



Town of Georgetown

MINUTES

Committee: Planning Board

Date: July 27, 2022

Time: 7:00 pm.

Location: 3rd floor conference room, Town Hall

Members present: Harry LaCortiglia, Bruce Fried, Bob Watts, George Comiskey, Joanne Laut.

Staff present: Town Planner, John Cashell; Administrative Assistant Andrea Thibault via Georgetown Cable TV Watch Live option.

Minutes transcribed by A. Thibault. Note: Video recordings of all Georgetown Planning Board meetings may be found at www.georgetownma.gov and by choosing the Community TV option.

The Meeting was called to order at 7:00 by Harry LaCortiglia.

Minutes:

B. Fried: Motion to accept the meeting minutes from June 22, 2022 as stated in our packets.

J. Laut: Second.

Motion carries 5-0; unanimous.

Vouchers:

G. Comiskey: Motion to approve the voucher for BMO Zoom for July 2022 for \$104.99; Staples office supplies for \$123.44; \$61.36; \$131.96; and Tech Environmental third party review for 2 Norino Way \$8,727.50 as cited in our packets and on this meeting's agenda.

J. Laut: Second.

Motion carries 5-0; unanimous.

Correspondence:

H. LaCortiglia: We received a notice of National Ave Public Hearing from the Georgetown Zoning Board of Appeals. This hearing will be on the first ZBA meeting agenda in August.

Public Hearing: 2 Norino Way/Humboldt East.

H. LaCortiglia: Opening 2 Norino Way, continued from June 22, 2022.

J. Cashell: Both participants tonight will present in person and via hardcopy.

J. Mann, Attorney for the applicant: We are asking for a Site Plan approval, Special Permit for a Major Development over 30,000 sq feet, Special Permit for a marijuana cultivation business, and a Stormwater Permit.

47
48 We have modified the floor plans and created conditions to contain odor and noise to ensure that this
49 facility will not create a nuisance in the neighborhood.

50
51 This is a 4-acre parcel at the corner of Norino Way and Longhill Road.

52
53 B. Fried: Will any of the consultants be arriving tonight?

54
55 J. Mann: No. Mr. Lannan is unable to make it. He does have a final close out letter for the Board.

56
57 How do you control the odor? Containment, disinfection and purification. You don't use industrial
58 deodorizers. We will not be using those.

59
60 Mr. Lannan did not believe that the mechanical rooms were large enough to enclose all of the
61 equipment, so we vetted it. We demonstrated using a cross section of the third floor that we can put
62 all the necessary mechanical in there.

63
64 The first level of the plan is a full mechanical room. It is really important to maintain humidity. You
65 make sure that air --where there is a potential for odor-- in the grow room with all the flowering—you
66 make sure that they are held at negative pressure. This is a containment element.

67
68 Any room with vegetation will be maintained at negative pressure. Then the rooms where you want
69 people to sit, they are maintained as positive, and general areas like the hallways are neutral.

70
71 As a result of Mr. Lannan's assessment, he asked for air locks for containment. He asked for floor
72 changes, for example in shipping and receiving area where the outside door is opened- that now will
73 be negative pressure in order to ensure that when you open the door outside that the air can't escape.

74
75 The mechanical equipment will be located in the attic or third floor. We have a robust and redundant
76 air purification system.

77
78 B. Fried: Is there an elevator? Is that positive or negative?

79
80 J. Mann: I think it is neutral.

81
82 B. Fried: The plants will probably need to move from first floor to second floor, be careful of the flow
83 in the hallways and the elevator.

84
85 J. Mann: That is where we have the air locks.

86
87 B. Fried: Thank you, I wanted to be sure of that.

88
89 J. Mann: We have redundant controls. All the mechanical equipment will be inside, it will not be
90 noisy.

91
92 H. LaCortiglia: Did Mr. Lannan also insist in any secondary backup?

94 J. Mann: Yes, Mr. Lannan requested a backup system. He also asked for a type of buffer on the fan
95 to reduce the sound, to contain noise. In response, we did everything that Mr. Lannan suggested.
96 Mr. Lannan's final comments, we incorporated into the plans. I believe those were uploaded to your
97 website.

98
99 H. LaCortiglia: To clarify, all of Mr. Lannan's conditions are all on this set of plans? Correct?

100
101 J. Mann: Yes.

102
103 H. LaCortiglia: I'd like to focus on the draft conditions now.

104
105 H. LaCortiglia: Number 10, regarding water consumption, 10C refers to an on-site well. I thought at
106 an earlier meeting that we determined there would be no well.

107
108 G. Comiskey: I think we decided on drought resistant plantings and no on-site irrigation system.

109
110 J. Mann: I apologize, I've struck that. That was an earlier version. We have no well. We will bring a
111 truck in and water during the first planting season. There is no exterior well for irrigation.

112
113 G. Comiskey: Where is the reclamation room?

114
115 J. Mann: It is part of the system. They reclaim in the machine room, as part of the whole filtration
116 system. When the water runs through, it is part of the whole system through irrigation and mechanical
117 room.

118
119 G. Comiskey: You had a specific number for water consumption. Could you specify in the conditions
120 that you will stay within a certain percentage of the water consumption, to be reviewed annually?

121
122 H. LaCortiglia: The use was going to be 5,500 gallons a day?

123
124 J. Mann: We can agree, yes, within a reasonable deviation because for instance of a leak, or someone
125 leaving a faucet on we would need a reasonable percentage.

126
127 G. Comiskey: It would be in your interest to not consume a lot of water because you have to pump it
128 out.

129
130 H. LaCortiglia: John, these draft conditions are odor control. Is that the place for water consumption
131 conditions also? Would this be where it goes?

132
133 J. Mann: It could go into general conditions section, as well. Under the Cannabis Commission
134 regulations, we cannot go over the water use as well. We have no problem putting into place
135 conditions.

136
137 G. Comiskey: Item number 10, reports to Water Commissioners.

138
139 J. Mann: We have to deliver reports to the Cannabis Control Commission.

140
141 G. Comiskey: 5% deviation?

142
143 J. Mann: 10% is normal for blips.
144
145 B. Watts: I was pleased with the organization of the conditions. I thought they were well thought
146 through. The redundancy, how high the chimney needed to be, the plume could be accelerated by
147 heating it.
148
149 H. LaCortiglia: I like the follow-up before the occupancy permit. That is the most important thing.
150 Mike has laid out standards.
151
152 J. Mann: We have an obligation not to present a nuisance.
153
154 We have two exit points per the Fire Department. The second exit will be gated and landscaped. The
155 driveway is bent for view scape and to obscure the building.
156
157 G. Comiskey: Ms. Colbert, the engineer for 91 Tenney St -- where does the driveway for the 91
158 Tenney Street project line up with the driveway for 2 Norino Way?
159
160 J. Mann and D. Colbert: (*shows on the plans*)- They are across from one another, but they are not directly
161 opposite.
162
163 H. LaCortiglia: What is the revision date on the plans that you are showing?
164
165 J. Mann: June 22, 2022.
166
167 J. Mann: Evergreens and giant emerald arborvitae have been chosen for the street trees along Norino
168 Way. This will create a substantial landscape and visual fence.
169
170 H. LaCortiglia: Where is the transformer pad? Will you show it please?
171
172 Once you show the transformer, we need to ensure that there is shielding landscape if it can be seen.
173 Where are the water lines, one for you and one for the Fire Dept? Please show the other entrance on
174 the landscape plan.
175
176 H. LaCortiglia: You will show the transformer, underground feed and landscaping, and other
177 entrance?
178
179 J. Mann: Yes.
180
181 J. Cashell: Jill, have you spoken with Georgetown Light about above ground vs. below ground
182 electrical? Because the waiting period to get the equipment to go sub grade is months out.
183
184 J. Mann: We don't want anything above. We want it benign and blended as much as we can. I have
185 heard of the transformers as being 66 weeks out.
186
187 D. Colbert: We are looking at 102 weeks, two years.
188
189 H. LaCortiglia: Our Zoning Code in Chapter 165-119 state that utilities shall be located underground.

190
191 J. Mann: We have a generator to also ensure that our utilities don't go out.

192
193 H. LaCortiglia: How long will it take to put together the various draft decisions?

194
195 J. Cashell: Along with these conditions, the first look for the Board could be at the next meeting.

196
197 For the second meeting in August, G. Mello will be back. In all likelihood we will have Larry
198 Graham's peer review for that.

199
200 Tin Lizzie, in all likelihood won't be until September. The plans were supposed to be in this week,
201 and they did not show up. There is also the 91 and 93 Tenney Street projects and some other minor
202 projects.

203
204 We will get these 2 Norino Way documents out at the latest, the Thursday before the next meeting.
205 As soon as they do become available, I will get them out to everyone.

206
207 H. LaCortiglia: Jill, please send out a full plan set labeled Plan Set Final.

208
209 J. Mann: Yes, I will.

210
211 H. LaCortiglia: Is there any public comment?

212
213 Sumul Shah, 4 Longhill Road: I've been looking at the plans. I actually measured the distance. It is
214 194 feet from my house. Really close for a marijuana facility to a residence.

215
216 I compared these plans to the very first set last August, and they are very different. There have been a
217 lot of changes. From a neighborhood standpoint, all the changes make it difficult for our
218 neighborhood to be able to follow and comment on every iteration over this past year.

219
220 My neighbors are all very concerned.

221
222 This is the first time that I feel that I have the complete set of information. I am here alone tonight,
223 but would like the opportunity to have my neighbors here to speak and express their comments.

224
225 I need more time to go through the plans, I haven't written down my detailed comments. There are
226 some basic errors in the conditions that need to be addressed.

227
228 I'd like to comprehensively present at the next meeting certain objections, flaws in the technical
229 information and comments on the conditions.

230
231 H. LaCortiglia: Why don't you bring it up right now? If there are problems, please let us know now.

232
233 S. Shah: I would like to spend more time reading through these -- since I just got these.

234
235 {Planning Board, applicant and Mr. Shah - discussion of open cell vs. closed cell insulation.}

236
237 S. Shah: What am I reviewing? This is not the version that I looked at today.

238
239 G. Comiskey: What we agreed to after much discussion was the hybrid approach.

240
241 Mr. Lannan would have control before a certificate of occupancy is provided to ensure the details are
242 correct. Mr. Lannan wanted more details but compromised on the hybrid.

243
244 J. Cashell. With large commercial projects, there is always controlled construction. This is a hybrid
245 situation and there will be controlled architectural construction. We will have Mr. Lannan to oversee
246 that everything is built as agreed upon by the Board on paper.

247
248 I am impressed with his degree of experience. Of all the peer consultants I've been involved with, he
249 is genuinely adversarial to the applicant in his review.

250
251 He steered this project in the right direction so that it will not become a nuisance.

252
253 He will oversee the construction of this facility when it comes to odor and noise, to ensure on behalf
254 of the town and the interest of the constituents of the town, you will have a facility second to none
255 making sure it does not become a nuisance.

256
257 J. Mann: Mr. Lannan was exceptionally detailed.

258
259 G. Comiskey: Mr. Shah, you are a big reason why we went to that extent. When you started talking
260 about odor and noise, I advocated for an odor consultant. We don't normally do that.

261
262 S. Shah: I've worked with Tech Environmental for the last 15 years or so both with them working for
263 me as an applicant, and also reviewing projects I've been involved with. I understand controlled
264 construction. I know they are competent.

265
266 The certificate of occupancy is too late. You should not have a marijuana facility less than 200 feet
267 from residents.

268
269 It is not the right location. The time to stop it is now. It is not to wait until an occupancy permit and
270 then have us all come out in pitchforks.

271
272 The standard in writing from the applicant and Tech Environmental for odor is "no nuisance" of
273 odor. I've asked both the applicant and Tech Environment in hearings, and they cannot guarantee no
274 smell.

275
276 They are saying that you will smell it, but it will be kept at a minimum.

277
278 Who wants to live next to that smell of pot? Can you imagine living next to that? No one wants that.

279
280 Let's do some math. The elevation of the facility if you measure the roof, is fairly close to my
281 property line. With a fan on top that shoots it up high, and sends the velocity of the exhaust fan 6500
282 CFM coming out of that fan, and my house and whole neighborhood is down wind.

That air will rise, come in, and it will come straight into my second-floor bedroom window. That is the elevation, my neighbor is the same thing. Further down the line where they are higher, it will come into their living rooms.

This location is asinine. What are we doing here?

B. Fried: It will be treated. It will not be as bad as Mission; I totally understand and we don't want the odor to happen. Mission is the worst example in the state.

J. Cashell: It is also the barometric pressure that affects the smell, when the air is heavy.

H. LaCortiglia: You have the conditions there. If there is an odor, there is a process to contact someone at that location, and action will be taken.

S. Shah: At that point, it is too late. I have better things to do than call the Planning Board, or Board of Health or whomever, every time I smell it. It is too late. It is the wrong thing for this neighborhood. It is not allowable under the bylaws. You are surrounded by houses on both sides.

B. Fried: I suggest that you meet with your neighbors and get a concise list that you'd like addressed and we can discuss those. Are there other concerns other than odor?

S. Shah: I have concerns about stormwater. I have not been through the stormwater calculations to know whether I have issues or not. I have not yet read the 17+ pages of reports and I plan to do that.

We have a water problem that all funnels down to the end of LongHill Road at that intersection, and it freezes in the winter and driving up that hill and making that turn is a bear at the bottom of the hill. We already have a water problem.

G. Comiskey: We now use the North East Regional Climate Center numbers. Before they were using TP40, concoctions from 1962.

S. Shah: We seem to have 100-year storms these days.

B. Fried: We understand the concern. We need the direct comments on the data sheets.

S. Shah: I'd like to gather my neighbors and present comprehensively. We won't waste your time; we do all have a lot of legitimate concerns. I will come back on August 10.

H. LaCortiglia: Would you be able to put these concerns in writing ahead of time, and get that to us by August 4?

S. Shah: Yes.

J. Cashell: I would suggest that instead of opinion, that the applicant put together some prevailing wind charts. So that we will know exactly what is going on, how many days per year.

I consider the prevailing winds for New England, that are going from North to Northeast. Winds from the south is a warm weather front. Your property is northeast of the facility.

332
333 S. Shah: The prevailing wind for New England is from the southwest.

334
335 H. LaCortiglia: The wind can blow in any direction. The conditions are dedicated to eliminating odor
336 to the maximin extent. The idea is to scrub the air before it goes into the plume regardless of which
337 way it is blowing.

338
339 I'll hear a motion to continue to August 10, 2022, at 7:00pm in cyberspace on Zoom.

340
341 G. Comiskey: So moved.

342 B. Fried: Second.

343 Motion carries 5-0. Unanimous.

344
345
346 **Public Hearing: 93 Tenney St.**

347
348 D. Colbert: We have requested a continuance to August 10, because we are making plan and
349 stormwater and minor septic changes.

350
351 H. LaCortiglia: You will have those submitted by next Wednesday?

352
353 D. Colbert: Yes, they will be done this week.

354
355 H. LaCortiglia: Are you removing the waiver for the landscape plan?

356
357 D. Colbert: Yes, but can you clarify what is the 40% landscape of? Is it of the lot? Or the frontage?

358
359 H. LaCortiglia: 40% of the lot.

360
361 B. Fried: Does that include the building or not?

362
363 H. LaCortiglia: No, not the building. You can have 60% of lot coverage, that will leave 40% that
364 needs to be landscaped. You may need to ask for a waiver.

365
366 D. Colbert: I will ask for that waiver, and will create a landscape plan.

367
368 H. LaCortiglia: Show the transformer pad.

369
370 D. Colbert: They are coming right off a pole.

371
372 H. LaCortiglia: It has to be underground. You do need to show where it is coming in the building,
373 water service, utilities.

374
375 G. Comiskey: In the stormwater report you have TSS removal at 85%. Our requirement is 90%.
376 Phosphorous statement to remove 60%. We re-did the stormwater regulations in 2021.

377
378 I brought up the issue that there were no test pits done on the subsurface. I mentioned do you think
379 that you can do one?

D. Colbert: I don't have the new regulations. We will look at those. I will see what I can do to get another test pit. We will get out there and add a test pit.

{Planning Board and applicant's engineer discuss stormwater issues and design.}

H. LaCortiglia: I'll take a motion to continue 93 Tenney Street Site Plan Review to August 10, in cyberspace.

J. Laut: So moved.

B. Fried: Second.

Motion carries 5-0. Unanimous.

{Five-minute break.}

Public Hearing: 91 Tenney St.

H. LaCortiglia: Reads the public hearing notice into the record. I hereby open the initial public hearing for 91 Tenney Street.

Deb Colbert, Engineer for the applicant.

Kevin Dorgan, applicant.

D. Colbert: We were able to conduct a combined site walk on July 20, 2022, with the 93 Tenney St. project. Tenney Holdings is proposing a light industrial building with four bay garages and doors on the front as you come into the site. It is 8400 sq feet in total. The backside is just an emergency exits.

H. LaCortiglia: Are you asking for waivers for the photometric plans? You will be removing that?

D. Colbert: Yes. We are removing the photometric waivers. We will need the landscape waiver for the 40% although we will present a landscape plan.

The septic system was approved, however, during the Board of Health review, the reserve area is in question since we changed the entrance to a lower elevation.

Yesterday we dug two test pits and another for drainage as per the request of the peer reviewer. We have already opened at the Conservation Commission for their review of this project.

We are grading within the buffer zones. We will be requesting a waiver for the underground utilities.

You cannot get the transformers for two years, and he needs to be up and running in 6-8 months. He is losing his lease space for his business and that is why he is building here. The plan is to bring in utility poles along the property line.

H. LaCortiglia: Is there a request for a waiver from Ch. 165-119. How does the Board feel about that? From my own position, I will not be waiving that. That would be the sole industrial parcel in the neighborhood that has overhead wires feeding it.

G. Comiskey: Are there any poles going up LongHill?

Kevin Dorgan: We were originally getting the power from LongHill. But the electric company suggested we come up from Tenney St. with the power overhead.

They are saying it is a 102-week wait for a transformer and only going to get worse. The transformer comes from them.

H. LaCortiglia: I can't see going backwards because of a temporary inability to get the right equipment. As long as your plan shows underground and landscaping around the transformer, you could run a wire temporarily but not on a permanent basis.

{Planning Board and applicant discuss electricity options.}

B. Fried: We may need to have Georgetown Light come here and explain the issue to us and perhaps find a solution.

J. Cashell: Ultimately, Georgetown Electric is in charge of the installation and the electricity. This Board has regulations but they are in charge.

H. LaCortiglia: From the plans, show the power coming in underground and show where the transformer will be. If they need to do a temporary, they can do that.

We will put a hold back on that and Dave Varga can come up with the numbers for us, where if those poles were there temporarily, a hold back on a cash reserve times two to have them removed.

Please let that be as extensively landscaped as possible.

K. Dorgan: I would need three poles; it is \$1,000 a pole.

D. Colbert: Test pit came back in our favor. There is an enclosed dumpster, snow storage. Septic tank to a pump chamber, slightly raised up.

H. LaCortiglia: How will that be landscaped? That is your front yard.

D. Colbert: We can add, but there is a retaining wall on top of it. There is a stone wall that stays, with only the entrance part coming off. We will add landscaping for the abuttor.

H. LaCortiglia: Please let that be as extensively landscaped as possible. That neighbor should not see anything.

B. Watts: In the illumination plan where you light up the back of the building, can that be made motion sensitive?

474 J. Cashell: And you may want to add shielding.
475
476 H. LaCortiglia: The light did go a little beyond the property lines.
477
478 D. Colbert: I will revise it.
479
480 G. Comiskey: Like 93 Tenney St, will this be a 9am to 5pm operation? No third shift?
481
482 K. Dorgan: Maybe 7am to 5pm more likely.
483
484 H. LaCortiglia: The visual buffer, double maybe or triple rows. Plant it intensively.
485
486 J. Cashell: There is no outside storage proposed?
487
488 D. Colbert: No.
489
490 G. Comiskey: There is a big drop-off on the north corner of the building. You will stabilize the
491 downside end with a retaining wall?
492
493 D. Colbert: It is a small retaining wall; it will be planted with a jute mesh that allows for plantings to
494 be planted in them.
495
496 G. Comiskey: How about on the high side? You will stabilize the other side too?
497
498 D. Colbert: Yes.
499
500 H. LaCortiglia: You are maintaining the stone wall in existence with the exception of the opening?
501
502 D. Colbert: Yes. There are some good-sized bushes and trees that will also be preserved.
503
504 G. Comiskey: Did you see the DEP comment on the stormwater?
505
506 D. Colbert: No, I did not see those comments. Yes, we absolutely have to address those. We will
507 revise the stormwater report.
508
509 The groundwater is much deeper than what we presumed it to be, as well as we now have the updated
510 stormwater regulations.
511
512 B. Watts: Is each project separate regarding stormwater?
513
514 D. Colbert: Each project is separate but Conservation Commission is reviewing them at the same
515 time. We don't have any structures in their 50-foot buffer. They are very pleased with us.
516
517 H. LaCortiglia: I'll hear a motion to continue to August 10, 2022.
518
519 B. Watts: I move that we continue this hearing to August 10, 2022 in cyberspace.
520 J. Laut: Second.
521 Motion carries 5-0. Unanimous.

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525 Motion to adjourn: B. Fried.

526 Second. B. Watts.

527

528 Motion carries 5-0. Unanimous.

529

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531 Meeting adjourned at 8:54pm.