

Palmer Planning Board

Planning Board Meeting Minutes

Monday, February 5, 2018

I. Call To Order

Chairman Michael Marciniac called the meeting to order at 7:00PM on Monday, February 5, 2018 in the Town Hall Meeting Room. Present were members Norman Czech, Kathleen Burns, Thomas Skowyra and Paul Burns-Johnson. Also present was Town Planner, Linda Leduc, recording minutes.

II. Public Hearings

7:00PM - Altitude Organics Corporation of Massachusetts - 8 Chamber Road, Three Rivers. Special Permit for the reduction of distance requirements from an Off-Site Medical Marijuana Dispensary (OMMD) structure to a residential structure. Assessor's Map 18, Lot 49 and lot 49F.

7:00PM - Altitude Organics Corporation of Massachusetts - 8 Chamber Road, Three Rivers, Continued from January 8, 2018.

Special Permit and Site Plan Approval to construct an additional 11,000 sq. ft. greenhouse and a 3,000 sq. ft. retail space for the cultivation of medical marijuana in a Registered Marijuana Dispensary (RMD) facility and conduct retail sales at an Off-Site Medical Marijuana Dispensary (OMMD). Assessor's Map 18, Lots 49 & 49F.

Chairman Marciniac opened the Special Permit public hearing for the reduction of distance requirements from an Off-Site Medical Marijuana Dispensary (OMMD) structure to a residential structure at 7:05PM. Town Planner, L. Leduc, read the public hearing notice. He then opened the continued Special Permit and Site Plan Approval public hearing, opened on 1/8/18, to construct an additional 11,000 sq. ft. greenhouse and a 3,000 sq. ft. retail space for the cultivation of medical marijuana in a Registered Marijuana Dispensary (RMD) facility and conduct retail sales at an Off-Site Medical Marijuana Dispensary (OMMD) at 7:06PM and stated that both hearings would be held concurrently.

Chairman Marciniac brought into record the Mullin Rule Affidavit signed member N. Czech who missed the first hearing on January 8, 2018. M. Marciniac stated that N. Czech is now an eligible voting member.

Donald Frydryk, P.E. of Sherman & Frydryk Engineering was present and spoke on behalf of the applicant, Altitude Organics Corp of MA. Traffic engineer and senior project specialist, Van Kacoyannakis, P.E. of Milone & MacBroom was also present on behalf of the applicant.

John Furman, P.E. of vhb was present to represent the Planning Board.

D. Frydryk went over the setback plan showing the required 500' residential building setback and the required 500' property line setback. He stated that the Board previously granted the 25%

reduction Special Permit from the greenhouse structures. This special permit request is for a 25% setback reduction from the proposed retail building as there are residential structures on the north side of Palmer road within 500'. The new commercial building is proposed to be approximately 400' from the residential structures. The request is based on the fact that the required 500' setback from the site property lines would effectively prohibit the siting of an OMMD facility in the town of Palmer.

Planning Board members did not have any questions regarding the request. There was no one present from the public to speak in opposition of the request.

A Motion to grant the Special Permit per §171-123. 3. iv. to allow for a 25% reduction in distance from uses as noted in section ii and iii. was made by P. Burns-Johnson, seconded by K. Burns. The Motion passed (5:0).

D. Frydryk distributed a signed Illicit Discharge statement and peak traffic counts for the intersection of Calkins & Chamber Road comments, as well as a new Plan Set dated 2/5/18 in response to vhb peer review comments dated 1/30/18.

J. Furman went over his peer review comments dated 1/30/18:

He stated that a waiver to a separate Landscaping Plan per Section 171[D] (4).h.1 was requested. He stated that the proposed 23-white fir trees approved in the initial RMD application will form a screen from the manufacturing facility to the Hastings property to the south. This vegetated screen is shown on the Landscape Plan and Erosion Control Plan. No additional landscape is proposed for the retail portion of the project. D. Frydryk stated that plantings adjacent to the retail building would present a security issue. As a result, no plantings are proposed anywhere on the retail sales portion of the site.

He stated that the applicant has requested that the Lighting Plan, including illumination levels, and information regarding light fixtures be allowed to be submitted as a Condition of Approval.

The signed and sealed exterior elevations of the building were discussed. D. Frydryk stated that final drawings for all buildings will be complete in approximately 3 weeks. He requested that the Board accept the current drawings submitted in lieu in the final stamped drawings. A copy of the final elevations will be delivered to the Board when completed.

J. Furman stated that all other outstanding items noted in his site plan peer review memo have been addressed.

J. Furman then went over the vhb Traffic Impact Study review memo dated January 30, 2018 prepared by Juliet C. Locke, P.E., PTOE. He stated that the review memo was in response to the Traffic Study conducted by Milone & MacBroom, dated 12/21/17 and prepared by senior project specialist, Van Kacoyannakis, P.E. He stated that the Study was conducted using appropriate industry methodologies. Vhb made two safety improvement recommendations; 1. that the applicant provide a safe pedestrian pathway around the proposed retail building, connecting both sides of the

parking area to the front building entrance and 2. that a painted STOP bar and R1-1 (STOP) sign be posted at the end of Chamber Road where it intersects with Calkins Road.

V. Kacoyannakis went over his Traffic Study dated 12/21/17. He stated that according to the MassDOT Crash Portal no crashes occurred at the study area intersection during three 3-year period between 2012-2014. He also reviewed the MassDOT's interactive crash cluster map and it did not contain any vehicle, pedestrian or bicycle crash clusters. As a result, he concluded that no safety concerns exist at this time.

V. Kacoyannakis stated that the site distances were reviewed based on the posted 35mph speed limit. He noted that there was a real estate sign observed near the intersection which may be inhibiting site lines. It is not certain if it is posted on public or private property but either way it is not the responsibility of the applicant. He also stated that the applicant is willing to install a stop line and stop sign at the intersection of Chamber road and Calkins Road as recommended by vhb.

D. Frydryk stated that in response to vhb recommendation regarding safe pedestrian access, a sidewalk has been provided from the westerly parking lot to the retail facility. The parking lot on the easterly side of the retail building is intended for use by employees in the manufacturing building and therefore no foot traffic to the retail building is anticipated from this lot. M. Marciniac noted that some of the employee parking intended for the manufacturing building is located across the access road and both are enclosed by separate fencing. It was discussed that a side walk should be added to connect the two parking areas and be accessed via a pedestrian gate. D. Frydryk agreed that this could be added to the Plan Set as a Condition of Approval.

J. Furman went over his Stormwater memo dated 1/30/18. He stated that the following three waivers have been requested and vhb would support granting the waivers:

1. Section 145-4, 2.B: preparation of a specific Erosion and Sediment Control Plan. The application combines the E&SC Information with the Landscape Information.
2. Section 145-5.3: inspections; televising of the installed stormwater piping. The majority of the existing system currently services the roadway drainage system. Vhb would support a partial waiver of this requirement for any new piping installed, but would suggest that the existing piping from the roadway be televised and cleaned as needed. The Board agreed this should be added as a Condition of Approval.
3. Verification of Infiltration Rate by Percolation Test: Soil testing has been performed for the septic system design, and the selection of the infiltration rate utilized is based on the results of this testing.

J. Furman stated that all other the concerns raised in his peer review memo have all been addressed as part of the response memo provided by D. Frydryk dated 2/5/18.

M. Marciniac asked if the privacy slats proposed within the fencing may cause a security issue as is the case with landscaping. Further, he state that he did not care for the appearance and suggested that they only be used around the dumpster enclosure and areas used for loading and unloading

product and supplies. The Board agreed with this change. D. Frydryk stated that he would add that notation to the updated plan.

A Motion to grant the 3 stormwater permit waivers and the separate Landscaping Plan requirements was made by N. Czech, seconded by P. Burns-Johnson. The Motion passed (5:0).

A Motion to close the public hearing and grant the Site Plan Approval and the Special Permit to operate the OMMD was made by N. Czech, seconded by P. Burns-Johnson. The Motion passed (5:0).

A Motion to grant the Stormwater Permit was made by N. Czech, seconded by P. Burns-Johnson. The Motion passed (5:0).

III. New Business:

SANR – Ruby Realty, LLC, 42-48 Stewart Street, Lot Division Plan

A Motion to waive strict compliance with the Dimensional Table (171-35) to allow for existing two residential structures on one lot to be separated on to two new non-conforming lots was made by N. Czech, seconded by P. Burns-Johnson. The Motion passed (5:0).

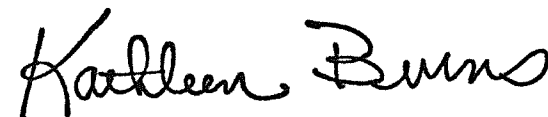
Meeting Minutes: No meeting minutes were presented to the Board.

Abutting Town Notices and the Monthly Interest Allocation Report were distributed to the Board.

Complete Streets Interactive Map – The Board was informed that a public comment period for the Complete Streets Interactive Map is open. The map is on the website and can be viewed and commented on until February 19, 2018.

IV. Adjournment:

A motion was made to adjourn at 8:10PM by N. Czech, seconded by T. Skowrya. The motion passed (5:0)



Kathleen Burns, Clerk