

**STURBRIDGE PLANNING BOARD
MINUTES OF
WEDNESDAY, MARCH 22, 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 Cuniff
Heather Hart
Sandra Gibson-Quigley, Chair
Susan Waters, Clerk

Absent: Penny Dumas

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

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

APPROVAL OF THE MINUTES

Motion: Made by Mr. Blanchard to approve the draft minutes of February 28, 2017.
2nd: Mr. Cuniff
Discussion: None
Vote: 5 – 0 – 1 (Ms. Gibson-Quigley)

**CONTINUATION OF THE 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.

Revised Site Plan consisting of 9 sheets, entitled “Site Plan of Proposed Facility at 660 Main Street” prepared by Thompson-Liston Associates, dated 12/20/2016, revised to 2/16/2017

Revised Landscape Plans (L-1 & L-2) prepared by Joseph Coan, Landscape Architect, dated 2/2017

Photometric Plan of proposed site fixtures entitled “17026 Heal Inc.” prepared by Omni-Lite, Inc., dated 1/28/2017

Responses to questions and comments from the 1/24/2017 Public Hearing meeting, dated 2/16/2017

The following were present for Heal, Inc:

- Katherine Braucher Adams, Schlesinger and Buchbinder
- Stephen Fleshman, Architect
- Joseph Coan, Landscape Architect
- Andrew Liston, Civil Engineer
- Gary Einsidler, COO, Heal, Inc.
- Alexander Oliphant, President and CEO, Heal, Inc.
- Trish Faas, General Manager, Heal, Inc.

Ms. Gibson-Quigley acknowledged the following department memos:

- Ms. Bubon, Town Planner, dated 3/8/2017
- Mr. Morse, DPW Director dated 3/7/2017
- Mr. Colburn, Conservation Agent, dated 3/3/2017
- Lt. Marinelli, Fire Inspector, dated 3/1/2017
- Mr. T. Chamberland, Tree Warden, dated 2/24/2017

Ms. Bubon stated that as discussed at the last meeting, it was determined that the installation of a sprinkler system was acceptable to both the applicant and the Interim Fire Chief and therefore, the Site Plan was modified to revert to the initial conceptual design that does not include the looped roadway. The revised plans were provided to staff and no major concerns had been noted.

Ms. Bubon stated that she had spoken to Chief Ford and both agree that a fence around the property to prevent a potential intruder from fleeing the site is not recommended.

Chief Ford stated that the audible alert will not be used and the Police Department will be contacted if someone is seen on the site by the security cameras.

Ms. Adams gave a presentation of the updated plans.

Mr. Coan, Landscape Architect, stated that they are adding two large trees and numerous shrubs and ground cover to the proposed plan in accordance with the suggestions of the Planning Board.

Mr. Liston of Thompson-Liston Associates stated that they are adding street lights and a stop sign.

Ms. Digregorio of 21 Tannery Road stated that she is concerned with customers leaving the facility and turning left to go up to the private parking lot and use the marijuana they just received. She feels it's a security issue.

Chief Ford stated that if anyone sees any suspicious activity just call the police department.

Ms. Gibson-Quigley stated that, as with a fence, it is not feasible to ask the proponent to guarantee that no activity will take place in an area that is out of their control. She also stated that the applicant has met all safety requirements under state law and local regulations.

The Board had no further concerns or questions.

Ms. Bubon stated that the applicant meets all the requirements for Special Permit and Site Plan and has no concerns and recommends that the Board approves the application.

Motion: Made by Mr. Blanchard to close the Public Hearing.

2nd: Ms. Waters

Discussion: None

Vote: 6 – 0

Motion: Made by Ms. Waters to grant the Special Permit to Heal, Inc. to build an Off Site Medical Marijuana Dispensary at 660 Main Street; according to the requirements of Chapter 30 – Medical Marijuana Overlay District.

2nd: Mr. Blanchard

Discussion: None

Vote: 6 - 0

Motion: Made by Mr. Chamberland to grant Site Plan Approval to Heal, Inc. for the construction of an Off Site Medical Marijuana Dispensary (OMMD) located at 660 Main Street; with the following conditions:

1. All construction and site improvements shall be in conformance with the plans submitted and approved by the Planning Board.

2. All State and Local Zoning Bylaws, Building Codes and Regulations must be adhered to.
3. The site shall be kept in a neat and orderly condition throughout the construction process.
4. Exterior construction shall only occur during the hours of 7:00 a.m. to 7:00 p.m. Monday through Friday and 8:00 a.m. to Noon on Saturday. No exterior construction shall occur on Sundays or the following holidays – New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.
5. The applicant shall notify the Planning Department office forty-eight hours prior to the start of construction.
6. Snow storage shall not be permitted within any of the delineated parking areas or traveled ways. If required, excess snow shall be removed from site during heavy snow events to prevent a loss of on-site parking.
7. An emergency contact phone list with at least two names and numbers on it be supplied to the Sturbridge Police Dept. and Planning Department to be used by the dispatchers, in case of an off hour emergency, prior to the start of the project. The list must be updated whenever necessary for the duration of the project.
8. All erosion and sedimentation controls shall be installed as shown on the plan and inspected prior to the start of demolition or site work.
9. The following dust control measures shall be adhered to throughout the entire demolition/construction process:
 - a. Spray disturbed areas with water on dry and windy days as needed;
 - b. Periodically clean surrounding roadway near the entrance to the site if needed;
 - c. An anti-tracking pad shall be installed and maintained throughout the construction process.
10. The applicant shall camera the existing sanitary line to check on the condition of the pipe and possible obstructions and shall design and install a sewer connection that is satisfactory to the DPW Director.
11. The detail sheet calls for C-900 water main; this should be changed to cement lined ductile iron (DI) class 52. All other materials will be specified prior to installation.
12. The drain line elevation between the DMH's in the parking lot and the elevation of a standard 5' bury on top of the water main are very close and may in fact conflict. Same for the CB #5 to DMH #7 and CB #1 to DMH #3. Engineer should make sure at least 1 foot of clearance is provided between the two for maintenance purposes. The Town is not looking for a deep water main install.
13. Stop signs are shown on the detail page but not exiting the facilities driveway; this must be added on the final revised plan.
14. A landscape maintenance plan must be provided prior to the start of construction and shall address at a minimum the following:
 - a. Watering over the next three years starting at date of final occupancy permit
 - b. Proper mulching monitoring for three years starting at date of final occupancy permit
 - c. Dead/poor plant material replacement for three years starting at date of final occupancy permit.

15. At least 48 hour notice shall be given the Tree Warden and Town Planner before plant material is installed for a site visit to go over proper planting and locations, suitable soil materials, etc.
16. All plan revisions required by these conditions shall be provided to the Planning Department and DPW Director for review and approval prior to issuance of a building permit and prior to the start of any site work.
17. In consideration of the reinstatement of the letter of non-opposition from the Sturbridge Board of Selectmen, Heal, Inc. has agreed to the condition that the parcel to be developed by Heal at 660 Main Street in Sturbridge will not offer any recreational sale of marijuana or marijuana infused products until at least July 18, 2021.
18. An as-built must be provided for all site work including plantings when the work has been completed.

2nd: Mr. Cunniff

Discussion: None

Vote: 6 – 0

Members of the Board had the following questions for Chief Ford:

Mr. Chmaberland stated that the Board gives the dispatcher two emergency contact numbers after the Board approves sit plan. Are two names sufficient?

Chief Ford stated that two names are sufficient and very helpful.

Ms. Hart stated to Chief Ford that at Pilot the trucks are parking in the street and trash and debris is everywhere.

Chief Ford stated that parking on the street is not permitted and it is an ongoing situation at Pilot that the department is aware of and will monitor.

Mr. Cunniff stated that turn off – Fiske Hill Road – sign is down

Chief Ford stated that he will call MassDOT or DPW and have them replace the sign.

TOWN PLANNER UPDATE

Pilot Travel Quarterly Report

March 28th – very full agenda – Public Hearing – Blackington, LLC & Public Hearing on Zoning Amendments

May 6th through May 10th – APA National Conference – Ms. Bubon will be attending

Board changed the May meetings to May 2nd & May 30th

OLD/NEW BUSINESS

None

NEXT MEETING

March 28, 2017

On a motion made by Ms. Waters, and seconded by Mr. Chamberland and voted 6 - 0, the meeting adjourned at 7:10 PM.