

**STURBRIDGE PLANNING BOARD  
MINUTES OF  
TUESDAY, JANUARY 24, 2017**

Ms. Gibson-Quigley called the regular meeting of the Planning Board to order at 6:30 PM.

Ms. Gibson-Quigley noted the members present.

**Present:** Charles Blanchard  
Russell Chamberland  
James Cunniff  
Penny Dumas  
Heather Hart  
Sandra Gibson-Quigley, Chair

**Also Present:** Jean M. Bubon, Town Planner  
Diane M. Trapasso, Administrative Assistant

**Absent:** Susan Waters, Clerk

Ms. Gibson-Quigley opened the meeting and read the agenda.

**APPROVAL OF MINUTES**

**Motion:** Made by Mr. Cunniff to approve the draft minutes of January 10, 2017.  
**2<sup>nd</sup>:** Mr. Blanchard  
**Discussion:** None  
**Vote:** 6 – 0

**ANR – STURBRIDGE WARREN, LLC – 36 & 38 WARREN ROAD**

**Materials presented:**

ANR Plan Content & Submittal Checklist – Sturbridge Warren, LLC – 36 & 38 Warren Road – received 1/12/2017

Plan of Properties Owned by Sturbridge Warren, LLC– prepared by Jalbert Engineering – plan date 12/16/2016 – DWG #16228

Ms. Bubon stated the purpose of this plan is to redefine the division line between #36 and #38 Warren Road being lot #1 and Lot #2 respectively, on a plan of land recorded in the Worcester Registry of Deeds in Plan Book 481, Plan 54. Lots 1 and 2 are shown hereon as lots 1R and 2R, respectively. Lots 1R and 2R have sufficient area and frontage to comply with current zoning bylaws.

Ms. Bubon recommends that the Board endorse the plan since it meets all the requirements.

**Motion:** Made by Mr. Chamberland to endorse the plan for Sturbridge Warren, LLC at 36 & 38 Warren Road.  
**2<sup>nd</sup>:** Mr. Blanchard  
**Discussion:** None  
**Vote:** 6 – 0

The Board signed the plan.

**PUBLIC HEARING – HEAL INC. IS REQUESTING A SPECIAL PERMIT AND SITE PLAN APPROVAL TO BUILD AN OFF SITE MEDICAL MARIJUANA DISPENSARY (OMMD). THE PROPERTY IS LOCATED AT 660 MAIN STREET.**

**Materials presented:**

Application for Site Plan Approval/Special Permit – Heal Inc. – received 12/21/2016

Site Plan at 660 Main Street Heal Inc. – prepared by Thompson-Liston – plan date 12/20/2016 – DWG # Heal, Inc. – job #2872217H – received 12/21/2016

Landscape Plan & Details - Heal Inc. 660 Main Street – prepared JCLA – plan date 12/2016

Traffic Study – prepared by VHB, Inc. – Re: Proposed Dispensary – 660 Main Street – dated 12/19/2016

Heal, Inc. – Action by Written Consent of Members in Lieu of Special Meeting of Members – Voted - Katherine Braucher Adams, Esquire – authorized to act on the Corporation’s behalf

Exterior Elevations & Proposed Floor Plans for Heal, Inc. - prepared by Stephen Fleshman, Architect, LLC

Proposed Building Signage

Rybak Engineering, Inc. – Re: Water Flow Test Results – dated 11/22/2016

Vital Statistics – Heal, Inc.

The following were present for Heal, Inc:

- Katherine Braucher Adams, Schlesinger and Buchbinder
- Stephen Buchbinder, Schlesinger and Buchbinder
- Stephen Fleshman, Architect
- Joseph Coan, Landscape Architect
- Andrew Liston, Civil Engineer
- Gary Einsidler, COO, Heal, Inc.
- James Bonaccorsi, CFO, Heal, Inc.

- Mary Ann Walsh, Strategist
- Alexander Oliphant, President and CEO, Heal, Inc.
- Sinead Barry O'Brien, Netwatch USA
- Vinod Kalikiri, VHB Traffic Engineer
- Trish Faas, General Manager, Heal, Inc.

Ms. Gibson-Quigley acknowledged the following department memos:

- Ms. Bubon, Town Planner
- Mr. Colburn, Conservation Agent
- Mr. Ford, Chief of Police
- Lt. Marinelli, Fire Inspector
- Mr. Burlingame, Building Commissioner
- Mr. T. Chamberland, Tree Warden

Ms. Bubon stated that the plan submitted with the application included a looped roadway to meet the requirements of the Interim Fire Chief. The modifications of this plan to meet those requirements of not backing a fire truck up on the site, created a variety of issues related to the development of an appropriate site plan in terms of the steepness of the slopes, stormwater management, and other issues including but not limited to aesthetics. These concerns were reflected in reports from the Conservation Agent and discussions with Ms. Bubon and the DPW Director with the applicant and its representatives.

It was determined that the installation of a sprinkler system was an acceptable alternative to both the applicant and the Interim Fire Chief and therefore, the Site Plan will be modified to revert to the initial conceptual design that does not include the looped roadway.

Ms. Bubon stated that the applicant will make their presentation and review the proposal from an operational standpoint and will also review the architectural design and layout of the building as well as the Site Plan as proposed so that the applicant can have questions and feedback from the Board to aid in preparation of the final plans.

Ms. Bubon stated that there are certain aspects of the plan that will not change including the traffic study and security plans. Since the actual security plan cannot be shown to the public, Chief Ford is present to address any concerns or questions the Board may have. Chief Ford, as noted in his memo is satisfied with the security plan as presented to him.

Ms. Adams gave an overview presentation of the project with the following people also presenting:

- Mr. Fleshman - architectural design
- Mr. Coan - landscape plan
- Ms. O'Brien— security
- Mr. Liston – site circulation plan
- Mr. Kalikiri – traffic study

Chief Ford stated he reviewed the security plan and stated that it is the most comprehensive and technical system he has seen and has no concerns.

The Board had the following concerns, questions and comments:

- No consumption of marijuana on the site – how do you enforce – Ms. Adams stated that the patient signs an agreement and staff can see to the parking lot – will call police; will work on a protocol
- Cameras – have backup power in case of outage – Ms. O'Brien stated this is still being worked out
- Sprinkler connections – will be approved by the Fire department
- Lighting in parking lot and driveway – Mr. Fleshman stated that there is lighting in the driveway – photometric plan being prepared – dark sky compliant
- Background checks on delivery personnel – designated by patient - Ms. Adams stated all employees have background checks and register with DPH
- How to ensure employees are trained – Ms. Adams stated that the staff goes thru training with the State
- Why more parking than required – Ms. Bubon stated having four more parking spaces is not unreasonable – still an element of uncertainty
- Hours of operation - list in conditions – Monday – Saturday – 10:00 AM to 7:00 PM – Sundays 10:00 AM – 5:00 PM
- Would like to see two more street trees
- Traffic sturdy 344 vehicles – Mr. Kalikiri stated that it is based on high side
- Will the reduced lanes into Brimfield have an effect – Mr. Kaliliri stated no impact
- #6 of the Tree Warden's comments be addressed – Mr. Coan stated that thornless honey locust will be added
- Number of incidents – Ms. O'Brien. stated that the number is extremely low because of the security system
- Explore the possibility of fencing around the perimeter of the property – Ms. Adams stated that they would look into it

Brian of 10 Tannery Road stated he is concerned with the selling of recreational. Ms. Adams stated Heal, Inc. made a commitment with the Town not to sell recreational marijuana for five years, from August, 2016

Mr. Dunn of 31 Tannery Road stated that between their neighborhood and the 660 Main Street property is just wooded area. He is concerned that if there is a problem an individual can run through the woods and into their neighborhood. He thought maybe the applicant should think about a fence. Should also forgo the audible security portion.

**Motion:** Made by Mr. Chamberland to continue the Public Hearing for Site Plan Approval and Special Permit for Heal Inc. to March 14, 2017 at 6:35 PM.

**2<sup>nd</sup>:** Ms. Dumas

**Discussion:** None

**Vote:** 6- 0

## **OSRD BYLAW AND MULTIPLE DWELLING UNIT BYLAW – VOTE TO BE PETITIONER PER PROPOSED CHANGES**

One edit on page 11 – insert by Special Permit

**Motion:** Made by Mr. Chamberland to be the Petitioner for the proposed changes to Chapter 17 Open Space Residential Development as drafted as well as related amendments to Chapter Two Definitions, Chapter Five Permitted Uses, Chapter Six Permitted Use and Chapter Fourteen Permitted Uses and forward the proposals to the BOS to begin the Public Hearing process.

**2<sup>nd</sup>:** Mr. Blanchard

**Discussion:** None

**Vote:** 6 – 0

**Motion:** Made by Ms. Dumas to be the Petitioner for the proposed deletion of Chapter 21 Multiple Dwelling as well as related amendments to Chapter Five, Six and Fourteen to delete the language allowing Multiple Dwelling Projects Exception in those Districts and forward the proposals to the BOS to begin the Public Hearing process.

**2<sup>nd</sup>:** Mr. Blanchard

**Discussion:** None

**Vote:** 6 - 0

## **TOWN PLANNER UPDATE**

Restaurant Definitions & Parking and Drive Thru Standards – propose work session on February 14, 2017

Recreational Marijuana – Ms. Bubon stated that she spoke to Attorney Bard from K & P Law. Attorney Bard had the following suggestions for the Board to think about and decide what would be the better option:

- The key date that the Town would want to have something in place is April 1, 2018 because that is when initial applicants can begin to apply.
- When the Commission receives an application they will contact the Town to see what we have in place in terms of bylaw and /or moratorium.
- We would want to have either a moratorium or bylaw in place by that time. If we propose a moratorium at the June Town Meeting, it could be valid through December 2018.
- Joel Bard does not agree that I need to see the Regulations before I can draft a bylaw since they will be about the permitting process (state) and the bylaw is about the time, manner, and place of operation.

- We can choose to restrict Recreational Marijuana operations to the MMOD if we would like and then we can have similar standards for distance from schools, etc.
- However, the bigger issue is does the BOS want to address this from a policy perspective and will the BOS want to move forward with a ballot question to ban? They should start the discussion, because if there is sentiment to ban the question could be posed at the coming election.
- The 10% of voter petition does not apply to the question to ban, that applies only to the question of whether to allow marijuana cafes’.
- The way the law is written is confusing as far as the ballot issue (further regulation) and K & P has drafted a policy neutral bill to address the election and process issues.

The Board felt they would want a moratorium, so that way it will give time to draft a bylaw.

**Motion:** Made by Mr. Blanchard to draft a moratorium.  
**2<sup>nd</sup>:** Mr. Cunniff  
**Discussion:** None  
**Vote:** 6 - 0

### **OLD/NEW BUSINESS**

None

### **NEXT MEETING**

February 14, 2017

On a motion made by Mr. Chamberland , and seconded by Ms. Dumas and voted 6– 0, the meeting adjourned at 8:30 PM.