

## NORTH BERWICK PLANNING BOARD

### MINUTES OF PLANNING BOARD JULY 8, 2021

**Present:** Chairman Geoffrey Aleva, Anne Whitten, Jon Morse, Mark Cahoon, Matt Leconte, CEO

**Absent:** Scott Strynar, David Ballard

**Also Present:** Brandon Piecuch, Christopher Piecuch, Jet Archer, Dana Libby

1. Call to Order:

Chairman Geoffrey Aleva called the meeting to order at 6:30 pm.

2. Review Previous Minutes:

Anne Whitten stated that the 2<sup>nd</sup> paragraph on page 2 currently reads, “Anne Whitten motioned that the application appears to be complete per the information that she reviewed in email but if anything else is needed, they will contact the applicant.”. She would like it to read, “Anne Whitten motioned that the application appears to be complete per the information that she reviewed in email but if anything else is needed, and with permission from the applicant, they will contact the applicant.”.

Jon Morse motioned to approve the minutes of June 10, 2021 as amended. Anne Whitten seconded the motion. VOTE: 4-0

3. Current Business:

3.1 Public Hearing – Sugarbush Subdivision Amendment  
Beech Ridge and Lebanon Road Tax Map: 007 Lot: 019

Request: The applicant proposes an amendment to the approved Sugarbush Subdivision to add an additional lot split, bringing the total lot count in the subdivision to a 4-lot subdivision located on Beech Ridge and Lebanon Road (Map 007 Lot 19) on land owned by Danny Shaw.

Dana Libby stepped forward to discuss the project. He stated that the property was approved for a 3-lot subdivision about a year ago. Someone approached Danny Shaw and asked about buying a large chunk of land. They cut out 27 acres that would be sold to the public and they are proposing a 2-acre sale to the abutter to the south. There will be a 50 foot right of way retained through the 27-acre lot for Danny Shaw’s use. They measured the site distances at the right of way, and they far exceed the minimal requirements. The lot has been soil tested.

Chairman Aleva opened the Public Hearing at 6:36 pm.  
There was no public comment at this time.

Chairman Aleva closed the Public Hearing at 6:37 pm.

Jon Morse asked if the escrow had been paid. Matt Leconte stated that Dwayne said they were all set.

Anne Whitten motioned to approve the Sugarbush Subdivision Amendment on Beech Ridge and Lebanon Road (Tax Map 007 Lot 019). Jon Morse seconded the motion. VOTE: 4-0

3.2 MS Select Properties (Tenant: Christopher Piecuch DBA Therapeutic Roots, LLC)  
42 Market Street (Map 018 Lot 027-1)

Request: Applicant is proposing a Medical Marijuana Counseling Office at 42 Market Street. Pursuant to the Town of North Berwick Zoning Ordinance, Article 4.2 Land Uses (table) and 5.2.1.G, a Conditional Use Permit shall be obtained for this type of use in Commercial Zone.

Christopher Piecuch from Therapeutic Roots, LLC stepped forward to discuss the project. He will be the caregiver operating the store. It will be a place where patients can come in, see a caregiver, and get consultation on what type of medicine would be useful for them such as tinctures, edibles, vaping, etc. It is a little bit different from a regular storefront. They cannot just come in and buy whatever they want. They actually interact with the patient and that way they know that the patient is getting the proper treatment and getting the proper therapeutic use for their ailment. He has been a caregiver for almost 10 years. Chairman Aleva asked if he had been before the Board in the past. Mr. Piecuch said that he had. He used to have a Counseling Office on Elm Street. He closed it about a couple of years ago and he is now looking to get back into it.

Jon Morse asked if he was actually selling anything out of this office. Mr. Piecuch stated that if the patient wanted to purchase something, they can. They will have the product on hand. At the end of every night the product and cash all leave with him. Nothing is left on site. Mark Cahoon asked if he had anybody else involved with him regarding the counseling. Mr. Piecuch stated that his brother helps him with some of the paperwork and other things, but he provides the counseling.

Jon Morse stated that a person comes in and tells Mr. Piecuch what their problems or symptoms are, and he decides what they should be taking to help their problem. If they do not buy from him, does he write a script for them to go elsewhere? Mr. Piecuch said he did not. When they come in and state what their problems are and based on what his knowledge is of Medical Marijuana, he will recommend what they should take such as edibles instead of smoking cannabis.

They can choose to not purchase from him and go elsewhere as long as they have a card. Nobody will get by the front desk if they do not have a Medical Marijuana card.

Jon Morse stated that when they were here before, the Board had talked to them about exterior lighting. They needed fairly good lighting at all of the doors and also had talked about a security system. Mr. Piecuch said that they will have lights at both the front and back doors. They also said that they will be installing a security system with cameras and monitors. Public entrance will be the front door only.

Chairman Aleva asked Mr. Leconte if there were any issues with this project from the code enforcement side. Mr. Leconte asked about the apartments on the 2<sup>nd</sup> and 3<sup>rd</sup> floors and if they were occupied. Mr. Piecuch said that they were. Mr. Leconte said that there will be some code requirements for the permitting such as fire separation. They will need to insure that there is something in place. He said that there will be periodic site visits made to make sure that everything is still working the way it should.

Anne Whitten asked what key card monitoring was. Mr. Piecuch said that anyone that has access to the back room where the medicine is kept and where the consultations will happen will need a key swipe card in order to access that area. Anne Whitten asked who was going to patrol the premises daily. Mr. Piecuch said that it would be the employee and caregiver that are on site.

Jon Morse asked if there was any access from the bottom floor to the upstairs rooms. Mr. Piecuch said that there was none. Anne Whitten stated that they were pretty much like a dispensary. Mr. Piecuch said that it was but with less of a store feel. They provide more individual attention and will not draw a lot of traffic. There will be no products on the shelf. Mr. Piecuch said that he has been doing this for a long time and he feels that the storefront ones are like walking into a 7-11. He doesn't believe that medicine should be treated like that.

Jon Morse asked what the 2 No Access rooms were that are shown on the plan. Mr. Piecuch said that the one on the corner is the staircase and the one in the middle is the chimney.

Chairman Aleva stated that they need to accept the application, set the escrow, and decide on if they want to do a site walk.

Anne Whitten motioned to accept the application as complete for MS Select Properties Map 18 Lot 027-1 at 42 Market Street. Mark Cahoon seconded the motion.

Chairman Aleva stated that MS Select Properties no longer owns the property. As of 7/1/21, the new application was submitted with the new owner being Cedar Gordon.

Anne Whitten amended her previous motion to be the property owner as Cedar Gordon not MS Select Properties for the tenant Christopher Piecuch DBA Therapeutic Roots, LLC. The application is complete. Mark Cahoon seconded the motion. VOTE: 4-0

Jon Morse motioned to set the escrow amount at \$4,400.00 for the Therapeutic Roots, LLC office application. Anne Whitten seconded the motion. VOTE: 4-0

Chairman Aleva asked the Board members if they needed to do a site visit to walk through the building.

Jon Morse motioned to set a site walk at 42 Market Street at 6:00 pm on July 22, 2021 prior to the meeting. Anne Whitten seconded the motion. VOTE: 4-0

4. Other Business:

Jon Morse stated that he received an email from Dwayne stating that he is waiting to receive a concept plan for a 14-lot subdivision on Route 9 Somersworth Road. He also stated that he is waiting on the continued review of the Hagen subdivision. He has received 2 concept plans for 2 gravel extraction operations. He is expecting to have the applications filed shortly.

5. Adjournment:

Anne Whitten motioned to adjourn the meeting at 7:05 pm. Jon Morse seconded the motion. VOTE: 4-0

Matthew Leconte  
Planning Coordinator

Respectively submitted,  
Susan Niehoff, Stenographer

Chairman Geoffrey Aleva

Jon Morse

Anne Whitten

David Ballard

Scott Strynar

Mark Cahoon