

**Palmer Planning Board
Planning Board Meeting Minutes
Monday, August 15th, 2022**

I. Call to Order

Chairman Michael Marciniac called the meeting to order at 7:03 PM on Monday, August 15th, 2022, in the Planning Office. Chairman Mike Marciniac, Vice Chair Norm Czech, Clerk Kathy Burns, member Michael Dee were present. Member Tom Skowrya was absent. Also present were Town Planner, Linda Leduc, and Administrative Assistant Rebekah Wright recording minutes.

II. Public Hearing:

7:00 pm: 46 Smith St- Finding- The applicant, Jason Bessette, is seeking a Finding under section 171.83Q *for reconstruction after destruction of a pre-existing, non-conforming structure on the property located at 46 Smith St, Palmer, MA.* The applicant is proposing to construct a new single family home on the property, demolishing the existing home upon occupancy of the new home. This parcel is also known as Assessor's Map 20 Lot 14.

7:15 pm: 111b Breckinridge-SPA/SP/SW- The applicant, Oraka Wellington, is seeking a Special Permit and Site Plan Approval as required by section 171.28 site plan and 171.124 marijuana establishment, to renovate a portion of the existing building and to construct an approximate 3,000 sqft marijuana cultivation facility at the property located at 111b Breckinridge St, Palmer MA. This parcel is also known as Assessor's Map 59, Lot 37-1.

II. New Business:

Old Business:

- Meeting Minutes: 8/1/22
- Abutting Town Notices
- Interest Allocation Report

Board Member Comments:

Town Planner Update:

Next Meeting Date: 9/12/2022

II. Public Hearing:

7:00pm: 46 Smith St- Finding

Chairman M. Marciniac opened the hearing. R. Wright read the public hearing notice. Present were applicant Jason Bessette and his contractor Nate Olsen. N. Olsen stated that the plan is to construct a new single family home on the property, but the applicant will still reside in the current house during construction. Once construction is complete, a complete demolition of the existing house will occur. His concern was regarding needing a Certificate of Occupancy (C.O) He stated he believed that no insurance agency will allow a temporary C.O. He then stated that Zoning recommended a temporary C.O not to exceed 90 days or a bond to cover the cost of removing the current house.

K. Burns asked if the whole house and garage will be demoed, to which J. Bessette stated yes, everything is coming down. He also stated that it will be graded and sloped properly. Conditions for approval were discussed. It was then determined that the Board is conditioning approval requiring that the applicant may occupy the existing residence while constructing the proposed single family home, and upon completion of the proposed home, the existing structure shall be demolished. The owner may take residency in the new home either via a temporary C.O, not to exceed 90 days OR acquire a final C.O with a cash bond for the amount equal to the cost of the demolition.

N. Czech motioned to approve the finding with conditions. M. Dee seconded. Motion passed 4-0.

7:15 pm: 111b Breckinridge-SPA/SP/SW

Chairman M. Marciniac opened the hearing. R. Wright read the public hearing notice. M. Marciniac informed the board and the public that the applicant submitted a Conservation Notice of Intent Site Plan and not a Planning Board Site Plan, meaning the board did not have adequate materials from the applicant. He also mentioned that due to not have the correct site plan, there is no review from John Furman of VHB.

Russ Tedford, Staff Engineer at Sherman & Frydryk, was present on behalf of the applicant, Oraka Wellington.

He stated that the applicant is proposing 3,000 sqft marijuana cultivation business named Madear Cultivation. The property sits on 10.16 acres and historically was an auto body shop.

He said they plan to clean up the broken concrete and replace with paved asphalt with handicapped parking. He stated the site is constricted by wetlands and riverfront. Mixed uses will remain on site, residential and warehousing.

He also stated that there will be a rain garden placed on the south of the building as a Stormwater structure.

He stated the waivers being requested are Interior Drive Width, Pedestrian Walkways, Existing Utilities, Utilities-Refuse Containers, and Separate Landscape Plan. He stated that water and sewer already existing. As far as refuse containers, he stated no outdoor refuse storage is proposed due to being a security issue, everything will be indoors and locked. He stated there will be no pedestrian walkways due to being kept private.

Water and sewer exist on site, but the record doesn't show much. M. Marciniac asked if the adequacy of water and sewer has been checked.

He also stated that the Chief of Police needs to provide a letter approving security plan.

M. Marciniac then asked when John Furman will get Site Plan, to which R. Tedford stated tomorrow.

J. Furman stated it was difficult to see where the existing gravel and concrete pad is. He then asked if pavement line can be added to plan.

M. Marciniac asked about odor attenuation. R. Tedford stated he does not have interior architectural plans yet, but was informed the Board will need that.

J. Furman stated that due to the Stormwater Ordinance no gravel is allowed.

M. Marciniac then opened the floor to public comments.

Louise Mondel of 123 Breckenridge St asked if there will be new construction and if any trees are being removed.

R. Tedford stated no.

Lisa Lloyd of 18 Deborah St asked "what does remove, dredge mean"

R. Tedford stated that will occur during the formation of the rain garden/detention basin.

Pauline Garcia of 113 Breckenridge St stated she had many concerns. She asked if retail was next after cultivation, to which R. Tedford stated no. L. Leduc also stated that retail is not allowed in that zoning district.

She then stated she had major concerns with odor, and that it would hurt the resale value of her property should she attempt to sell. R. Tedford stated that at the next meeting there will be an odor control plan submitted.

She then asked if there will be excessive traffic now. R. Tedford stated no as there are only employees on site, no customers. It will just be a cultivation facility. He then stated it will be 8am-5pm with roughly 8 employees.

She stated that she had concerns for her health living next to a marijuana cultivation facility.

M. Marciniac stated that the property is located within an industrial zone.

Lukas McDiarmid of 10 Deborah St asked if there was a lighting plan submitted. He had concerns with light pollution onto his property.

R. Tedford stated that all lighting will be building mounted and not excessive.

M. Marciniac stated that a lumen plan will need to be submitted.

Lisa Lloyd of 18 Deborah St stated she had concerns with water. She said that her neighborhood already has water issues with low pressure, and brown water, she is not sure that a business such as this can be supported by the already "broken" system.

L. Leduc stated that the applicant will have to get approval from the water district, which is a private company, not a town entity.

Joanne McDiarmid of 5 Cabot St asked if there is any plan to take down vegetation near back of property.

R. Tedford stated no.

Scott Bamber of 14 Deborah asked if this company had any other locations.

R. Tedford stated he was unsure.

Joanne McDiarmid of 5 Cabot St asked where will they be supply their products to.

R. Tedford stated he was unsure of specific facilities, but that it would be in Massachusetts only.

Barbara Stone of 65 Breckenridge St asked what types of shifts. R. Tedford stated again that it will be 8am-5pm with roughly 8 employees. She then asked if there will be excessive noise. R. Tedford stated no. She then asked how big the plants get. R. Tedford stated he was unsure.

Pauline Garcia of 113 Breckenridge St asked will there be quality control? M. Marciniac stated that everything is tracked and monitored through the CCC. It is tracked from seed to sale.

Joan Jacques of 123 Breckenridge asked if there has been any complaints regarding marijuana cultivation in town. M. Marciniac stated no, but even if there were the Board couldn't consider it.

Mark Machnik of 110 Breckenridge St asked about wetland location. It was stated that the Stormwater system is proposing a rain garden for Stormwater treatment and infiltration.

Joanne McDiarmid of 5 Cabot St asked about the timeline of the project. R. Tedford stated that the exterior portion will take approximately a month or two, and the interior will take a little longer. She also asked how long this location has been vacant. It was stated that the service shop has been closed for 20-25 years. There were concerns about the integrity of the building being

vacant for so long. R. Tedford stated that an architect has been on site to inspect the building and has deemed it structurally sound.

She also asked "what is the point of this meeting?" to which M. Marciniac stated the Board's job is to permit legal applications as long as they meet the requirements.

She then asked if there will be conditions set forth for odor. R. Tedford stated yes, they will have to abide by the CCC regulations.

Pauline Garcia of 113 Breckenridge St asked if OSHA would be involved. R. Tedford said that yes and also everything is monitored by the CCC which has strict rules.

She then asked if the abutters can have a site visit. M. Marciniac stated that no, it is private property. They would have to get permission from the owner. He then stated the Board is allowed to go on the property because they have received written permission within the application to do so.

Mark Machnik of 110 Breckenridge St asked if the building meets state requirements. M. Marciniac stated that it will have to go through Building Code so yes, it does/will.

Steve Lloyd of 18 Deborah St stated he also had huge concerns regarding water pressure and sediment. He stated water quality is already a big concern.

Lucas McDiarmid of 18 Deborah St asked if the Board will need letter from water department approving the project before the next meeting. M. Marciniac stated yes.

Barbara Stone of 65 Breckenridge St asked about the hydrant location. R. Tedford stated that it is interior to site, not on the side of the road.

Lisa Lloyd of 18 Deborah St asked R. Tedford's affiliation to the project. He stated he is employed by Sherman and Frydryk, and is representing the applicant.

Pauline Garcia of 113 Breckenridge St asked the estimated timeline of completion? M. Marciniac stated that a preconstruction meeting will require a timeline.

A motion to continue the hearing to 9/12/2022 at 7:00pm was made by N. Czech, seconded by M. Dee. The motion passes 4-0.

Meeting Minutes: 8/1/22

A motion to approve the minutes was made by K. Burns, seconded by N. Czech. The motion passes 4-0.

Abutting Town Notices & Interest Allocation Report:

The abutting town notices and interest allocation report have been provided to the board via Dropbox.

Board Member Comments:

Michael Dee stated he attended the Masterplan Implementation Committee meeting. He will report the events to the Board as they meet.

Town Planner Update:

L. Leduc stated that the site at Dollar General has not been maintained. She said terms are coming with the new owner. She stated she met with Apex who oversees all dollar general Stormwater functionalities. She stated there is a new O&M needed, they will be submitting peer review.

Adjournment

A motion to adjourn the meeting at 8:36pm was made by N. Czech, seconded by K. Burns. The motion passed 4-0.

A handwritten signature in black ink that reads "Kathleen Burns". The signature is written in a cursive style with a large initial 'K' and 'B'.

Kathleen Burns, Clerk