

**Palmer Planning Board
Planning Board Meeting Minutes
Monday, January 12th, 2023**

I. Call to Order

Chairman Mike Marciniec called the meeting to order at 5:00 PM on Monday, January 12th, 2023, in the Planning Department office. Vice Chairman Norm Czech, Clerk Kathy Burns, Members Michael Dee and Timothy Cienciwa were present. Also present was Administrative Assistant Rebekah Wright recording minutes.

Public Hearings:

7:45 pm: Green Adventure LLC: Continued from 10/17/22, 11/21/22, 12/19/22 and 1/9/23- Green Adventure LLC, is seeking a Special Permit and Site Plan Approval as required by sections 171-28, 171-29, 171-124, to redevelop the existing buildings to conduct marijuana retail sales on the property located at 1240 Park Street, Palmer, MA. This parcel is known as Assessor's Map 56, Lot 143.

II. Public Hearing:

5:00pm: Green Adventure LLC

Chairman M. Marciniec opened the hearing at 5:00pm.

Don Frydryk of Sherman and Frydryk went over revised plan. He stated there will be a 6ft vinyl stockade fence along property line. There is also a proposed manhole. The driveway entrance has been moved further from the tree previously discussed.

He stated the requested waivers are:

- 171.29 D4h- Separate landscape plan
- 171.29d1- Exterior elevations

It was also mentioned that T. Cienciwa is not eligible to participate due to joining the Board after the hearing was opened.

M. Marciniec stated that the operating hours should align with the other cannabis permits granted, which is 10am-10pm, he stated he wanted to keep a fair playing field.

Brief discussion followed, with the conclusion that the operating hours would be 10am-10pm.

A motion to grant the two requested waivers, Separate landscape plan and exterior elevations was made by N. Czech, seconded by K. Burns. The motion passed 4-0-1 with T. Cienciwa abstaining.

A motion to grant the special permit was made by N. Czech, seconded by K. Burns. The Special Permit was denied 3-1-1 with T. Cienciwa abstaining.

A motion to grant the site plan was made by N. Czech, seconded by M. Dee. The motion passed 4-0-1 with T. Cienciwa abstaining.

The denial vote from member M. Dee was based on his own understanding and interpretation that "medical marijuana was not allowed in this location, so recreational shouldn't be either." He also stated he wished "to keep the children safe."

Further conversation was had where Attorney I. Fleisher questioned M. Dee to clarify his reasoning and to explain to M. Dee that medical and recreational marijuana are in fact allowed in that location.

I. Fleisher stated "it is unfortunate to get a no vote based entirely on a misunderstanding".

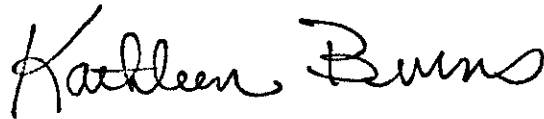
D. Frydryk then asked if there was any supplemental documentation that could be submitted to clarify, and perhaps a revote could be considered.

M. Dee stated "no, my vote is my vote."

A motion to close the hearing at 5:28pm was made by N. Czech, seconded by M. Dee. Motion passed 4-0.

Adjournment

A motion to adjourn the meeting at 5:30 pm was made by T. Cienciwa, seconded by M. Dee. The motion passed 5-0.



Kathleen Burns, Clerk