

Holliston Planning Board Meeting Minutes of January 25, 2018

In Attendance: Chairman David Thorn, Karen Apuzzo-Langton (exited at 8:00 p.m.), Josh Santoro, Warren Chamberlain and Jason Santos.

Call to Order: The Chairman called the regular meeting to order at 7:01 p.m. in the Selectmen's Meeting Room #105 of the Town Hall, 703 Washington Street.

General Business:

Approval of Minutes of 1/11/18

On a motion by Mr. Chamberlain, seconded by Mr. Santoro, the minutes of January 11, 2018 were approved as drafted.

Definitive OSRD Subdivision Endorsement of Maplewood Estates, Hollis Street

The Planning Board executed the covenant and endorsed the final plan prepared by Guerriere & Halnon upon receipt of the signed covenant from the landowners. The Town Clerk has certified the Certificate of action and plan set as well.

Continued Site Plan Review of Brighton Health Advocates, Inc., 465 Hopping Brook Road

Peter Bemis of Engineering Design Consultant was present along with Atty. Jeremy Unruh of PharmaCann. Mr. Bemis reviewed revisions to the site plans dated January 8th and indicated that the application was still pending before the Conservation Commission. Mr. Unruh indicated that PharmaCann was partnered with Brighton Health for this project. He provided an overview of their development program as documented in his letter of January 23rd, stressing the need for the Phase I temporary facility in order to get the proposed Wareham dispensary open as soon as possible under the DPH regulations. Extensive discussion followed, with some proposed mitigation.

The Board's vote in favor of granting Site Plan approval for 465 Hopping Brook Road is as follows on a motion by Mr. Santoro, seconded by Mr. Chamberlain with all in favor:

Findings

Having reviewed all the Plans and Reports filed by the Applicant and its representatives and the representatives of the Town and having viewed the site, the Planning Board has determined that the Application for Site Plan Review is consistent with the requirements of Sections III and VII of the Holliston Zoning By-Laws and Sections 7.3 and 7.5 of the Planning Board Special Permit and Site Plan Regulations. The Board also finds that the proposal meets the General Conditions for Approval specified in Section VII (2)(a-g) of the Holliston Zoning By-Law and Sections 7.5 Medical Marijuana Treatment Center/Registered Medical Marijuana Dispensaries (MTC) and 7.11 of the Planning Board Regulations.

Brighton Health Advocates, Inc., proposes to construct a 57,874 +/- s.f. cannabis production and processing facility with 50 parking spaces, loading zone, complete site circulation and the ability to double its size with future expansion possibilities located at 465 Hopping Brook Road. A detailed floor plan of the premises that describes the functional areas of the facility including but not limited to cultivation, processing, food preparation, storage and sales has been provided. The site development has been segmented into three phases of Phase I consists of the

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area designated as Temporary Facility Area on the site plans. It consists of several temporary trailers and five space parking area. Phase II consists of the greenhouse and processing headhouse as well as the parking and circulation, loading, landscaping, and security measures. Phase III has not been fully developed on the plans but generally represents a doubling of the facility.

The Board acknowledges the default 500' buffer zone described in the Department of Public Health "Guidance for Municipalities Regarding the Medical Use of Marijuana". No sensitive receptors have been identified other than abutting private residences. The Police Chief has not identified any concern for additional security measures.

Conditions of Approval

The Board's decision to grant the Application for Site Plan Review is subject to the following conditions:

General Conditions

1. The revised plan set shall be endorsed by the Planning Board and presented to the Inspector of Buildings with the application for building permit. Unless amended with the approval of the Planning Board, the endorsed plan set shall be the plan of record and construction shall proceed in accordance with the improvements shown on said plan and this Certificate of Action.
2. No corrections, additions, substitutions, alterations or any changes shall be made in any plans, proposals, and supporting documents approved and endorsed by the Planning Board without the written approval of the Planning Board. Any requests for modifications shall be made in writing to the Planning Board for review and approval and shall include a description of the proposed modification, reasons the modification is necessary, and any supporting documentation.
3. A copy of this decision shall be kept on site and shall be made available to all site contractors.
4. Prior to commencement of authorized site activity, the Applicant shall provide to the Planning Board Office the name, address and business phone number of the individual(s) who shall be responsible for all activities on the site. Additionally, the Police and Fire Departments should be provided with an emergency notification sheet.
5. Prior to issuance of a Certificate of Occupancy from the Inspector of Buildings, the Applicant shall submit an as-built plan stamped by a professional engineer certifying that all site improvements are completed in accordance with the approved plan. The Applicant shall submit a statement certifying that all conditions of approval of this decision have been met.

Special Conditions

1. All elements of Phases I and II shall be constructed within one year of this decision and the temporary facility area shall be fully restored prior to May 1, 2019. These deadlines may be extended at the discretion of the Planning Board. Any extension request should be made one month in advance of the expiration and shall contain a detailed construction schedule for completion of the improvements permitted. 1`

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2. The Applicant shall guarantee performance of the conditions of this decision regarding temporary facility decommissioning with a \$20,000 surety bond or other security satisfactory to the Planning Board. Said surety shall be posted prior to issuance of a building permit.
6. Phase III of the project shall require additional Site Plan Review approval by the Planning Board.
7. The applicant shall meet all the permitting requirements of the Department of Public Health and shall provide the Inspector of Buildings and Planning Board with a copy of all permits issued by agencies of the Commonwealth prior to grant of an occupancy permit.
8. Any backflow prevention device(s) shall be designed per determined degree of hazard and approved and inspected by the Holliston Department of Public Works.
9. 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.
10. Solid waste dumpsters and waste bins must meet all state and local laws, and when not in use, are kept in Restricted Access Areas.
11. Preparation of Marijuana Infused Products will follow Holliston Board of Health protocols, if any.
12. Procedures on Security, Cultivation, and Lab and Kitchen Operations should be made available to the Police Department and Board of Health Agent prior to occupancy.
13. Deliveries shall not occur between 9 p.m. and 7:00 a.m.
14. All exterior lighting 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.
15. 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.
16. The MTC shall not create a nuisance to abutters or to the surrounding area, or create any hazard, including but not limited to fumes, smoke, odors, and vapors.
17. Written notice shall be provided to the Town of Holliston Inspector of Building and planning Board a minimum of 48 hours prior to initial commencement of work, including tree cutting.
18. The site shall immediately be posted with signs indicating "No Trespassing".
19. Because of the scale and complexity of the project, installation of site access drives and stormwater management features shall be subject to periodic monitoring and inspections by an agent of the Planning Board to be paid for by the applicant under the provisions of MGL, c.44, s.53G (593 Account) and the Board's Rules and Regulations for Project Review Fees.
20. The Applicant shall provide evidence of semi-annual stormwater management system inspection and maintenance in accordance with the drainage operation and maintenance plan of record.

**Continued Site Plan Review and Special Permit Public Hearing
1490 Washington Street, LLC – 1490 Washington Street**

The Chairman re-opened the public hearing at 8:00 p.m. Anthony Graceffa of 1490 Washington Street, LLC was present along with Dan Merrikin of Merrikin Engineering, LLP. Mr. Merrikin reviewed the plan revisions dated January 23, 2018 made as a result of the prior hearing session and peer review completed by Steven Bouley, PE of TetraTech (See letter in file dated January 19, 2018). Mr. Merrikin noted planned installation of arborvitae along the border of the No

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Disturb area. Mr. David Franco of 45 Summer Street was present and noted that the proposed screening was acceptable.

On a motion by Mr. Santos, seconded by Mr. Santoro, the draft Certificate of action was approved as amended through discussion as follows:

General Conditions

1. This Special Permit is not valid until recorded and indexed at the South Middlesex County Registry of Deeds in accordance with the provisions of MGL, c. 40A, s.11. The copy of the Decision 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 record this Decision prior to the commencement of authorized site activity and shall submit proof of recording to the Planning Board. Failure to record the Decision or comply with the conditions of approval herein or to act on this Special Permit within two years shall render this Decision null and void.
2. The Applicant shall provide the Planning Board office with the name, address and business phone number of the individual(s) responsible for the activities on site and the date work will commence.
3. A copy of this Decision and endorsed plan set shall be kept on site and shall be made available to all site contractors.
4. No corrections, additions, substitutions, alterations or any changes shall be made in any plans, proposals, and supporting documents approved and endorsed by the Planning Board without the written approval of the Planning Board. Any requests for modifications shall be made in writing to the Planning Board for review and approval and shall include a description of the proposed modification, reasons the modification is necessary, and any supporting documentation.
5. Approval by the Planning Board shall not be treated as, nor deemed to be, approval by the Board of Health for a permit for the uses proposed.
6. The plan set shall be endorsed by the Planning Board and presented to the Inspector of Buildings with the application for building permit. Unless amended with the approval of the Planning Board, the endorsed plan set shall be the plan of record and construction should proceed in accordance with the plan and this Certificate of Action.
7. The Applicant shall submit an as-built plan stamped by a professional engineer certifying that all site improvements are completed in accordance with the approved plan. The Applicant shall submit a statement certifying that all conditions of approval of this decision have been met.

Special Conditions

1. Business hours of operation for the proposed uses are limited to 6:00 a.m. to 6:00 p.m. Monday - Saturday. All non-security lighting shall be extinguished promptly upon closure.
2. Use of the two warehouse buildings shall be limited. No offices, retail or other uses allowed by-right in the zoning district shall be allowed without re-evaluation of parking through site plan review with the Planning Board. No outdoor storage of materials is allowed. No vehicles shall be stored overnight in any parking spots in front of the existing building (closest to Washington Street).

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3. Deliveries and dumpster delivery/removal are limited to normal hours of operation. No idling instructions and delivery directions shall be provided to vendors.
4. An additional test pit shall be witnessed by the Board of Health Agent prior to construction of the proposed underground infiltration field to confirm seasonal high groundwater is not within 2 feet of the bottom of the system. If field conditions do not prove out, the Board will assess alternatives and will process such a request as an informal field change.
5. Per stormwater note 4 (Sheet 5), catch basin replacement is required if the existing structure lacks a deep sump and hood. This verification shall be documented by a professional engineer prior to occupancy of the site.
6. Proof of annual maintenance of the stormwater management components shall be provided to the Planning Board Office prior to May 1 of each year of operation.
7. A sign will be posted outside the entrance to the site to provide a 24-hour contact in the event of an emergency.
8. In exchange for a formal landscaping plan, the owner agrees that landscaping areas shall be populated with native species to the satisfaction of the Town Planner and the stockade fencing shall be repaired and installed as noted prior to occupancy of the final building. The arborvitae screening adjacent to N/F Franco property shall be installed prior to June 15, 2018.
9. Existing exterior fixtures will be replaced with Dark Sky-compliant shoebox-type LED down lights in the locations and any additional light fixtures for the new buildings will also be Dark Sky compliant.

The vote in favor was as follows: 4 ó aye.

On a motion by Mr. Santoro, seconded by Mr. Chamberlain, the public hearing was closed.

Highlands at Holliston Inspections

Ms. Sherman indicated that she and Highway Supt. Tom Smith had visited the site earlier in the week and observed some completed repairs before and during the heavy rainstorm. A series of photos and some notes were circulated. She noted that given the failure of some of the repairs, she would like permission to engage counsel and hire a third-party engineer to assess and facilitate dialogue with Fafard Real Estate and their engineers Guerriere & Halnon. All were in favor. Discussion of the February 12th deadline for Warrant submittals followed.

Adjournment - The meeting was adjourned at 9:10 p.m. on a motion made and duly seconded. The next meeting was scheduled for February 8, 2018 at 7:00 p.m. if warranted.

Respectfully submitted,

Karen L. Sherman, Town Planner