

Holliston Planning Board Meeting Minutes of November 9, 2017

In Attendance: Chairman David Thorn, Karen Apuzzo-Langton, and Josh Santoro. Warren Chamberlain and Jason Santos were absent.

Call to Order: The Chairman called the regular meeting to order at 7:08 p.m. in the Selectmen's Meeting Room #105 of the Town Hall, 703 Washington Street.

General Business:

Approval of Minutes

On a motion by Mr. Santoro, seconded by Mrs. Apuzzo-Langton, the minutes of October 19, 2017 were approved as drafted.

Medical Marijuana Site Plan Review Regulations

Members reviewed the draft Section 7.5 as revised November 3rd and discussed additions to the General criteria (Section 7.5.1) based on discussions on October 19th. On a motion by Mrs. Langton, seconded by Mr. Santoro, the regulations were adopted.

Site Plan Review of New England Cannabis Corporation, 29 Everett Street

Joyce Hastings, PLS of GLM Engineering, Atty. Robert Carp and Ron Lipoff of NE Cannibas Corp. were present representing the applicant. Ms. Hastings provided an overview of the 4.05 acre site and its previous use (Cold Chain Technologies). The existing building is proposed to be converted to a medical marijuana grow and production facility (47,570 s.f.) with the potential for a 17,000 s.f. addition. Ceilings are 21' The proposed facility will have between 50 to 55 employees and there are 60 existing parking spaces, including two handicapped spaces.

New England Cannabis Corporation (NECC) proposes to site its remote cultivation and processing facility in an existing office and manufacturing building located at 29 Everett Street in the Lowland Industrial Park. NECC does not anticipate their use will create any seriously detrimental or offensive uses for adjoining premises given that the improvements are interior to the building. The nearest commercial buildings to the locus are 16 Everett Street and 125 Jeffrey Avenue. The property also abuts industrial parcels at 67 Jeffrey Avenue and 194 Lowland Street as well as a 9-acre residential/agricultural parcel located at 38 Rogers Street. Joyce Hastings, PLS of GLM Engineering Consultants, Inc., has identified two facilities in which children commonly congregate as interpreted by the Department of Public Health located within 500 feet of the proposed NECC facility, Shen's Gymnastics Academy at 16 Everett Street (located 370 feet door to door) and Cormier's Self Defense Academy at 53 Jeffrey Avenue (located 420 feet door to door). The 16 Everett Street property directly abuts the 29 Everett Street property and the driveways are separated by the 60' layout of Everett Street, a public way. NECC has consulted with the Holliston Police Chief with regard to the implementation of adequate security measures to the satisfaction of the Planning Board. Mr. Santoro made a motion to reduce the 500' buffer zone to meet the existing conditions as described per the provisions of Section 7.5.2 of the Planning Board's Special Permit and Site Plan Review Regulations. Mrs. Langton seconded with all in favor.

It was noted that exterior lighting is existing and if any additional fixtures are added, they will be DarkSky compliant. All external HVAC systems will be screened to prevent noise pollution to abutters. The closed loop and condensate recycling hydroponic system is filtered with

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minimal wastewater. Backflow prevention will eliminate risk to the public water supply. Deliveries such as nutrients and personal protective equipment will be controlled.

Mr. Santoro made a motion, seconded by Mrs. Langton to approve the Site Plan prepared by GLM Engineering Consultants, Inc., for New England Cannabis Corporation, dated October 20, 2017 with the following special conditions as noted:

1. Any backflow prevention device(s) shall be designed per determined degree of hazard and approved and inspected by the Holliston Department of Public Works.
2. Liquid waste containing marijuana, by-products of marijuana processing, and fertilizers and other agrochemicals shall be disposed of in compliance with requirements for discharge per 314 CMR, as appropriate in the given circumstance.
3. Solid waste dumpsters and waste bins must meet all state and local laws, and when not in use, are kept in Restricted Access Areas.
4. Preparation of Marijuana Infused Products will follow Holliston Board of Health protocols, if any.
5. Procedures on Security, Cultivation, and Lab and Kitchen Operations should be made available to the Police Department and Board of Health Agent.
6. Deliveries shall be directed through the industrial park from Washington Street via Whitney Street to minimize disturbance to residential neighborhoods on Woodland and Fiske Streets and shall not occur between 9 p.m. and 7:00 a.m.
7. If additional exterior lighting is added, it shall be compliant with Section 7.4.1 of the Planning Board's Performance Standards for Nonresidential Development and shall comply with the Dark Sky Initiative standards of the Illuminating Engineering Society.
8. The Applicant represented that the facility will be staffed 24 hours per day, with the full operational, administrative, maintenance and security staff working during the day Monday to Saturday and limited staffing Sundays and overnight.

Highlands at Holliston and Constitution Village's Construction Deadline

Mr. Santoro made a motion to extend the deadlines to November 30, 2017 to address outstanding informational request issues. Mrs. Langton seconded with all in favor.

Evergreen Square Subdivision's Form F/Surety Reduction/Construction Deadline

Lou Petrozzi was present from Wall Street Development to discuss extending his construction deadline and a potential surety reduction. On a motion by Mr. Santoro, seconded by Mrs. Langton, the construction deadline was extended until June 30, 2018. Discussion of the surety was tabled until the next available meeting.

Continued Public Hearing: "Maplewood" Open Space Residential Development Definitive Subdivision and Site Plan Review – 256 Hollis Street

The Chairman re-opened the public hearing at 8:15 p.m. Present with the applicant were Brian Hassett and Elizabeth Mainini, PE of Guerrierre & Halnon. Mr. Hassett provided an update for the members as an Order of Conditions has been issued by the Conservation Commission (MassDEP 185-832 dated October 31, 2017) and the soil suitability has been verified by the Health Agent to support the planned dwelling.

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Members reviewed a draft Certificate of Action with Ms. Sherman asking for verification of the Highway Dept. concern for paving a 15øapron in accordance with the øRegulations for Driveway Openingsø. She and Ms. Mainini will follow-up on this issue. Discussion with the Conservation Commission regarding the planned disposition of the open space (fee to them) will also occur.

On a motion by Mrs. Langton, seconded by Mr. Santoro, the public hearing was closed and deliberation was scheduled for November 30th.

Continued Special Permit Public Hearing:

Thomas LaTouf/DBA Metrowest Firewood - 35 Chestnut Street

The Chairman re-opened the public hearing at 8:30 p.m. and noted that Mr. Chamberlain's absence creates a quorum issue for the application. On a motion by Mrs. Langton, seconded by Mr. Santoro with all in favor, the public hearing was continued until November 30, 2017.

Definitive Subdivision Plan Public Hearing

Christine Price, Tr., ("Hillview Estates") – 32R Hill Street, Medway

The Chairman opened the public hearing at 8:30 p.m. and waived reading the hearing notice into the record. Present for the owner was Paul DeSimone, PLS of Colonial Engineering.

Correspondence from Karen Sherman, Town Planner (dated November 1, 2017), a waiver request of the fee deposit from the Applicant (dated November 6 and November 9, 2017), and waiver requests from Daniel J. Merrikin, PE of Merrikin Engineering, LLP (dated November 8, 2017) were added to the record.

The proposed subdivision consists of a permanent private way (Parcel A) to be known as øNirvana Wayø accessing two lots on 12.7 acres off Hill Street. The access point for Parcel A is located entirely within Holliston on a 1,369 s.f. parcel and it is understood from the Medway Planning Board Certificate of Action that the owner of Lot 10A is to own and maintain the way and stormwater facilities. As a result of the Medway Planning Board Public Hearing proceedings in 2014, the Holliston Planning Board agreed to accept Medway's peer review process into its decision record and as the application remains unchanged since 2014, the Holliston Planning Board entered the entire Medway Planning Board proceedings into its public hearing record of November 9, 2017, including Medway's actions taken in September and October 2017 with regard to surety. On a motion by Mrs. Langton, seconded by Mr. Santoro, the review fee was waived and the application fee was reduced to \$1,000.

On a motion by Mr. Santoro, seconded by Mrs. Langton with all in favor, the public hearing was closed and the Certificate of Action was issued as drafted with the following conditions:

1. This Definitive Subdivision is not valid until recorded and indexed at the South Middlesex County Registry of Deeds in accordance with the provisions of MGL, c. 41, s.81-W. The copy of the Plan and Certificate of Action to be filed must contain a certification by the Town Clerk that 20 days have elapsed since after the decision has been filed and that no appeal has been filed or if such appeal has been filed, that it has been dismissed or denied. The Applicant shall submit proof of recording to the Planning Board.

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2. The Applicant has proposed, and the Board hereby requires, that the following aspects of the subdivision shall be and shall remain forever private, and that the Town of Holliston shall not have, now or ever, any legal responsibility for operation, maintenance, repair or replacement of said roadway to be known as Nirvana Way. No trash pick-up and snow plowing, street lighting, and water services beyond the individual meter pits shall be provided by the town of Holliston. The roadway within the subdivision shall not be dedicated to or accepted by the Town Meeting. The Applicant and Owners shall be responsible for the operation and maintenance of all aspects of the common or private facilities set forth above.
3. Prior to plan endorsement, the Applicant shall provide the Planning Board with a copy of the proposed deed to convey said Nirvana Way and all drainage easements shown on the plan to the owner of Lot 10A for review.
4. Within 30 days of endorsement, the Applicant shall provide the Planning Board with a set of the approved plans in .pdf format as well as two paper sets no smaller than 11ö x 17ö.
5. No Subdivision Covenant shall require Holliston Planning Board endorsement as the Applicant is subject to General Conditions 3&4 of the Medway Planning Board Certificate of Action dated February 11, 2014.
6. All construction observation/inspection is to occur per General Conditions 6, 8, 10 and 11 of the Medway Planning Board Certificate of Action. Should any issues arise on Hill Street that are under the jurisdiction of the Town of Holliston, the Holliston Highway Supt. is authorized to act on behalf of the Planning Board and the Town of Holliston to seek mitigation through the Town's road opening requirements.

Adjournment - The meeting was adjourned at 9:15 p.m. on a motion made and duly seconded. The next meeting was scheduled for November 30, 2017 at 7:00 p.m.

Respectfully submitted,

Karen L. Sherman, Town Planner