

## HAVERHILL PLANNING BOARD MEETING MINUTES

**DATE: Wednesday, January 9, 2019**

**Place: City Council Chambers, Room 202**

**Time: 7:00 PM**

Members Present: Bill Evans, Karen Buckley, April DerBoghosian, Esq., Robert Driscoll, Karen Peugh and Alison Colby-Campbell, Paul Howard and Ken Cram

Members Absent: Jack Everette

Also Absent: William Pillsbury, Planning Director

Also Present: Lori Robertson, Planning Department

Member Karen Peugh read the conduct of hearings into the record.

### **Approval of Minutes:**

#### **December 12, 2018**

After board consideration, Member Robert Driscoll motioned to approve the December 12, 2018 minutes. Member Alison Colby-Campbell seconded the motion. Members present voted in favor: Paul Howard, Ken Cram, Bill Evans, Karen Buckley, Karen Peugh, April DerBoghosian, Esq. and Bob Driscoll and Alison Colby-Campbell. Member Absent: Jack Everette. **Motion Passed.**

### **Public Hearings:**

#### **Definitive Plan for Marbles Lane:**

It was noted that the applicant's engineer requested a continuance until the February 13, 2019 Planning Board meeting.

After board consideration, Member Karen Buckley motioned to continue until the February 13, 2019 Planning Board meeting at 7:00 pm in the City Council Chambers. Member Alison Colby-Campbell seconded the motion. Members present voted in favor: Paul Howard, Ken Cram, Bill Evans, Karen Buckley, Karen Peugh, April DerBoghosian, Esq., Bob Driscoll and Alison Colby-Campbell. Member Abstained: Members Absent: Jack Everette. **Motion Passed.**

**Planning Board Meeting  
1-9-19**

**List of all documents and other exhibits used by the public body during the meeting:**

- Letter from Christiansen and Sergi dated, January 7, 2019

**Frontage Waiver for 635 Kenoza Street:** Mr. TJ Melvin of Christiansen and Sergi addressed the board. The applicant is requesting a frontage waiver for lots shown on the plan as Lot 10 and 11. In 2018 this portion of the property was approved as a definitive subdivision plan. At this point the applicant is looking to rework the property lines. This plan was brought before the Zoning Board of Appeals on November 28, 2018 and a variance was granted.

Chairman Howard asked if anyone would like to speak on this project? Hearing none, I will close the public portion of the hearing.

Chairman Howard read the comments from the Planning Director.

Mr. William Pillsbury in a letter to the board stated this plan received approval for frontage variance and no appeal has been taken. The role of the planning board in acting on the frontage waiver is to ensure that there is adequate access provided to the site from the reduced frontage. The review of the plan indicates that the adequate access exists via reduced frontage. The plan has been reviewed by the city departments and their comments are in your packages. No objections have been received.

After board consideration, Member Robert Driscoll motioned to approve the frontage waiver for 635 Kenoza Street as recommended by the Planning Director, William Pillsbury, Jr. in his letter. Member Bill Evans seconded the motion. All members present voted in favor. Motion passed.

**List of all documents and other exhibits used by the public body during the meeting:**

- Frontage Waiver application
- Comment due sheet
- Comment, Building Inspector, 1-2-19
- Letter, Fire Department, 12-21-18
- Letter, Fire Department, 12-21-18
- Email, City Engineer, 1-9-19
- Letter, Water/Wastewater, 1-7-19

**Planning Board Meeting  
1-9-19**

**Frontage Waiver for Vincent Avenue:** The applicant/owner/representative was no present at meeting.

Chairman Howard asked if anyone would like to speak on this project? Hearing none, I will close the public portion of the hearing.

Chairman Howard read the comments from the Planning Director.

Mr. William Pillsbury in a letter to the board stated this plan received approval for frontage variance and no appeal has been taken. The role of the planning board in acting on the frontage waiver is to ensure that there is adequate access provided to the site from the reduced frontage. The review of the plan indicates that the adequate access exists via reduced frontage. The plan has been reviewed by the city departments and their comments are in your packages. No objections have been received.

After board consideration, Member Robert Driscoll motioned to approve the frontage waiver for Vincent Avenue as recommended by the Planning Director, William Pillsbury, Jr. in his letter. Member Alison Colby-Campbell seconded the motion. All members present voted in favor. Motion passed.

**List of all documents and other exhibits used by the public body during the meeting:**

- Frontage Waiver application
- Comment due sheet
- Email from City Engineer, 1-9-19
- Letter from Building Inspector, 12-18-18
- Letter from Water/Wastewater, 12-11-18
- Letter from Fire Department, 12-4-18
- Letter from Conservation, 11-29-18
- Frontage Waiver plan, 11-20-18

**Amendment to Zoning Ordinance:** Attorney William Cox: Much of the same ordinance as presented during the October 10<sup>th</sup> meeting, a few changes. First change at section D1 which talks about the eligible zones, we changed the dates on the maps.

Added the section - district full name- Medical Marijuana District we simply added the words "No Exclusions" next to that district

D2 and D3 we removed the language with regard to the Merrimack Street gateway renaissance overlay district we revised the maps and took that area out for consideration

D3 we changed the notice provision from 250 ft to 300 ft with regard to the establishment within the water front district area

**Planning Board Meeting**  
**1-9-19**

D4 we added this section no LME licenses marijuana establishment shall be located within 1.5 mile from another licensed LME. City council may modify or waive this requirement.

On E1 and 2 we changed LME we changed to read marijuana retailers or social consumption establishments.

With regard to the map there were two changes we removed water front district area that encompass Merrimack Street and we added an abutting parcel to the Amesbury Road west area.

But on the parcel that was added to Amesbury Road west, there is an area that abuts 495 that has some buildings. This parcel has no buildings on it. That was added.

These are essentially the changes that you have before you.

As your aware, this is a proposed amendment to the zoning code your charged with reviewing the proposed amendment to the zoning code and making a recommendation with regards to the city council, the city council can determine what weight to give your recommendation and they can choose to adopt your recommendation or not as they see fit.

I would like to stress to the board tonight and what is not before you, is consideration of any individual proposal to locate any particular establishment. The ordinance before you does not give any establishment the right to locate anywhere within the city. Any proposed establishment must under the ordinance apply for and receive a special permit from the city council in order to locate an establishment. What is before you tonight for your consideration the language in the ordinance itself and the permitted areas within the license marijuana establishments overlay zone. I would encourage the board to keep in mind that by law the city is required to provide sufficient areas which would allow in our case at least 6 marijuana retailers or social consumption establishments to be located. This does not mean we have to issue 6 special permits to anyone, they have to go through that process. They need to be able to qualify and they have to meet the conditions that any applicant for a special permit would have to meet, but in order for the zoning provisions to be up held and not subject to legal challenge which could result in a court order for a special permit to be issued in an area where the city does not want an establishment to be located, we must provide sufficient areas for prospective locations, and that is what you have before you tonight and I would urge you to use great caution in recommending the removal of any of those areas from the zoning area.

Chairman Howard asked if anyone wish to speak against this ordinance?

**Planning Board Meeting**

**1-9-19**

**Lloyd Jennings 6 Lancaster Street** addressed the board.

– He is against the location in the downtown area he has looked at all the areas for the marijuana retail store to go and he just thinks the downtown area is not a very good area for it to be. Between all the options the council has why would you want to put (and he knows that the council is just recommending) so he is asking the council to recommend, to exclude the Washington Street, Merrimack Street, downtown area to the city council. The reason being is you have all these other options to go to, our downtown is revitalizing. According to some people, its not but it is, and there is a lot of building that is going on there, there's a lot of traffic, there's a lot of non parking for people to go to, but that's besides the point, that's not the issue alone not to put a marijuana store in our downtown, let's look at the moral facts of it all, you know this our downtown, this is where our children go, this is where our families go to eat, we're suppose to be reviving downtown as a restaurant district, what I have been doing in the past 10-15 years, you know I have a lot of friends that come down from Boston, they all want to come to Haverhill and build in town, they all like the downtown area, but what we are starting to see here now, is two CBD stores downtown now, then you got your bong store downtown now, I mean is this the direction Haverhill is going? Marijuana downtown? I mean is this the direction we really want to go to? I mean we have families, we have kids fest, we have Christmas carolers, we have the river ruckus. We have all these different things going on in our downtown, then we're going to stick pot in our downtown. I just think it's a crazy aspect to think that this is the right place to put it, there's plenty of other options, and we're not against – well the people I have talked to is not against the marijuana, they want to smoke it, let them smoke it, -- it's fine. But we're against putting it downtown area where we want to bring our children our families, it's a family oriented place. Lawrence itself denied it and here we are trying to put it in our downtown, I'm not trying to rag on Lawrence but let's be honest, we all know that the difference of Lawrence and Haverhill, but here we are trying to put pot in our downtown where Lawrence alone doesn't even want it at all, we've come and said alright we'll put it in Haverhill we'll take it, we'll take the money, we'll do that great. But for what? Do we have to put it downtown? Put it somewhere else, put it wherever you want, -- Amesbury Road is a great spot right over there in the open land right off the highway. There's a lot of other spots, even on your maps, that I've seen you've got to pick 6 spots. Why would you pick in the world downtown is being one of those great spots, it's not one of the greatest spots, it's one of the bad spots, it's the worse spot you have on this map to put a recreational marijuana. So now you want to talk about why do you want it there? So everybody that said why they want it there, it's all about bringing in people. How many people do you want downtown? You've got buildings, Chen Building, the Ted's leather building, Magnavox Building, River City Building getting built, Sal's building getting built, the old music center, the place across the street from Sal's getting built, -- how many people can we really put there? Your saying that you

## Planning Board Meeting

1-9-19

want to bring people that alone is probably 800-1000 units that are being built right now. It's not a people issue, it's a money issue. Take away the money out of the equation what are you voting for? Pot and our downtown, is that what we really want? Is that what your voting for? It's either that or money. It's if you really want pot and that's the direction the City of Haverhill is going, is a marijuana in our downtown. If that's the direction you want then vote for it, I guess that's the thing, I'm asking you to exclude it from the downtown, maybe 5 years down the road it blows up and everything looks great do it, we don't have a package store in our downtown?? I've lived here my whole life never had a package store downtown but you are going to put a marijuana store, so I would ask tonight that you either exclude the Washington Street downtown out of the map and take that off the map, to make the council's voice maybe a little bit easier to look at, If you guys say that is a bad spot, we don't recommend it either, then maybe it will help them make a decision, because it's all about the money I think. Let's not ruin our city our downtown over money.

**Brad Brooks, 21 Bradfields Drive** addressed the board.

Agrees with a lot of the comments made by Lloyd. He is not against marijuana, the citizens of Haverhill voted to have it, he is just 100% against it being downtown, the downtown area in the past few years has been revitalized. On 70 Washington Street they were trying to sell those as condos and they had a hard time. Now the past couple of years they are selling them. People are coming back to Haverhill why? Because they want to be in this downtown area. Myself and my partner recently bought 128 – 131 Washington Street they re-did the building from top to bottom we have a real nice high end restaurant there and doing really well. He knows this area was part of the district with Merrimack and Washington Street, he thinks that a couple councilors were not able to vote so they took Merrimack Street out. And the reason they took it out so now these councilors are able to vote on it, if you took out Merrimack Street – the district was Merrimack and Washington Street why didn't you just take out Washington Street too? This would solve all our problems. And again I am not against the marijuana, I'm just against it coming to our downtown.

Chairman Howard asked if anyone else wanted to speak against the ordinance?  
Anyone want to speak in favor?

**Caroline Pineau – 90 Washington Street** addressed the board.

Long time Haverhill Business Owner, resident, a cannabis entrepreneur interested in opening a legal adult use dispensary in downtown Haverhill. She is there to address the in-accurate public commentary surrounding the polarizing topic within our community. Traffic: this has been a concern by many, after seeing news stories about the grand openings of the first two retail dispensaries in Massachusetts. It must be stated that any

## Planning Board Meeting

1-9-19

reference to traffic and parking on Lester and North Hampton must be made within the context of being the first dispensaries opened on the entire east coast. By the time a dispensary opens in Haverhill there will be dozens of other dispensaries opened in the state. Including some of Haverhill's adjacent communities, data I collected from Haverhill's parking consultant John Burke showed that between MVRTA parking garage a mere 2 blocks from her proposed downtown location. And the Goecke on Merrimack Street there are cumulative 237 underutilized city parking spots that the city could be profiting from by increased consumers coming into our downtown. Arguably there will be no other dispensary in any other proposed zone in the city that will have access to 237 open and available parking spots. My team of security and compliance consultants have developed a traffic mitigation plans which include the option to take appointments and arrange shuttles should that be necessary. We have also agreed to a parking and traffic study. Haverhill voted overwhelmingly for legalization of cannabis it seems simple fairness that cannabis consumers provided the similar access given to restaurant customers, liquor stores, or any consumers. Downtown zoning would provide that level of consumer fairness. She would also like to address some of the common misconceptions about cannabis establishments there have been no issues with increased crime no diversion to use and no parking and traffic issues at any medical cannabis facilities currently operating in the state of Massachusetts or any recreational shops in other states. Her vision for a downtown dispensary is to be upscale, sophisticated, and discreet. Approximately 1 of 5 people in the state of Massachusetts consume marijuana with the largest growing population senior citizens looking toward the medicinal benefits that the cannabis plant can offer. Keeping the merits of cannabis aside for a moment shouldn't these consumers have safe access to cannabis products? In a safe secure downtown location? And furthermore, the people that live downtown shouldn't have to get in their car and drive somewhere, they should have access by foot should it be their substance of choice to access it in a safe location. Since the last planning board meeting convened on this issue we have also seen a very smooth openings and success stories in a number of other Massachusetts communities including Salem and Wearham. I'd like to leave you with one narrative from a mother and a cannabis consumer that recently visited ATG in Salem, MA "Field trip to alternative therapy group in Salem, I've been waiting about 20 years for this purchase, it took 10 minutes thanks to ATG's appointment system, there was no traffic no homeless teens no one loitering no line and no chance anyone under 21 were going to get past multiple locked doors, guards and ID checks, no one offered me heroin in the parking lot, inside there was a small line for adult use, and most of the customers in it were senior citizens. It felt safe, friendly, professional and best of all normal.

Audience: Can I re-speak?

Chairman Howard: No.

**Planning Board Meeting**

**1-9-19**

**Phil Rice, 427 E. Broadway** addressed the board.

Lifelong resident, business owner. He abuts the proposed location on Washington Street, he owns 118-122 (Lasting Room) on the Washington Street side. He got involved in the cannabis endeavor when he found out that a proposal coming right next door to his property. He didn't know too much about it although he did vote for it on the referendum in 2016 he does not part take in it, probably never will. He looks at this cannabis location as perhaps one of the best locations not one of the worse, the best. You have all these properties that have been rejuvenated and apartments and condos within the last 12 years. The city of Haverhill is come to be more of a different type of community it's a community that right now is probably one car per 3 ½ - 4 people its turning more like a mini Cambridge, Malden, Medford, or even Boston. It's a community that provides now transit, we have a train station, uber, we now have bikes and we have the buses, people want the convenience of something local. He was misinformed in different arenas in how it was going to work, what he found out was that Caroline Pineau was the applicant and he happens to know her, he was very enthralled by her and she educated him on what exactly was taking place. Everything that he had found out on the street was 100% incorrect, it is exactly what she just portrayed and to him this is nothing more than putting the face to the place, it's a person that has a business in town she is an entrepreneur she is courageous, she is smart, she knows what she is doing. What better person, what better spot, its just a home run for the community. You look at the tax revenue the state is going to get, and what the city is going to get, it's going to increase, it's going to be a tool for the community. You don't want to put it aside its 100% been voted on, been approved, and its something that's going to be here. For all the other reasons there is a black market out there, they don't want cannabis on the street, well it's on the streets right now. When you walking downtown you see the transactions, he has been here since 1986 he owns two businesses in the WD and two buildings in the WD district, and 6 others nearby. 100% this is something that we cannot avoid. I would like the board to approve it. I approve this message.

**Nicholas Golden, 14 Orchard Hill Road** addressed the board.

I am speaking in favor of having this establishment downtown. The Merrimack Valley Planning Commission which does economic development documents for the whole region for cities and towns in the whole area have repeatedly emphasized in the last decade the importance of walkability which Caroline and Phil just mentioned. I think that having something like this downtown that gives us an advantage not just and of our fellow cities and towns that border us but with New Hampshire that has not done this yet. In bringing people to restaurants that we love such as wonderful places like Keons to patronage the various stores that we have. I think this is exactly the right thing and the right person we want bringing Haverhill into this next stage. Its coming, pretty much

**Planning Board Meeting  
1-9-19**

regardless. We need to be picking the right person and not some shadowy, non-descript organization that we don't know. Someone who isn't a local, who isn't a mom-pop type owner. It's the kind of economic development that we need in this very room that our City Council have talked about. I don't think its inappropriate to bring revenue up. When we are talking about safety we are talking about Police. We need more Police Officers and we need more revenue to support those police officers. I think this is a step forward that we need to take. I think an upper level marijuana dispensary downtown that Caroline is talking about which is currently operating in Lester. A very clean, secure establishment is the only way to go. I register my support in the Washington Street area.

**Louis Andrew Muddy, Jr. of 25 Eastland Terrace** addressed the board.

This issue deals with our families, relatives and the people in our town. I would like everyone to raise their hands if anybody is affected by something: Alzheimer's disease, appetite loss, cancer, crohns disease, epilepsy, glaucoma, muscle spasms, naseau, and pain. If anyone in this room has a friend, family member or themselves suffer from this, please raise your hand. To me cannabis solves these problems. Advil, Tylenol, opioids....those are the gateway drugs. Those are the things that make people use heroin. Those are the drugs that take lives away from us. Our system has been completed since prohibition of hemp has taken place. We can change that. A lot people talked about the negatives of what a business in downtown would bring. The positives far out way it. The business owners here that complain about a business that would drive traffic to their own business seems ludicrous to me. Anybody who enjoys cannabis knows that you are going to eat something. What a better place than to go to a burger place and enjoy cannabis. My point being it is a family issue, neighborhood issue. This is an issue that comes down to the fact that we are talking about a plant that saves lives. It changes people for the better. Downtown is the best place for it. If you are going to put it on the outskirts were people have other things going on...why don't drive the traffic where everyone is going to socialize and spend money. When I medicate I go eat food, buy things and walk around aimlessly. We have CBD stores downtown...bong shop, its not a bong shop. It's a place for people to go buy their rolling tobacco and get other things to help them smoke nicotine. It's an opportunity for a young female entrepreneur...you want to bring something that means a lot to the community, to the state, to young entrepreneurs don't vote no on bringing cannabis downtown.

**Faith Benedetti of 21 Wingate Street** addressed the board.

I was born and raised in the City. My last name is probably well known in the City. I lived here for 35 years and lived in Maine for the past 20 years. I returned to Haverhill after the death of my aunt. For the 20 years that I have been away I have a very

## Planning Board Meeting

1-9-19

interesting journey. I helped with Maine's 2009 medical marijuana law. I have been intimately connected to the cannabis space. I am really happy that we are calling it cannabis because we are just calling it marijuana for the longest time. Now the plant is coming back to the status as a plant that has been used around the world throughout human history in every culture. It's finally getting its due. For the past 15 years I have been working with people with cancer, HIV, Alzheimer's, fibromagilia and other autoimmune disorders. I look around this room and I see a lot of my cohorts which is people 50 and above. I see more and more people who use cannabis as a wellness choice. It's just a part of their day. Instead of Ambien, Aleve or instead of a glass of wine. Now that I am back in Haverhill, 20 years ago the downtown area was dead. One of the reasons people leave their hometown is because there isn't anything to do there. There aren't like minds around. We go, learn what we learn and sometimes we come back home. The Haverhill that I have found downtown 20 years later is vibrant, walkable, exciting. There are great shops, restaurants, nightspots. Within one block there is a place you can go and take a writing workshop, get a coffee. It's unbelievable to me the town that Haverhill has become. Having worked at dispensaries and been in this community for the past 15 years I would say it's wonderful that Haverhill is now embracing this. All the fears that we have about traffic, children, all of the things that prohibition has poisoned our minds with those are the fears that we keep relying back on. Instead of projecting forward into a new way of thinking and a new way of embracing change. When my friends in Maine knew I was moving here said...oh Faith we need to stay in touch with you...I said it's a really easy trip on the Downeaster. I don't know if you know about Maine's cannabis world we have a very good and functioning medical marijuana law. Our legalization has stalled. I've been keeping tabs on what has been happening in Massachusetts and I see that you are moving forward. This is progressive. If you have the ability to project forward economically pretty soon if we don't get things going in Maine people are going to be taken the downeaster, getting off in Haverhill coming and patronizing their shops, restaurants walking around and bringing more life to the City. Have that bit of forward thinking and just embrace it. Even if you don't have all the answers. You don't need all the answers. This is something that is evolving. You evolve with it.

Chairman Howard stated I am going to close the public portion of the hearing and open it up for comments by the board.

Member Peugh: Can I ask a question of Mr. Cox? The downtown district that we are talking about is retail only, no consumption?

Attorney Cox: Social consumption is an issue that the cannabis control commission has not issued guidelines on yet. It very well could be a social consumption establishment downtown. The restrictions are fewer. We can't ban social consumption unless we go

## Planning Board Meeting

1-9-19

to a ballot question. It's a different procedure. They haven't established regulations in regards to that yet. They are in the process of doing that. Could it go downtown? The answer to that is yes. Its retail establishments and social consumptions.

Member Buckley: To rephrase your original comments to us- we are required to have 6 locations identified as opportunities for people to have shops.

Attorney Cox: Let me restate that...we need to provide opportunities for 6 establishments to be located. For instance if you only had one area and there were only three parcels in that one area it would be highly unlikely that you would be able to establish 6 establishments within that particular zone. We need to provide enough opportunities within these different areas that make up our overlay zone so that 6 establishments could be permanent. The challenge is that in looking at some of the already established businesses that are going on within these zones its easy enough to say that you have a zone but there really is only one or two within that zone. We had a lot of discussion about that at the City Council Administration and Finance subcommittees over the last 6-9 months. What they tried to do was create the areas that they thought were reasonable to put an established and provided the opportunities. We have to be careful in limiting those by doing that you are eliminating the opportunities. One other thing going back to what Karen asked before...they did add into the language in regards to the waterfront district area. They did add that no license medical marijuana establishment shall be located within one and a half mile of another licensed marijuana establishment within that area. So, when you look at that waterfront area and you take a mile and draw it around there you are not going to be actually be able to locate a lot of establishments within it. It was my recommendation that they provide the ability to waive that or modify that if they saw fit. It also provides some level of protection so you don't have an area that is inundated downtown with similar establishments.

Member Buckley: To also paraphrase this does not guarantee that anyone who applies will be granted a permit. People will still have to go through an evaluation process that is pretty thorough.

Attorney Cox: In 255-83 which deals with special permit conditions, one of the general conditions that they have to meet is they have to be compatible with the area in which they are being located. If anyone saw the City Council meeting last night they turned a special permit for a used car lot in Monument Square for that very reason. There are a lot of things that can come up through a course of a special permit application. It has to be compatible with it. It has to provide an essential service and it has to provide and be compatible with that area or adjoining areas.

## Planning Board Meeting

1-9-19

Member Buckley: You have alluded to this but not specified, but I think it's important that months have gone into evaluating the various locations that have been recommended. This was not throwing a dart at the board. It was not let's look at where we can make the most money. There was some very serious considerations including not near schools, churches, playgrounds so the locations were in fact suitable.

Attorney Cox: The Council in choosing these went out and looked at the areas and toured those areas so they could make sure they were familiar with what was around them. Sometimes when you see things on a flat map it doesn't necessarily give you the character of the particular area. We've probably been at this for well over a year. There are buffer zones that are established with regards to a number of different types of facilities, schools attended by children under the age of 18, licensed daycare facilities, municipality owned and operated parks, recreational areas, churches, places of worship, libraries, playgrounds/playfields or youth centers. Those are the areas that the buffer zones were designed to protect.

Member Buckley: One last thing on the Broadway area map...this spot is my house I have enough confidence in the various boards and committees that handle these issues and determine these spaces and evaluate the candidates that do business...I am still going to vote for this one.

Chairman Howard: Any other questions, from the board members? Hearing none, I will read the recommendation of the Planning Director. "The City Council and the City Solicitor have prepared the proposed ordinance relative to establishing zones and a special permit process for locating recreational marijuana retail stores in the City. The proposed ordinance and related maps show various locations where (in compliance with state cannabis control commission rules) retail marijuana shops can be located. The ordinance further establishes a special permit process for review of applications for approval by the City Council. The role of the Planning Board is to make a recommendation to the City Council on the proposed ordinance. Recommendation: Make a conditional favorable recommendation to the City Council on the ordinance and maps as presented."

After board consideration, Member Karen Buckley motioned to accept the recommendation of the Planning Director and forward a conditional favorable recommendation to the City Council on the ordinance and maps as presented. Member April DerBoghosian, Esq. seconded the motion.

**Planning Board Meeting  
1-9-19**

Member Peugh:	Yes
Member Evans:	Yes
Member Buckley:	Yes
Member DerBoghosian:	Yes
Member Cram:	Yes
Member Colby-Campbell:	Yes
Member Everette:	Absent
Member Driscoll:	Abstain
Chairman Howard:	Yes

**Motion Passed.**

**List of all documents and other exhibits used by the public body during the meeting.**

- Maps
- Ordinance relating to adult use of marijuana and marijuana establishments
- Comment due sheet
- Letter, Fire Department, 12-13-18
- Letter, Water/Wastewater 12-17-18
- Comment, Building Inspector, 12-27-18

**Definitive Escrows:**

**Carrington Estates Phase I:** The board advised that the request was referred to the city engineer. The request was to review the work cited as required; advise if all work cited was completed under the approved definitive plan; if the work was completed in accordance with the approvals; and if all required remaining work was listed and if the dollar values were accurate. Please note that Planning Director William Pillsbury, Jr. recommended that the board vote to reduce the account as recommended by the City Engineer in his report to the board dated 1/9/19.

In consideration of the report from the City Engineer, John Pettis, Member Karen Buckley motioned to reduce the amount \$21,160.00 from the \$306,590.00 balance and maintain a balance of \$285,430.00 as recommended by the city engineer in his report to the board dated 1/9/19. Member Alison Colby-Campbell seconded the motion. All members present voted in favor to reduce the account to the balance of \$285,430.00 as recommended by the city engineer in his report addressed to the board dated 1/9/19. Members Absent: Jack Everette. Motion passed.

**Planning Board Meeting**

**1-9-19**

**Carrington Estates Phase II:** The board advised that the request was referred to the city engineer. The request was to review the work cited as required; advise if all work cited was completed under the approved definitive plan; if the work was completed in accordance with the approvals; and if all required remaining work was listed and if the dollar values were accurate. Please note that Planning Director William Pillsbury, Jr. recommended that the board vote to reduce the account as recommended by the City Engineer in his report to the board dated 1/9/19.

In consideration of the report from the City Engineer, John Pettis, Member Karen Buckley motioned to reduce the amount \$64,768.00 from the \$493,821.50 balance and maintain a balance of \$429,053.50 as recommended by the city engineer in his report to the board dated 1/9/19. Member Ken Cram seconded the motion. All members present voted in favor to reduce the account to the balance of \$429,053.50 as recommended by the city engineer in his report addressed to the board dated 1/9/19. Members Absent: Jack Everette. Motion passed.

**List of all documents and other exhibits used by the public body during the meeting:**

- Escrow Material

**Form A Plans: North Broadway- Pam Hansen.** It was noted the building inspector commented on 1-8-19 stating “meets or exceeds all zoning requirements in the SC zone.” After board consideration, Member Robert Driscoll motioned to approve the Form A for 1100 North Broadway as recommended by the Planning Director, William Pillsbury, Jr. in his letter. Member Karen Buckley seconded the motion. All members present voted in favor. Motion passed.

**Frontage Waivers:** The board signed frontage waivers for Kenoza Street and Vincent Avenue. They will be held in the Planning Office until the appeal period is up.

**Definitive Plans:** West Gile Street - After board consideration, Member Ken Cram motioned to endorse the plan for West Gile Street as recommended by the Planning Director, William Pillsbury, Jr. in his letter. Member Bill Evans seconded the motion. All members present voted in favor. Motion passed.

**Reminders for expiring Definitive Escrows:**

Scotland Heights

Cobblestones@Bradford a/k/a Comanche Circle

Meeting adjourned.

Signed:

Paul Howard  
Chairman

**Planning Board Meeting  
1-9-19**