RV on the property during the 2021 growing season, if approved. Wilkey asked where it will be sold. Felice: wholesale. A member of the public asked about a farm stand (Felice: someday) and employees (Felice: currently some part-time, more to come). Mr. Roy asked if they had experience growing cannabis. Felice: no, but a college degree in horticulture. Another member of the public asked why this lot, as it has poor soil. Felice: the family loved the location. Tibbetts: The lot was logged in 2019 and left a mess; what is the plan? Felice: they intend to repair the damage and restore the lot. Someone asked what they could do if there was an odor or erosion, or some other issue. The Code Officer indicated that they should call him. Someone asked if there would be a farm stand. The applicant responded, yes; but no cannabis. Emery closed the hearing at 7:37 p.m.

Price asked if all of the abutters were notified. The Code Officer confirmed that one abutter was accidently left off of the list, so no. We were able to reach this resident (Caleb Maillett) by phone and he expressed no concerns with the proposed farm. There was significant discussion about whether the Board could proceed, knowing one resident was not informed per the Ordinance. Ultimately, it was decided that the hearing should be re-opened, so that Caleb Maillett could be given 10 days notice and then reconvened on June 7, 2021. Buterbaugh made a motion to re-open the hearing. Rebmann seconded. Vote: all in favor (3-0, Price abstained). Buterbaugh made a motion to approve the application. No one seconded. Buterbaugh made a motion to continue the public hearing on June 7, 2021 at 6:00 p.m. at a location to be determined. Vote: all in favor (3-0, Price abstained).

**Other Business**

The Board discussed what action to take regarding the land clearing (and lack of buffer) for the Walden Renewables Solar project. The Code Officer agreed to speak to the Town’s attorney about what options are available for seeking a remedy.

**CEO’s Report**

Price made a motion to accept the April CEO’s Report. Rebmann seconded. Vote: all in favor (4-0).

**Adjourn at 9:17 p.m.**

Emery made a motion to adjourn. Seconded by all. Vote: all in favor (4-0).