



# *Town of Southwick*

## **Planning Board**

### MINUTES



**September 25, 2018**

**MEMBERS IN ATTENDANCE:** Michael Doherty, Chairman  
Marcus Phelps, Vice Chairman  
Richard Utzinger  
David Sutton  
David Spina  
Jessica Thornton, Associate  
Alan Slessler, Town Planner

**ABSENT:**

The regularly scheduled meeting of the Planning Board was called to order at 7:00 p.m. by Mr. Doherty. He stated that the meeting was being recorded and asked if anyone in the audience was recording the meeting.

**PLANNER'S REPORT:** 7:00 P.M.

1. Spoke to prospective buyer of 141 Congamond Rd, Crabby Joes & Boat House. He was thinking of mixed use, business and residential. He also mentioned a possible marina. The Business (B) Zone does not allow residential
2. Spoke with Mr. Lévesque about 13 North Pond Rd. It is one of the last lots left from older cottages that were in existence before that road was put in. It is currently vacant. It is extremely steep and close to lake.
3. Had a meeting with Mr. Lévesque and Mr. Della Torre about 27 Hudson Dr.
4. Reviewed some items about 215 College Hwy the existing CVS with a consultant. He works for a company doing some environmental studies for the adjacent property that has frontage on College Hwy and Vining Hill.

**PUBLIC COMMENTS** 7:10 p.m.

Ms. Andrea Hunter, 142 South Longyard Rd, approached the Board to discuss the possibility of a doggie daycare at 642 College Hwy. The Board reviewed the zoning for the Business Restricted (BR) Zone. It was noted that the doggie day care would be allowed but not overnight kenneling. Ms. Hunter commented that she understood that if she wanted to expand beyond the daycare, she would have to go elsewhere. She is waiting to hear back from the owners and will return if it

moves forward. Mr. Slessler stated that kennels are only allowed in the Agricultural Conservation (AC) zone.

**ROUTINE BUSINESS:** 7:13 p.m.

A motion to accept the minutes for September 11, 2018, by Mr. Utzinger and seconded by Mr. Phelps. Vote was unanimous in favor of the motion.

**APPOINTMENTS:**

**7:15 p.m. 27 Hudson Dr Public Hearing**

Mr. Doherty opened the Public Hearing for the Special Permit, Well Head Permit and site plan approval for a marijuana growing, production and wholesale facility in the Industrial Restricted (IR) Zone and Well Head Protection District to be located at 27 Hudson Dr.

Mr. John Goddard, of R. Lévesque Associates and Atty. Michael Schneider, of Doherty, Wallace, Pillsbury & Murphy P.C. and Mr. Paul Della Torre, of Southwick Greenhouse Inc, approached the Board. Mr. Goddard discussed the current use of a cut flower business and stated that they were applying for a change of use to a cultivation, production, processing and wholesale facility for various marijuana products. He noted that they plan on using the existing structures, greenhouses and outbuildings. Mr. Slessler mentioned that the property is located in the IR zone, the Marijuana overlay district and the solar overlay district. Mr. Goddard reviewed that they would be required to install a fire suppression system and a full security system with fence. He reviewed traffic flow and lighting. He noted that there is an existing caretaker's trailer for office or security. The applicant plans to use the existing greenhouses by adding interior greenhouses and using the existing greenhouse structures for additional insulation and to handle snow load. Mr. Goddard stated that parking was calculated based on 6-10 employees. He then asked Mr. Slessler if any comments have come back from Fire and Police. Mr. Slessler recommended that Mr. Della Torre should meet individually with the SelectBoard, Building Inspector, Fire Chief and Police Chief to find out what each will require.

DPW will be looking for a drainage plan and an application for a driveway permit. The director will be looking for plans that detail water usage and how all waste will be handled. Mr. Slessler noted that more detailed plans will be needed for the various boards to review, after which they will provide comment. Mr. Doherty then read a memo (Attachment A) from Mr. Randy Brown, DPW director, pertaining to the water service connection.

Mr. Slessler noted that knowing what the State will require will guide the development of plans. Atty. Schneider noted that they are already working on the Host agreement with SelectBoard and the Town attorney. He also noted an error in the application where it refers to applying to the MA Department of Health. He stated that the applicant has no plans to pursue a medical Marijuana license therefore the application should state application to the Cannabis Control Commission.

Mr. Slessler asked if it will be a seasonal grow or year round. Mr. Della Torre stated it will be year round. He is hoping the double greenhouse will reduce his heating cost.

Atty. Schneider asked if this was the first application under the new bylaw. Mr. Doherty stated yes, and that we are still waiting to hear from the Attorney General for final approval of the bylaw. Mr. Slessler noted that the 90 days is up on September 28<sup>th</sup>. Once the approval is received, the overlay map will need to be updated since the Town did not approve retail sales.

Atty. Schneider asked again what the Board would be requiring. Mr. Doherty stated that we need more detailed plans. Mr. Phelps noted that our bylaw did not require much more than the State, so if they refer to those 70+ pages when developing plan, they should be good. He then asked what would the square footage of the grow area be, what the water source would be and what the containment of fertilizer would be. Mr. Della Torre stated that grow area would be approximately 20,000 sq ft. He said they would use Town water. He then pointed out a structure of the plan that would be maintenance area for mechanicals and a proper containment structure for fertilizers. Mr. Slessler asked what the hours of operation would be. Mr. Della Torre replied that there would be a regular day crew with normal business hours and 24 hour maintenance and security crew. He noted that there would be very low traffic impact. Mr. Utzinger asked about alarm system for notification and questioned what the trailer will be used for. Mr. Della Torre stated that he will review what is required by State and the Town for security. He noted that the trailer will be an office area outside of the secured fenced area for employees that cannot enter the production area.

Atty. Schneider reviewed that the applicant was hoping to get through the Town process first then apply to State. He did note that some things can be worked on simultaneously. Mr. Doherty noted that the community outreach meeting would be vital to the Planning Board to see what kind of feedback we get from the public.

Mr. Phelps noted that the final plan should note what each building will be used for and where solar panels will be placed.

Mr. Slessler noted that speaking to the Building Inspector about whether existing structures would support solar panels, since he would most likely need more than 1,000 sq ft and he would need to apply for a Special Permit if he wanted to move forward with solar. Ms. Thornton asked if the applicant has any experience with growing this product. She noted that it does take a certain expertise and he may need some specialist as part of his plan.

Atty. Schneider asked if the Board had thought about the bond and if the State bond may be enough. Mr. Doherty stated that he felt that the Town will want a separate bond with Town control.

Hearing no other input, a motion to continue this Public Hearing until October 23, 2018 at 7:15p.m., was made by Mr. Phelps and seconded by Mr. Spina. Vote was unanimous in favor of motion.

**7:50 p.m. 23 Point Grove Rd Continuation Public Hearing**

Mr. Doherty opened the continuation of Public Hearing for the Special Permit Site Plan Approval application for 23 Point Grove Road.

The applicants, Mr. Lynch and Mrs. Lynch, approached the board with new revised plans dated September 17, 2018.

They pointed out the new items, location of Handicap parking, lighting, propane tank and dumpster.

Mr. Doherty read into the meeting a memo (Attachment A) from DPW pertaining to issues with the handicap spaces on the new plan.

Mr. Lynch noted that the sidewalk is not shown but he believes it would be alright. After a discussion of changes to the spaces the applicant agreed to amend and update the plan.

Mr. Doherty asked if the occupancy has changed. Mr. Lynch said that there are no changes, it is still 95, and therefore 43 spaces are needed.

Mr. Doherty asked what material will be used to finish the parking area. Mr. Lynch stated he was planning on recycled pavement which will allow for painting parking spaces in. Actual hard top would be out of the budget.

The location of the dumpster was pointed out and it was noted that the decision would require it to be screened. Mr. Slessler asked if there are new signs. Mr. Lynch said not at this time, but he would obtain a permit at that time.

Mr. Lynch also noted that the lighting that is currently being used will not be changed and is showing on the plan.

Final parking space count was reviewed by the Board.

Kimberly Lamarche, 27 Granville Rd, stated her support in the business and noted that the applicants are upstanding residents with a great family.

Ryan Mullen, 399 North Loomis St, stated to the Board that the applicants are amazing business people and that he has worked for them for awhile. They are honest and family oriented and created a positive team building atmosphere.

Mr. Doherty noted all of the items he would like to see added to plan.

Hearing no further comments, a motion to close the Public Hearing was made by Mr. Phelps and seconded by Mr. Utzinger. Vote was unanimous in favor of the motion.

Being no further business to be brought before the Board, a motion was made by Mr. Sutton and seconded by Mr. Spina to adjourn at 8:26 p.m. Vote was unanimous in favor of the motion.

Michael Doherty \_\_\_\_\_  
Chairman

Marcus Phelps \_\_\_\_\_  
Vice Chairman

Richard Utzinger \_\_\_\_\_

David Sutton \_\_\_\_\_

David Spina \_\_\_\_\_

Jessica Thornton \_\_\_\_\_  
Associate member

Respectfully submitted,  
Roz Terry  
Planning Board Administrative Assistant

CC: Town Clerk - SelectBoard - Historical Commission - Board of Assessor - Board of Appeals - Building Inspector - Water Department – DPW  
- EDC – Agricultural Commission

Email: Safety Officer, Park and Recreation, Conservation Commission, Health Director, Fire Department, Cemetery Commission