

**Town of Leicester Planning Board  
Meeting Minutes  
July 2, 2019**

MEMBERS PRESENT: Chair; Debra Friedman, Vice-Chair; Andrew Kularski, Sharon Nist Jaymi Souza

MEMBERS ABSENT: Jason Grimshaw, Chair

IN ATTENDANCE: Michelle Buck, Town Planner and Maureen Schur, Department Assistant

MEETING TIME: 7:00PM

**AGENDA:**

1. 7:00PM **Public Hearing, Major Site Plan Review (SPR2019-02), continued**  
0 & 22 Burncoat Street/Cultivate, Marijuana Cultivation Facility (Applicant: Commerce Real Estate)
2. 7:20PM **Approval of Minutes:**
  - June 4, 2019
  - June 18, 2019
3. 7:30PM **Town Planner Report/General Discussion:**
  - A. Potential Zoning Bylaw Amendments
  - B. Miscellaneous Project Updates
  - C. Board Member Committee Updates
4. **Adjourn**

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Debra Friedman called the meeting to order at 7:00 PM.

**Public Hearing, Major Site Plan Review (SPR2019-02), continued  
0 & 22 Burncoat Street/Cultivate, Marijuana Cultivation Facility**

Mr. Steve O'Connell of Andrews Survey and Engineering stated the lighting and landscaping revisions have been made. Per the Fire Department request, an additional paved access lane for emergency firefighting has been added as well as 2 fire hydrants. Peer comments from Kevin Quinn of Quinn Engineering do not require any revisions.

Ms. Friedman asked for a review of the lighting plan. Mr. O'Connell provided an overview of the photometric plan stating there are 5 Pole lights and numerous building mounted lights. Mr. O'Connell explained the foot-candles show no spillover of light onto abutters property. The plan follows the specifications on luminaires and pole height. The lights will cover the parking areas, egress areas and the entrance. These lights will not impact abutters.

Ms. Friedman asked about the plantings. Mr. O'Connell stated Ms. Buck worked with Mr. Brown from Andrews Survey and Engineer. A revised plan that shows which plantings will be planted where and what species will be planted was submitted. Ms. Buck stated there were several planting that were on the Leicester no plant list and the revised plan shows those species have been replaced and the landscaping includes a mix of evergreen and deciduous species. The applicant also added inkberry, serviceberry and dogwood to the plans. Ms. Buck stated the applicant has agreed to have the Board out to the site in the areas where existing vegetation is used and if the Board thinks the existing vegetation isn't sufficient the applicant will add more plantings.

Ms. Buck stated she was in receipt of the information she requested on the odor control and the blackout curtains. This information is included in the Board's meeting packets.

Mr. Kularski asked about the traffic impact statement. He stated he has gotten several questions regarding the traffic turning left and trying to get out on to route 9. Mr. O'Connell explained the employee schedule as being 50 employees over two shifts. Mr. O'Connell also stated he had a conversation with Mr. Barber, Cultivate, and Mr. Barber is willing to be flexible with employee schedules in order to alleviate any major traffic issues. Ms. Friedman asked about the school bus traffic. Again, Mr. O'Connell stated Mr. Barber is willing to stagger employee shifts and even change employee hours if necessary. Mr. O'Connell clarified truck traffic would only be allowed to turn left out of the parking lot, but employees would be able to turn right.

Ms. Friedman asked Mr. O'Connell about the privacy fence. Mr. O'Connell explained an 8 foot, solid privacy fence would be constructed to screen the abutters. Ms. Friedman asked the abutters present what their preference is for color and material. It was agreed upon by the abutters present and Mr. O'Connell the fence would be a solid, 8 foot, beige, vinyl fence.

Ms. Friedman asked if anyone from the public had any questions.

Ms. Jan Parke asked about a security fence. Mr. O'Connell explained that the security fence is a state-of-the-art invisible fence that will run the perimeter of the facility. He went on to explain this system has the ability to distinguish between people and animals. The system will be tied into the applicant's phone and if the alarm is activated a call from the 24 hour monitoring company is placed to the applicant, security footage will be reviewed and then the applicant would notify the appropriate emergency agencies if necessary. Mr. Kularski asked about a power outage and how it may impact the security. Mr. O'Connell explained the facility would have back up power in the form of propane generator located near the front of the building where the electrical enters the building.

Ms. Rachel Debatis asked if the DEP had issued a number to this project. Mr. O'Connell stated the DEP number has been received. He also stated the revised plan has fully addressed any DEP comments.

Ms. Nancy Dudley stated her questions regarding traffic and the DEP questions had been answered, but she wants to know more about the emissions from the odor neutralizer. Ms. Buck explained she had received information on the odor control system. Ms. Buck and Mr. O'Connell explained the applicant will use a high pressure fog machine mounted to the top of the middle of the building that will use essential oils to neutralize the odor. Mr. O'Connell stated he is not aware of any chemicals being used in that system. He also stated MA has the second highest standards in the country for emissions. Ms. Dudley asked if the roof material is BPA free and Mr. O'Connell confirmed that it is in fact BPA free. Ms. Dudley asked about the rise in elevation for phase 2 of this project and how that will impact water runoff to the wetlands. Mr. O'Connell explained the water is captured in the storm water basin and is released into the wetlands at a controlled rate.

Ms. Friedman asked if the applicant only builds phase 1 of the project where does the storm water basin fit in on the schedule. Mr. O'Connell explained the storm water basin will be built in

phase 1. Ms. Buck explained the applicant is requesting the entire project be permitted and if he should decide not to build phase 2 he would need to come back to the Board to amend the project. Ms. Buck also stated the standard conditions would apply; construction would begin in one year and finish in 2 years. If more time was needed, they'd have to apply for an extension.

MOTION: Mr. Kularski moved to approve the Site Plan and Stormwater permit for construction of the Marijuana Cultivation Facility located at 22 Burncoat St.

SECOND: Ms Nist

DISCUSSION: None.

VOTE: All in favor

Ms. Buck told Mr. O'Connell she would file the decision with the Town Clerk on July 3, 2019. The Board took the opportunity to thank Mr. O'Connell and the applicant for their hard work and for their willingness to be flexible with this project. Mr. O'Connell thanked the Board on behalf of Andrews Survey and Engineering and Mr. Barber.

### **Approval of Minutes:**

MOTION: Ms. Nist moved to approve the minutes of June 4, 2019

SECOND: Mr. Kularski

DISCUSSION: None

VOTE: 3 in favor 1 abstention (Ms. Souza)

MOTION: Ms. Nist moved to approve the minutes of June 18, 2019

SECOND: Mr. Kularski

DISCUSSION: None

VOTE: All in favor

### **Town Planner Report/General Discussion**

#### *Potential Zoning Bylaw Amendments*

Ms. Buck asked the Board about potential Zoning Bylaw Amendments. The Board reviewed and discussed the list of potential amendments that had been included in the meeting packets. For the Fall 2019 Town Meeting (tentatively 10/8/2019) there would only be time for possibly "housekeeping" amendments such as deleting sections. Other amendments that were discussed included amendments for outside storage, signs, and potential changes that could encourage more economic development. Ms. Buck and the Board agreed she would look at several possibilities and she would keep this item on the agenda going forward for the Board's discussion.

#### *Miscellaneous Project Updates*

Ms. Buck informed the Board that Curtis Self Storage would be coming in with another amendment at the next meeting. There is no update on Eastern Pearl at this time.

Mr. Kularski informed the Board the Disposition of the Memorial School Committee has appointed Diana Provencher, Stella Richards and Mr. Kularski to the committee. He also stated they would be looking for at-large members at the next meeting.

*Board Member Committee Updates*

Ms. Nist informed the Board there will be a Capital Improvement Committee meeting next month.

MOTION: Ms. Nist moved to adjourn.

SECOND: Mr. Kularski

VOTE: All in favor.

The meeting adjourned at 8:11PM.

Respectfully Submitted,  
Maureen Schur, Department Assistant

**Documents included in meeting packet:**

- Agenda
- Memo from Town Planner to the Planning Board dated 6/27/2019 regarding Major Site Plan Review, 22 Burncoat St. (SP2019-02)
- Comments from Kevin Quinn, Quinn Engineering.
- Emails to Ms. Buck from Mr. Travis Brown, Andrews Survey and Engineering.
- Site Plan Approval Order of Conditions draft.
- Meeting Minutes for June 4, 2019
- Meeting Minutes for June 18, 2019
- List of Zoning Bylaw Amendments

**Documents submitted at meeting:**

- Revised plans for Cultivate Marijuana Cultivation Facility at 22 Burncoat St.
- Revised storm water management report (22 Burncoat St)