

**Town of Leicester Planning Board
Meeting Minutes
November 13, 2018**

MEMBERS PRESENT: Jason Grimshaw, Chair; Debra Friedman, Vice-Chair; Sharon Nist, Andrew Kularski and Robyn Zwicker

MEMBERS ABSENT: Alaa Abusalah

IN ATTENDANCE: Michelle Buck, Town Planner, and Wanda Merced, Department Assistant.

MEETING TIME: 7:00 PM

AGENDA:

1. 7:00PM **Discussion, Site Plan Review, SPR2018-07**
488 Stafford Street/ Integrated Genetics & Biopharma Research, LLC,
Marijuana Cultivation (Applicant: K&B Landholdings)
2. 7:30PM **Public Hearing, Major Site Plan Review, SPR2018-06**
Boutilier Solar Farm #3/500 Boutilier Road (Applicant: ZPT Energy
Solutions, LLC)
3. 8:00PM **ANR Plan**
 - A. 80 Willow Hill Road (Applicant: Norman Hill)
 - B. 175 Paxton Street (Applicant: Central Land Development Corp.)
4. 8:15PM **Approval of Minutes:**
 - 9/11/2018
 - 10/2/2018
 - 10/16/2018
 - 10/30/2018
5. 8:30PM **Town Planner Report/General Discussion:**
 - A. Miscellaneous Project Updates
 - B. Board Member Committee Updates

Jason Grimshaw called meeting to order at 7:00PM

**Discussion, Site Plan Review, SPR2018-07
488 Stafford Street/Integrated Genetics & Biopharma Research, LLC, Marijuana
Cultivation (Applicant: K&B Landholdings)**

Andrew Baum of Summit Engineering & Survey, Inc. was present on behalf of Integrated Genetics and Biopharma Research, LLC and introduced Nicolas O'Hara and Douglas Klier. He stated that they were before the Board for the change of use of the existing building and discussed the proposed site plan. Mr. Baum said that the existing facility has onsite well and septic. He went on to explain that the surrounding uses are predominately manufacturing and some residential.

Mr. Baum stated that they are proposing to change from a light industrial type of use to a cannabis research and Tier 1 cultivation facility. He explained that the parcel is 1.4 acres and partially 50% of the area is wooded. He further explained that there will be very little site improvements done to the area with most of the work proposed being done to the interior of the building. Based on some comments from Quinn Engineering and the Fire Department, Mr. Baum said they have added delineated stalls along the front of the building and added locations for additional barriers to be added to the septic tank.

Mr. Baum stated to the Board that they do not have any issues with any of the comments from the police chief. He went on to say that Quinn Engineering had further comments related to parking and accessibility requirements and explained that they will be using the exiting parking area. He further explained that the building offsets have been added to the plan, there are no proposed alterations of the existing building, drainage is not required and no new additional lighting is proposed.

Douglas Klier, Co-Founder of Integrated Genetics and Biopharma Research, LLC, addressed the Board. He explained that his company provides clones to other licensed businesses in the Commonwealth. He stated that there are no sales to the public and no public access. He further explained that they also have a research license that allows them to advance some of the genetics they have towards pharmaceutical trials. He said it is all internal research and none of it is available to the public. Mr. Klier stressed that their operation is kept very private in order avoid cross contamination and for security reasons as well.

Michelle Buck asked for more specifics from Mr. Klier. Mr. Klier explained that they are selling plants to other licensed facilities to grow them out. He further explained that they sell 4 to 6 inch plants without THC. He said immature plants without flowers do not contain THC. Ms. Buck asked Mr. Klier if they are selling plants to other cultivators for them to grow and Mr. Klier confirmed that as correct. He described his business as a genetic research and development company offering clones for sale.

Debra Friedman expressed her concern regarding plant waste. Mr. Klier stated that the plants they sell are not in soil, they are kept in an aeroponics system as well as some hydroponic systems. He stated that the waste is mostly vegetative compost that would be secured and handled by a third party vendor for removal. Ms. Friedman then asked about the hours of operation and number of employees expected and Mr. Klier confirmed that it would be open six days a week from 7am to 7pm and will employ no more than 10 employees.

Mike Wilson, Fire Department, stated that he is concerned if it's legal to park on the area where the septic tank is located. He suggested that they mark off where the septic tank and leach field are located. He also wants better barriers installed for the propane tanks. Mr. Wilson said that the property owner parked a tractor trailer near the building and he told the owner that it needs to be moved but it still hasn't been moved yet.

Nick O'Hara stated that he spoke with the fire chief last week and the owner of the property. He stated that the owner met with the Fire Chief last Friday and sent an email saying he'll put additional concrete barriers around the septic and propane tanks. Andrew Kularski asked Mr. Wilson what type of barrier would be needed and Mr. Wilson said the barriers need to be higher than the tanks and placed away from the tanks.

Ms. Buck asked about the transportation company they plan to use. Mr. Klier explained that the plants will be transported in a secured van, according to the regulations, and will be completely covered and in small batches. He further explained that deliveries will be scheduled to offset high volume traffic times. Mr. Kularski asked how many van delivers a day would be scheduled and Mr. Klier said that it would be no more than three van delivers daily.

Ms. Buck asked what they would be doing about signage. Mr. Klier stated that the regulations do not allow them to advertise or identify themselves through signage, whether on transportation or on the side of the building. He confirmed that they will not be putting up any signs.

Ms. Friedman asked if there are any odors. Mr. Klier explained that the plants are in young form and do not have any distinctive odor other than a vegetative smell. The odor happens only when the plant flowers. He stated that they will have HVAC systems including carbon filters.

Ms. Buck asked about security. Mr. Klier said along with the regulations, no one is allowed beyond camera access points. It is also a permission only facility meaning someone is only allowed in if they are an inspector or if they have direct business there due to invitation. He further explained that due to the confidentiality of research, they use a sponsor program which means that a person is assigned a sponsor who accompanies them in the facility and they are never left alone at any time, except for restrooms, and they are escorted out of the facility. He also stressed that people have to be over 21 years of age. Mr. Klier stated that they conduct their business via website so they will not have high traffic issues. He said that nothing is for sale and no money will be taken. He assured the Board that no flower is kept on site and that they are not processing anything or any type of extract.

Ms. Buck asked about the parking for the business. She stated that there is a common driveway that is shared with other businesses. She asked if the parking shown on the plan is the parking for the building and Mr. Klier confirmed that as correct. Ms. Buck reminded the applicant that the Board requires parking spaces to be striped.

Sharon Nist asked about snow removal. Mr. O'Hara responded that it will be done by the landlord. Ms. Nist then asked if there will be a dumpster onsite and if so, where will it be located. Mr. Klier stated that the trash will be in a fenced in area outside and it will be secured. He further explained that the area will not be available for search either.

Ms. Buck suggested that the Board add a condition about providing barriers to the septic system and propane tank to the satisfaction of the Fire Department.

Mr. Grimshaw asked if anyone from the public had any comments and there were no comments. He asked if there were any further comments from the Board and there were no further comments.

MOTION: Mr. Kularski moved to approve the change of use for 488 Stafford Street for K&B Landholdings with the conditions set forth in the draft Order of Conditions with the addition of putting sufficient barriers to the Fire Department's preference around the propane tank and septic system.

SECOND: Ms. Nist. Discussion: Mr. O'Hara pointed out to the Board that the applicant is actually Integrated Genetics and Biopharma Research, LLC and not K&B Landholdings. He stated that K&B Landholdings is the property owner.

AMENDED MOTION: Mr. Kularski moved to amend the previous motion to change K&B Landholdings to Integrated Genetics and Biopharma Research, LLC

SECOND: Ms. Nist. Discussion: None.

VOTE: All in favor.

ANR Plan

80 Willow Hill Road (Applicant: Norman Hill)

The Board reviewed the ANR plan. Ms. Buck explained that they are splitting one large parcel into two parcels (one labeled not buildable). The Board discussed the limited frontage lot bylaw.

MOTION: Ms. Friedman moved to approve the ANR plan for 80 Willow Hill Road.

SECOND: Ms. Nist. Discussion: None.

VOTE: All in favor.

Public Hearing, Major Site Plan Review, SPR2018-06

Boutilier Solar Farm #3/500 Boutilier Road (Applicant: ZPT Energy Solutions, LLC)

Mr. Grimshaw read the notice into record.

William Hannigan of Hannigan Engineering, Inc. and Scott Patacchiola of ZPT Energy Solutions II were present. Mr. Hannigan discussed the site plan in detail with the Board. He stated that stormwater management was reviewed by Quinn Engineering and all comments have been addressed.

Ms. Buck notified the Board that the plan presented at the meeting is different from what the Board previously reviewed. She stated that the new plan was turned in earlier today. Mr. Hannigan confirmed that the plan was slightly different from the previous plan but he would address those changes as he goes through his presentation.

Mr. Hannigan explained that lights are not required for the project. He said the only light will be near the inverters and it's motion detected. He further explained that lighting isn't typically used because if there is maintenance needed, it's typically done during the day. The only time that light would be activated would be in an emergency situation in the evening or night time. The main gate will have a Knox box for emergency access by police and fire.

Mr. Hannigan stated that there are some waivers that have been requested as part of the site plan review. Specifically the waivers for the traffic study and the requirement for the availability of water and sewer, they are not necessary.

Mr. Hannigan stated that the zoning setback issues have been addressed and are now fully compliant and all required documentation relative to the solar construction itself have been submitted in the original packet.

Ms. Buck asked about the estimated cost and proposed decommissioning bond. She said that information was not included in the submittal. Mr. Hannigan explained that typically once they get approved, they have the values established at that time because the solar industry is so much in flux relative to pricing and components. He further explained that they get the bond amount based on the value prior to construction.

Ms. Buck informed the Board that Kevin Quinn had not had a chance to review the revised plan yet because they were just recently submitted. She also stated that she sent Chris Anderson two separate emails asking him to address information missing from the narrative.

Ms. Friedman asked for some clarification in regards to where the existing “non-road” is located and Mr. Hannigan pointed out the road on the plan. Mr. Hannigan stated that they are in the belief that the road exist and Ms. Friedman stated that the Board does not recognize that as an existing road. Mr. Hannigan further explained to the Board that they researched as far back as 1739 and found a layout showing the road. He stated that they are using this road as a main access because the existing “non-road” was paved to a certain point. Mr. Hannigan said they have no plans to extend the paving.

MOTION: Ms. Friedman moved to approve the two requested waivers.

SECOND: Ms. Nist. Discussion: Joseph and Christina Roberts own 9.8 acres next to this property. Mr. Roberts stated that there is a right-of-way off of Boutilier Road and they are concerned about it getting closed and them not having access to their property. Mr. Hannigan stated that they have researched this and they can’t find any record of the right-of-way over the property for the Roberts’ use. He said that there is a right-of-way for New England Telephone, which they are working with them on because it has been abandoned. Mr. Roberts stated that they had a title examiner do research and found the access road. Mr. Hannigan asked for the information from the title examiner and Mr. Roberts said he will send that information to him. Mr. Hannigan said that if that access road shows up, they will obviously honor that and they will need to come back to the Board with revisions. Mr. Grimshaw asked Mr. Roberts if they would have some information from the title examiner for the next meeting on December 4th and Mr. Roberts said he would. Mr. Roberts and Mr. Hannigan will exchange contact information after the meeting.

SECOND MOTION: Mr. Kularski moved to continue the public hearing for 500 Boutilier Road/ZPT Energy Solutions to December 4th at 7:00 PM.

SECOND: Ms. Nist. Discussion: None

VOTE: All in favor.

ANR Plan

175 Paxton Street (Applicant: Central Land Development Corp.)

The Board reviewed the plan and signed it.

MOTION: Ms. Friedman moved to approve the ANR plan for 175 Paxton Street.

SECOND: Ms. Nist. Discussion: None

VOTE: All in favor.

Approval of Minutes

MOTION: Ms. Nist moved to approve the minutes of September 11, 2018.

SECOND: Mr. Kularski. Discussion: None

VOTE: All in favor.

MOTION: Ms. Nist moved to approve the minutes of October 2, 2018.

SECOND: Mr. Kularski. Discussion: None

VOTE: All in favor.

MOTION: Ms. Nist moved to approve the minutes of October 16, 2018.

SECOND: Mr. Kularski. Discussion: None

VOTE: All in favor.

MOTION: Ms. Nist moved to approve the minutes of October 30, 2018.

SECOND: Mr. Kularski. Discussion: None

VOTE: All in favor.

Town Planner Report/General Discussion:

Miscellaneous

No updates from Ms. Buck.

Ms. Friedman told the Board that she didn't go to the Central Mass Regional Planning's quarterly meeting held last Thursday.

Mr. Kularski stated that someone associated with a private soccer club reached out to him because they are looking to locate in Leicester to be near the Worcester line. He said they are looking for approval for four astroturf outdoor facilities and eventually will be looking for an inside facility as well. Mr. Kularski said he went through the bylaws and can't find anything about private clubs for profit and believes they may need a special permit. Ms. Buck will look up information and get back to Mr. Kularski.

MOTION: Ms. Nist moved to adjourn.

SECOND: Ms. Friedman

VOTE: All in favor.

The meeting adjourned at 8:20 PM.

Respectfully submitted:

Wanda Merced, Department Assistant

Documents included in meeting packet:

- Agenda
- Memo from Town Planner to the Planning Board dated 11/8/2018 regarding 11/13/2018 meeting
- Documents related to Site Plan Review Application for 488 Stafford Street (SPR2018-07)
- Site Plan Approval (SPR2018-07) Order of Conditions DRAFT
- Site Plan Review Application for 500 Boutilier Road and supporting documents
- Meeting Minutes dated 9/11/2018
- Meeting Minutes dated 10/2/2018
- Meeting Minutes dated 10/16/2018
- Meeting Minutes dated 10/30/2018

Documents submitted at meeting:

- Letter from Summit Engineering & Survey, Inc. regarding 488 Stafford Street addressing comments along with two sets of plans revised 11/8/2018
- Email from Josh Biando of K&B Landholdings regarding 488 Stafford Street