

**Holliston Planning Board  
Meeting Minutes of October 20, 2016**

**In Attendance:** Chairman David Thorn, Geoffrey Zeamer, Josh Santoro, Karen Langton, Warren Chamberlain and Associate Member, Nikki Borman.

**Call to Order:** The Chairman called the regular meeting to order at 7:30 p.m. in Room 105 of the Town Hall, 703 Washington Street.

**General Business:**

1. **Constitution Village/Highlands at Holliston ó Construction Extension**

On a motion by Mr. Santoro, seconded by Mr. Chamberlain, these subdivisions were granted an extension through the November 10<sup>th</sup> meeting for further discussion. Ms. Sherman noted that Form E revisions to adjust the surety amounts with Highlands at Holliston have been received. A review of site conditions, various conditions of approval, plans, and field changes will yield a punchlist for project completion. Requested materials and mitigation work program for Constitution Village has been discussed with the project engineer from Guerriere & Halnon, Inc. and additional information is expected in addition to the update provided in correspondence dated October 14<sup>th</sup>.

2. **Continued Site Plan Review ó Mayflower Medicinals, Inc., 89 October Hill Road**

Atty. David Ullian of Vicente Sederberg, LLC introduced the project team, including Burt Corey, PE of Schofield Brothers, Brian Anderson AIA of Anderson-Porter Design, and Mayflower Medicinals CEO John Henderson. He reminded the Board that Mayflower is a non-profit healthcare organization and has received a provisional license from the MA Department of Public Health for this growing facility and its associated dispensary.

Brian Anderson of Anderson-Porter Design provided an overview of the amended plan and supplemental narrative information provided for the meeting, describing 1. Water usage, circulation and waste disposal during the 10-week growing cycle, 2. Security fencing, and 3. Processing (Marijuana Infused Product aka MIP) kitchen details.

A draft Site Plan Review Certificate of Action was reviewed including Findings and Conditions of Approval. On a motion by Mr. Zeamer, seconded by Mr. Santoro, the draft was approved as written.

3. **Bartzak Drive - Roadway Completion**

Mr. Zeamer recused himself from the discussion as he has a property interest on the street. Atty. Peter Barbieri of Fletcher Tilton, PC was present to discuss the roadway completion and request for release of surety pursuant to GL c. 41, s. 81U. A Form F Engineer's Certificate of Completion and Acceptance Plan prepared by Dunn McKenzie, Inc. dated April 2016 have been submitted to complete this phase of the New Englander Industrial Park subdivision. The Highway Department has inspected identified repairs to both the roadway and drainage system. On a motion by Mr. Chamberlain, seconded by Mrs. Langton, the board voted 4-0 to instruct the Town Treasurer to release the remaining cash surety (approximately \$13,185) and recommend that the Board of Selectmen begin the process of roadway layout for acceptance at the Annual Town Meeting in May 2017.

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**Continued Public Hearing**

**Scenic Road/Shade Tree**

**Hill Street Realty – 0 Hill Street**

The Chairman re-opened the public hearing at 7:55 p.m. Rick Goodreau was present for United Consultants, Inc. of Franklin, MA representing the owner, Jim Leonard of Hill Street Realty Trust. Revisions include relocation of 12ø single-family driveway centered between the two large street trees with measured adequate sight lines and reconstruction of the historic stone wall in place at the intersection of Hill and Norfolk Streets. Members noted they had visited the site and reviewed the flags placed by United Consultants.

On a motion by Mr. Santoro, seconded by Mrs. Langton, the Board voted unanimously to grant the Scenic Road Work Permit per the record plans, with wall reconstruction as noted.

**Continued Public Hearing**

**Special Permit/Site Plan Review**

**Michael Brumber – 194 Lowland Street**

The Chairman re-opened the public hearing at 8:10 p.m. Mrs. Langton stepped away from the table stating she had a conflict of interest under MGL c. 268 as she had been vocal about the proposal and operator at previous hearing sessions. Mr. Zeamer also noted that he has filed a Disclosure of Appearance of Conflict of Interest form into the file with regard to his previous financial interest in the property. The Chairman noted that Ms. Borman would be sitting as a voting member on the matter.

New documents were entered into the record, including: 1. A comment letter from Conservation Agent Sheri O'Brien dated October 20<sup>th</sup>, 2. A comment letter from Health Agent Scott Moles and Building Inspector Peter Tartakoff, dated October 12<sup>th</sup>, and various comments letters from abutters including Scott Elliott of 12 Boulder Road, Cherie Hafford of 242 Lowland Street (dated 10/19), Michelle Mehigan of 76 Regal (dated 10/19).

Present with the applicant was Atty. George Connors. Present for the Board was Atty. Mark Bobrowski. Connors noted that Mr. Brumber is the owner of 30,000 cy of mixed fill and approx. 5,000 cy of compost materials shown on the plan of record and is requesting removal of those materials only. He noted site access as well as the proposed limit of work, area for truck tire cleaning, temporary stormwater management and sediment control, as well as delineated resource areas. He displayed a large Google Earth showing the various piles of materials and their proximity to each other and the physical features (i.e. pond, Bogastow Brook, existing entrance and building).

In summary, a portable screener is proposed to mix the materials (compost and mixed fill) to create a saleable loam product. No crushing is proposed. Some piles of materials will remain as they do not belong to the Applicant. The operation is proposed to generate 2-5 trucks per hour x 8 hour day, via a combination of trailers and dump trucks or 50-60 truck trip ends/day. The process of removal would take approximately 5 months, accounting for severe weather, beginning in early spring. A centrifugal pump in the on-site pond would feed the screener for dust suppression. Erosion control seeding will follow material removal. A street sweeper is also available for sediment control.

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Members asked a series of questions regarding trucking volume clarification, mitigation to ease neighborhood impacts, dust suppression measures and water usage concerns, trucking pattern, the BOH Agent/Building Inspector recommendation to simply remove materials without processing, and compost cleanliness/composition. Through discussion, Mr. Connors agreed that a site apron will be added to the mitigation. He suggested that the other issues would take several weeks to provide an informed response.

The Chairman opened the floor to the audience. The following individuals offered comments and raised questions:

1. Frank Lagodimos of 18 Noel Drive. Hours of operation were suggested as 9-3 weekdays.
2. Ellen Troland of 101 Marilyn Street. Echoed hours of operation limit. Bus and tractor trailer traffic on Jeffrey Ave. were noted. Noise during summer months impedes area quality of life (QOL).
3. Audra Szabatura of 31 Noel Drive. Truck noise and mitigation strategy are most important issues. She raised concerns about permitted 157 Lowland activities and noise area sources. She noted that truck logs would be essential and asked "Why are we having this discussion at all regarding processing as QOL is impacted enough?"
4. Robert Smith of 60 Marilyn Street. Physical impacts to Lowland Street culvert were questioned. He asked the question "Is the future condition of site and subsequent value a potential detriment to the town?"
5. Atty. Bob Cox of Bowditch and Dewey was present for Cold Chain Technologies of Everett Street. He inquired about the Preliminary Injunction status (June 2015). He reiterated previous concerns for the presence of construction debris in materials and potential contaminants or solid waste. Mr. Connors noted that they will respond to Board of Health concerns. Through the Chairman, he asked Mr. Connors "Is there a standard operating procedure for truck cleaning?" Connors replied that individual drivers are responsible for truck conditions. He affirmed that operators will not overload trucks. Signage for truck routes was suggested. NPDES draft submitted to Conservation Commission. Third-party monitoring suggested.
6. Larry Gordon, Cold Chain Technologies. Material intended to stay in Holliston? Not likely to be transported to #157 unless screening is not allowed on site at 194. Any transport to #157 would exacerbate conditions there. Geoffrey Zeamer - Screening debris to be left?
7. Shawn Utke of 15 Boulder Road. He expressed concern for idling trucks off hours.
8. Al Stone of 980 Highland Street. "I want the compost."
9. Atty. Jay Marsden, Board of Selectmen. He emphasized that there should be incentives for compliance. How do we deal with non-compliance? Suggestions: bonding, penalty and third-party monitoring. He submitted 78 pages of complaints regarding #157 for the record. Mr. Connors noted that the time period is self-imposed and is economic incentive to Brumber to get it off while DiCarlo will let him. He is working with both owner and applicant to facilitate.
10. Karen Langton, 100 Woodland Street. Echoed Marsden's comments with regard to need for performance standards & concerns for systematic violation of numerous conditions of Brumber's #157 Lowland Special Permit. How did materials get there? Mr. Connors noted periodic in/out by owner on mixed fill and compost in violation. He noted that

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there is a significant change in plan, that is, inclusion of the mixed fill into the processing and removal equation. She asked if the future use of property would require fill. Mr. Connors stated that the needs would vary based on the proposed use(s).

Atty. Bobrowski suggested a staff level meeting with the applicant. Mr. Santoro and Mr. Chamberlain agreed to participate. He asked for clarification of the Cavanaugh-Tocci report that was attached to the Board of Health memo. Mr. Connors clarified that it was not completed for this site but does generally address noise within the park.

On a motion by Mr. Zeamer, seconded by Mr. Santoro, the Board voted to continue the hearing until December 8<sup>th</sup> at 7:30 p.m.

**Adjournment** - The meeting was adjourned at 9:50 p.m. on a motion made and duly seconded. The next meeting (Downtown Corridor Plan workshop) was scheduled for November 3, 2016.

Respectfully submitted,

Karen L. Sherman, Town Planner