

2 Norino Way Wrong for Community Wrong for Neighborhood

HUMBOLDT EAST LLC - 2 NORINO WAY

PRESENTATION FROM THE SHAHS, 4 LONG HILL ROAD

133 FEET FROM THE PROJECT

Project is Not in an Eligible Location

§ 165-161 ¶H, Eligible locations. Any Marijuana Business facility permitted under this section shall be located only in a zoning district that is designated for its use within this Zoning Bylaw. No Marijuana Business use shall be located within 300 linear feet of a property line where the following zoning district, activity or use occurs, whether within the municipal borders of the Town of Georgetown or adjoining municipality;

- (1) Any Residential District as defined by Chapter 165;
- (11) Similar facility in which minors commonly congregate in an organized, ongoing, formal basis;

Project is Not In Eligible Location

- ▶ Residential District – “No Marijuana Business use shall be located within 300 linear feet of a property line where the following zoning district... (1) Any Residential District”



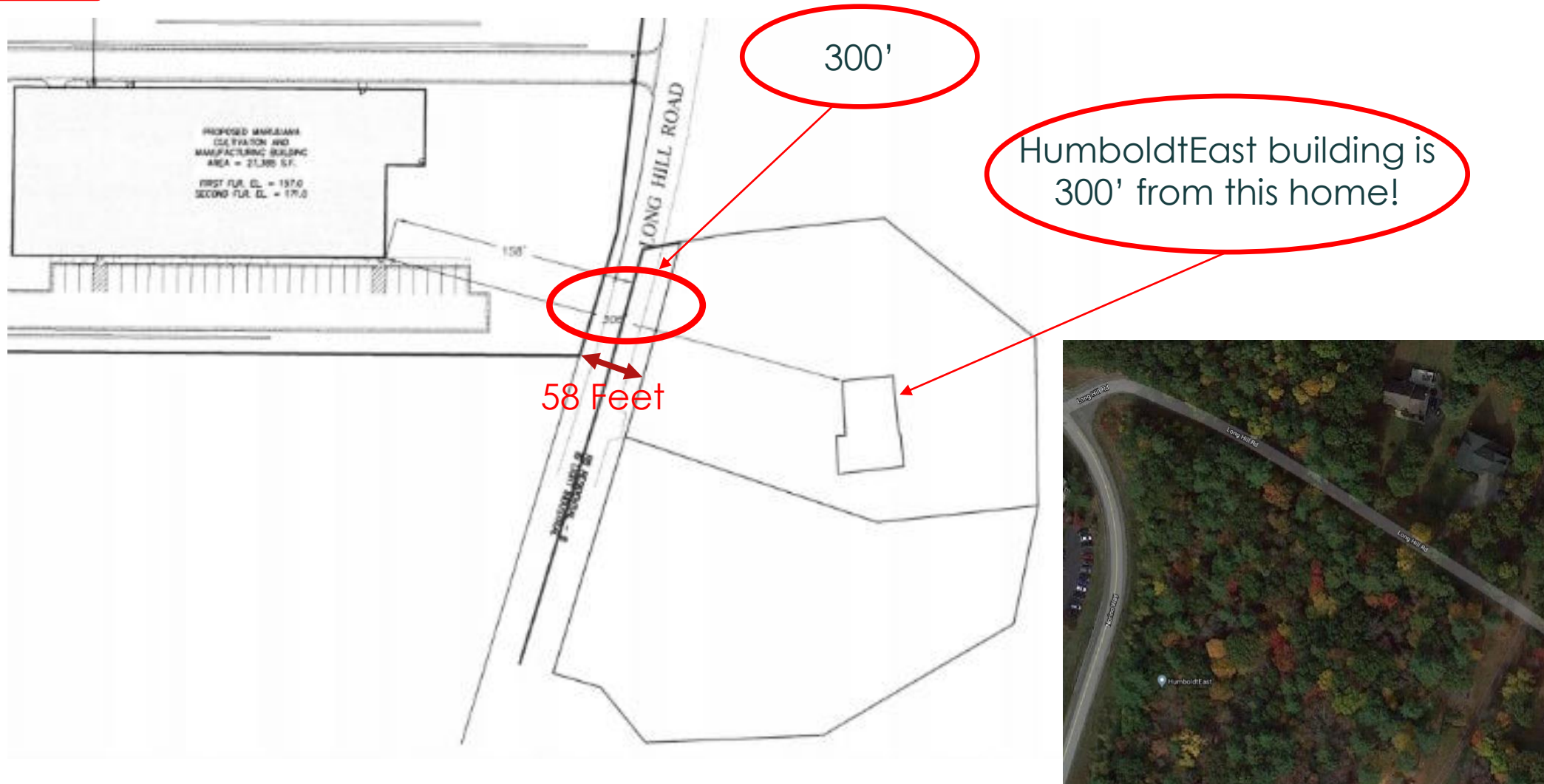
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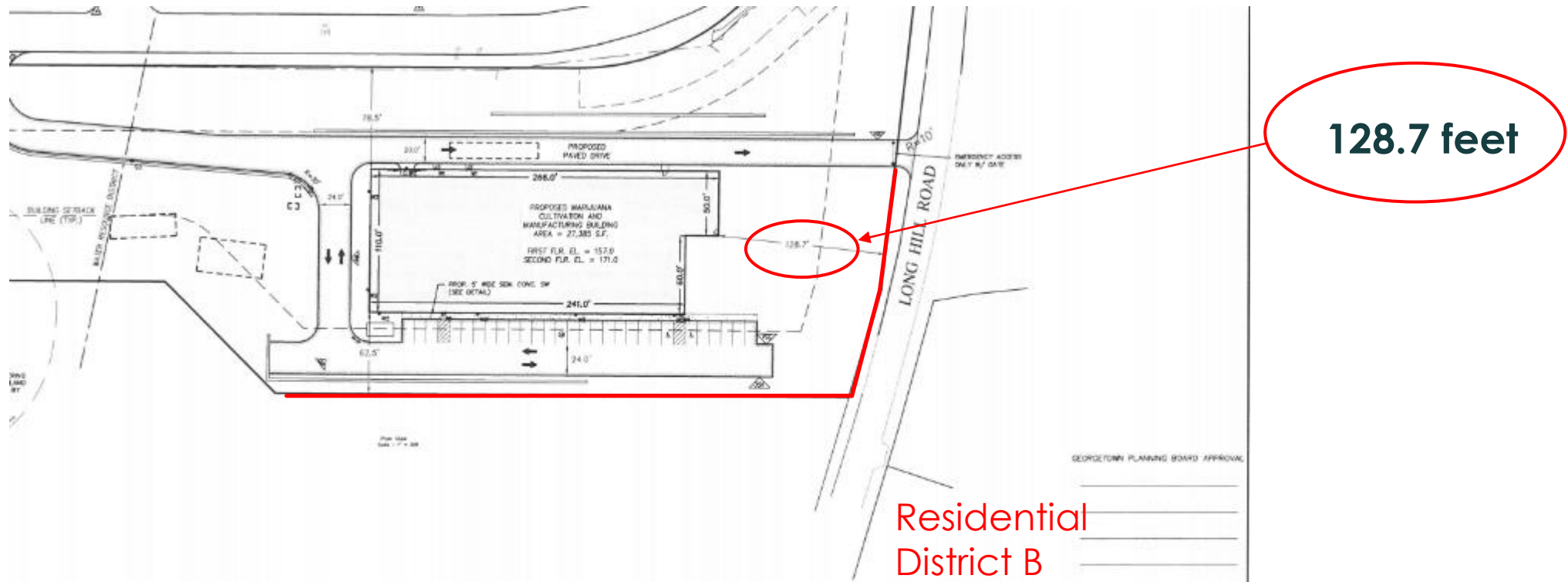
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Project is Not in an Eligible Location

- Residential District – “No Marijuana Business use shall be located within 300 linear feet of a property line where the following zoning district... (1) Any Residential District”



- ▶ Residential District – Building is 128.7' from property line, across the street from a residential neighborhood (Residential District B).
- ▶ Property line is even closer to Residential District B – Only 58 Feet!
- ▶ DISTANCE IS REQUIRED TO BE ON SITE PLANS!

Project is Not In Eligible Location

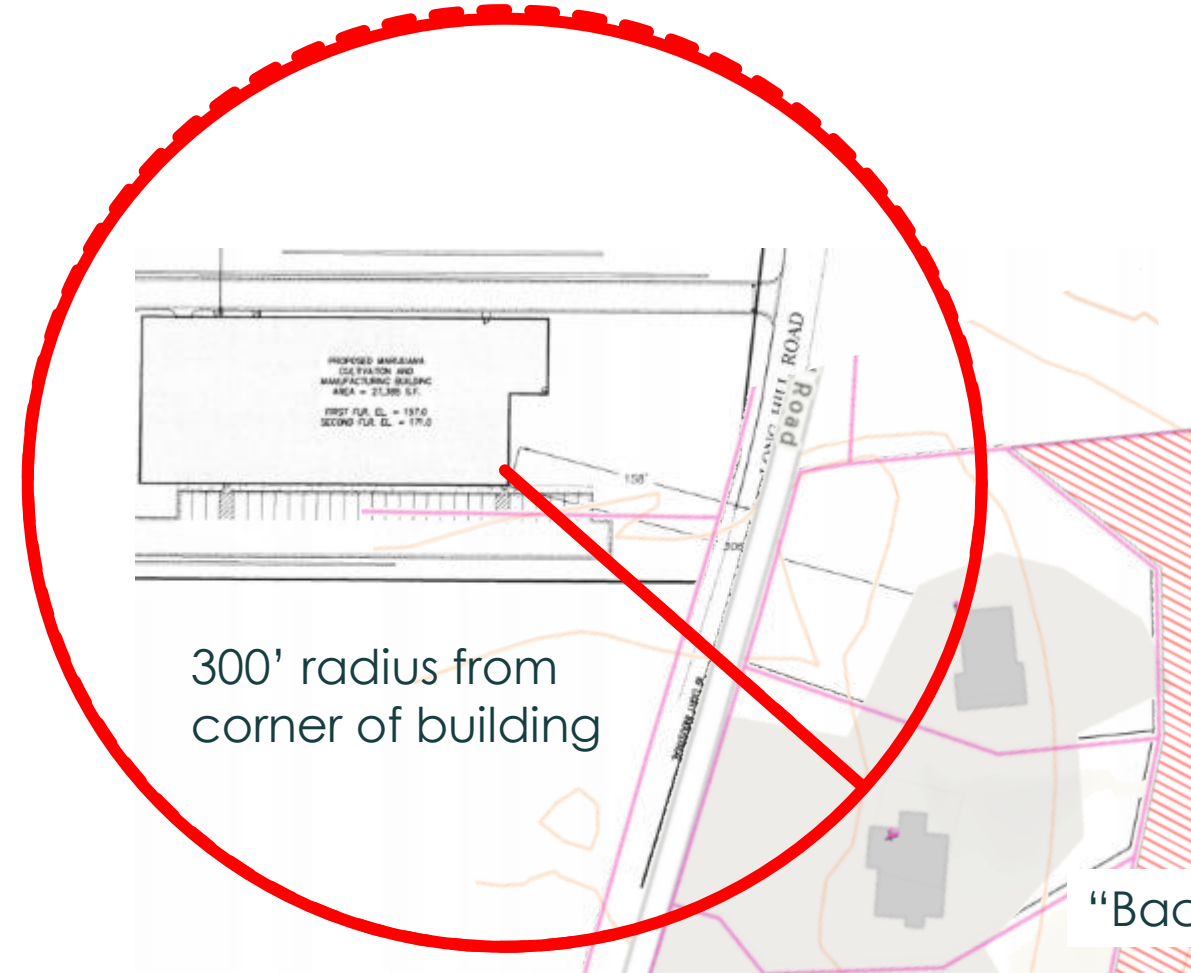
- ▶ Minors - “No Marijuana Business use shall be located within 300 linear feet of a property line where the following zoning district... (11) Similar facility in which minors commonly congregate in an organized, ongoing, formal basis”



“Backyard Art” at 4 Long Hill Road

Project is Not In Eligible Location

- ▶ Minors - “No Marijuana Business use shall be located within 300 linear feet of a property line where the following zoning district... (11) Similar facility in which minors commonly congregate in an organized, ongoing, formal basis”



300' radius from
corner of building

"Bac

Separation Requirements Not Met

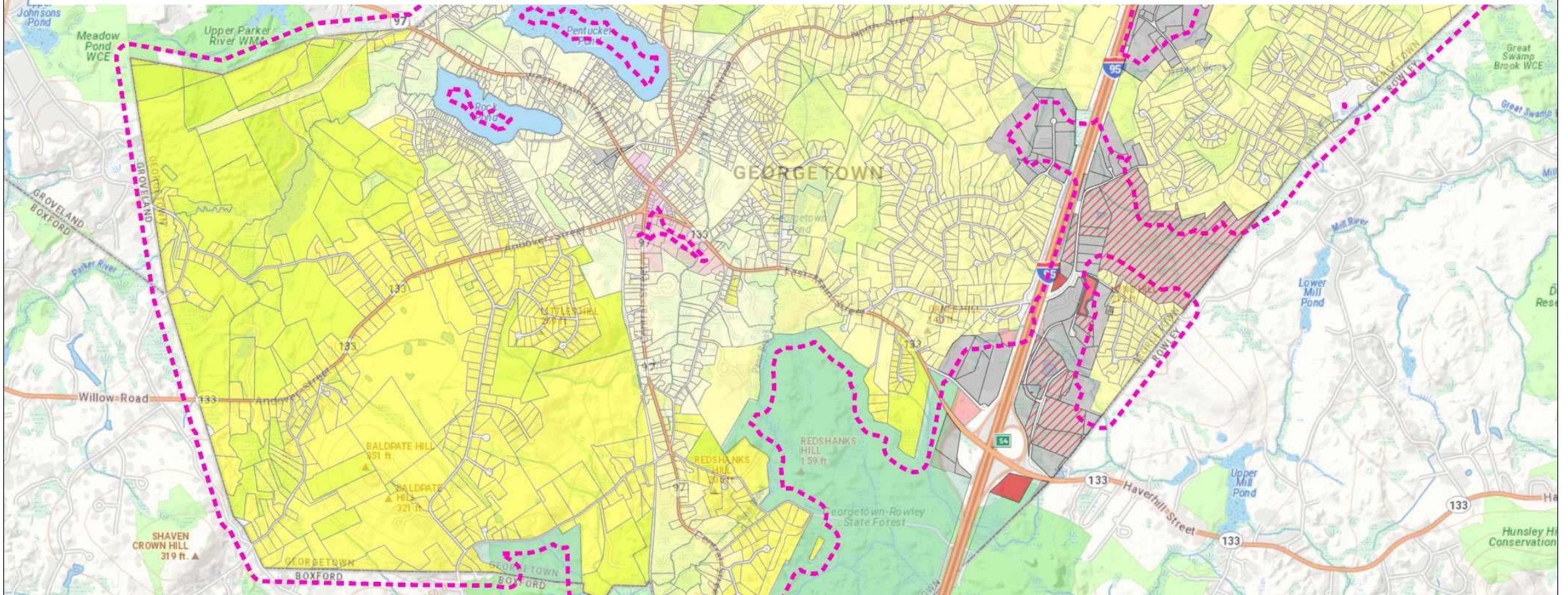
§ 165-161 ¶I, Separation. Distances shall be calculated by direct measurement from the nearest property line of the land used for school or child-care purposes or places where minors frequent or any other use listed above in § 165-161H to the nearest point of the property line of the proposed Marijuana Business parcel. The distance requirement may be reduced by a super majority vote of the full Planning Board, but only if:

- (1) The applicant demonstrates that the Marijuana Business would otherwise be effectively prohibited within the municipality, and
- (2) With regard to locations protected pursuant to § 165-161H(1) through (15), the applicant demonstrates that the Marijuana Business will employ adequate security measures to prevent diversion of marijuana to unauthorized minors.

- ▶ Waiver cannot be provided unless requirements 1 & 2 are met.
- ▶ Facility security measures are not addressed.

Separation Requirements Not Met

- ▶ (1) The applicant demonstrates that the Marijuana Business would otherwise be effectively prohibited within the municipality

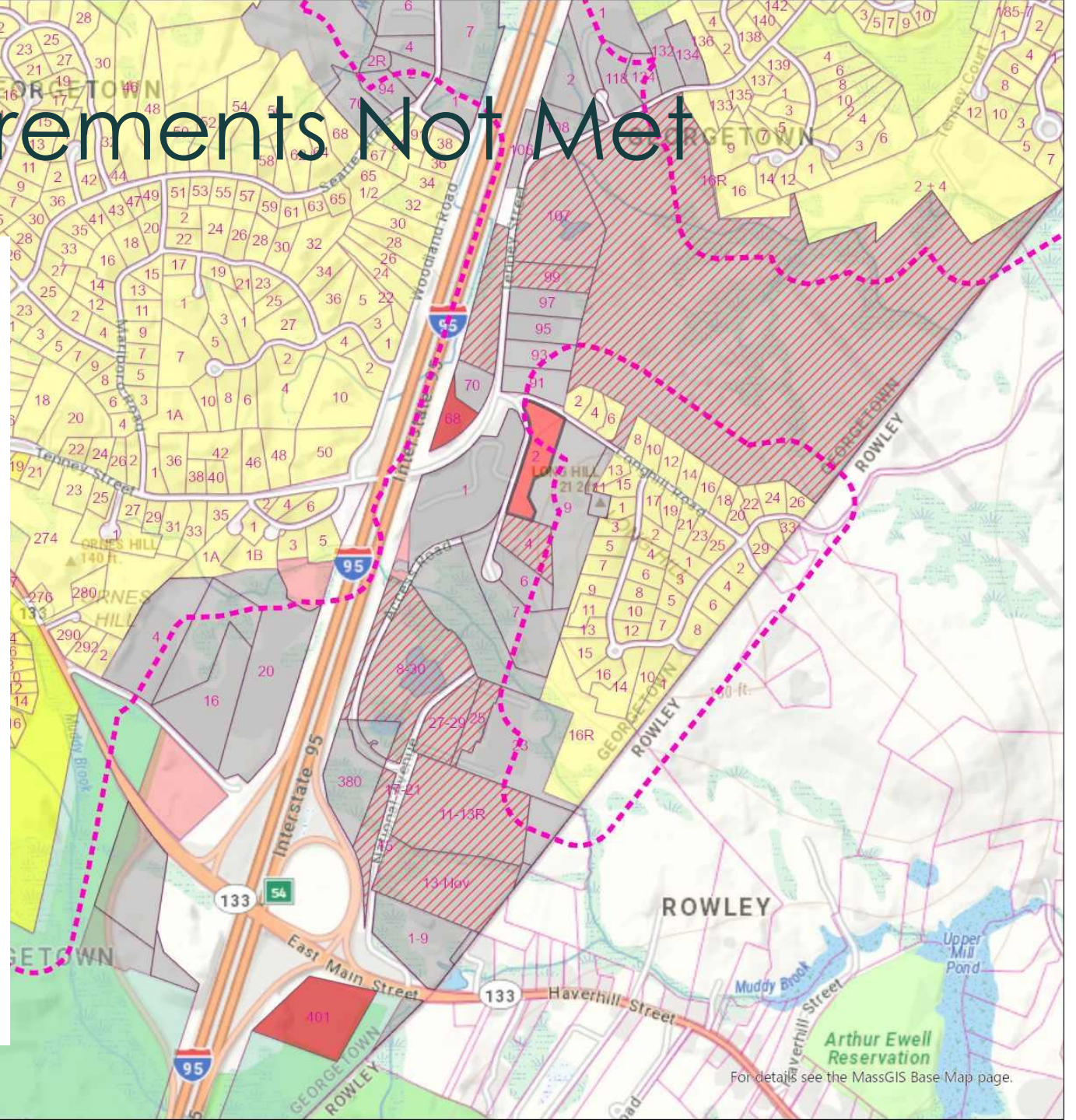


This map shows areas within Georgetown that meet this requirement of 300 feet from Residential Districts.

Separation Requirements Not Met

(1) The applicant demonstrates that the Marijuana Business would otherwise be effectively prohibited within the municipality

- ▶ This is a closeup map of industrial properties outside of a 300' setback from Residential Districts.
- ▶ The hashed area are potential projects that could be subdivided to be outside of 300'.
- ▶ Areas in dark red are existing facilities.
- ▶ **Sites exist that meet the requirements.**



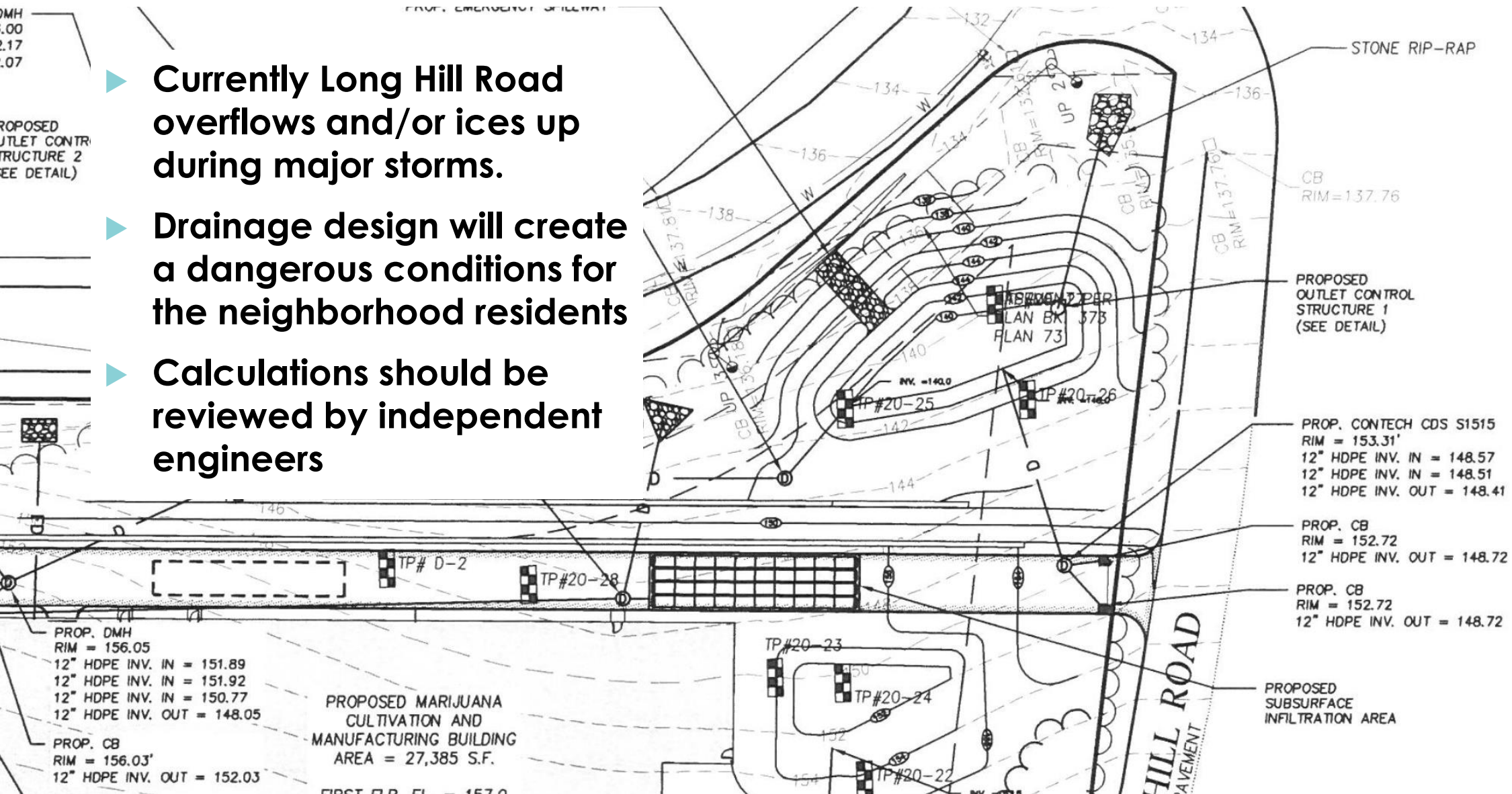
Visual Impact Not Met

§ 165-162 ¶B, (2) Minimizes visual impact by controlling off-site visibility of parking, storage, or other outdoor service areas viewed from public ways and places or land residentially used or zoned;



Inadequate Stormwater Protection

- ▶ Currently Long Hill Road overflows and/or ices up during major storms.
- ▶ Drainage design will create a dangerous conditions for the neighborhood residents
- ▶ Calculations should be reviewed by independent engineers



Inadequate Wastewater Protection

- ▶ From the Cannabis Control Commission Energy and Environment Guidance
 - ▶ Page 28: It is about 40 gallons of water a day per room and a room is considered 250 sqft. They are permitting for a 20,000 sqft canopy (grow area) so $20,000/250 = 80 \times 40$ gallons a day = 3200 gallons a day $\times 1$ year = 1,168,000 gallons a year of water!
 - ▶ Page 30: Waste water can not be discharge to an on site septic. 3200 gallons a day and it can not go to a septic....where does it go? To a tank? Where does it go from there? Truck? How many trucker per day?
 - ▶ Page 36: Facility can have hazardous waste from spent lighting, pesticides, solvents, used oil or other chemicals used in facility operation and maintenance... where do all these chemicals go?
- ▶ Applicant must demonstrate how wastewater will be adequate dealt with.

Excessive Lighting Intrusion

§ 165-162 ¶B, (5) Minimizes glare from headlights and lighting intrusion;

- ▶ Current view (minimal view of the Longview Apartments)

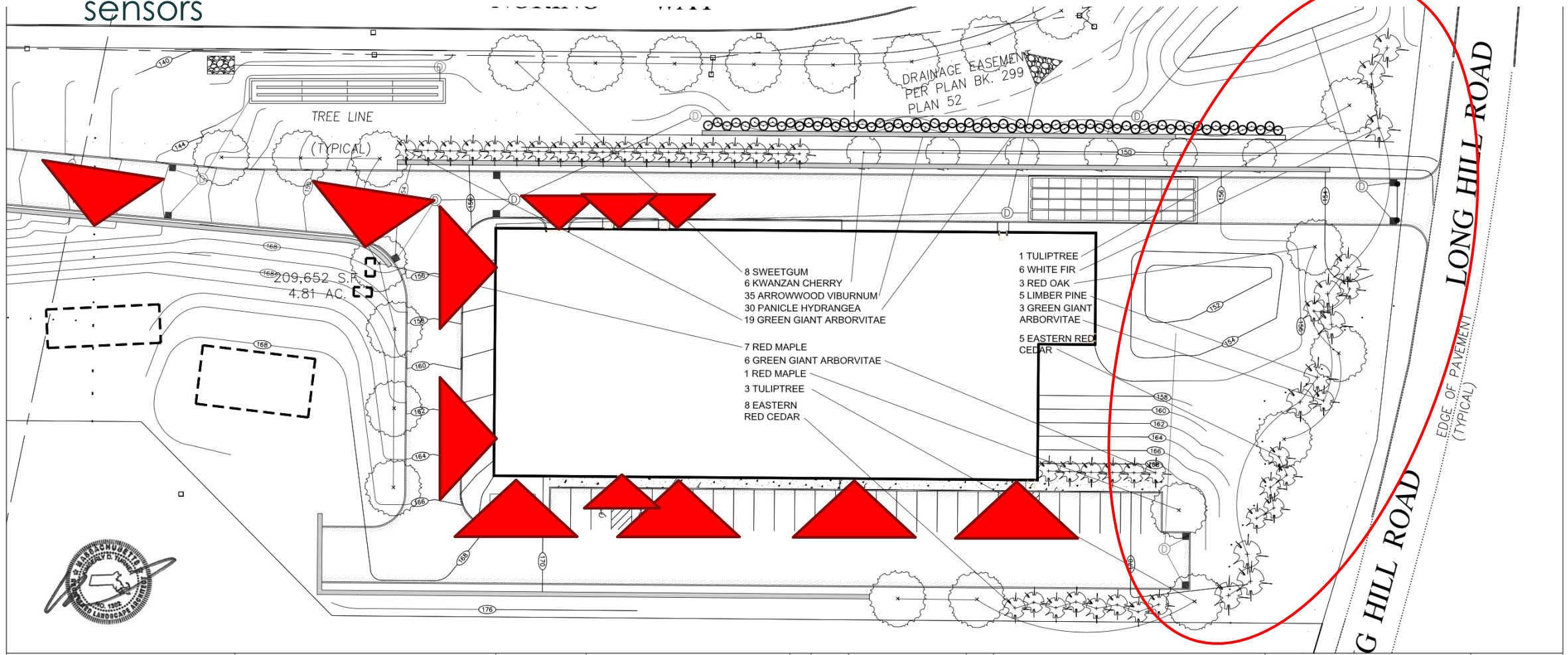


Excessive Lighting Intrusion

§165-162 ¶B, (5) Minimizes glare from headlights and lighting intrusion;

- ▶ Proposed lighting plan is significant – board should require occupancy sensors

Minimal Trees in this area compared to current landscape



Excessive Lighting Intrusion

§ 165-162 ¶B, (5) Minimizes glare from headlights and lighting intrusion;

- ▶ Parking Lot lighting not shown on Lighting Plan



Departure from Vicinity Character

§ 165-162 ¶B, (6) Minimizes unreasonable departure from character, materials, and scale of buildings in the vicinity, as viewed from public ways and places or premises residentially used or zoned



Industrial appearance does not align with residential aesthetic as viewed from public ways or residential zone.

Project is a Nuisance - Odor

§ 165-162 ¶B, (6) Nuisance is not expected to be created by the use;

§ 165-162 ¶B, (12) Proposed Marijuana Business does not create a nuisance to abutters or to the surrounding area, or which creates any hazard, including but not limited to, fire, explosion, fumes, gas, smoke, odors, obnoxious dust, vapors, offensive noise or vibration, flashes, glare, objectionable effluent or electrical interference, which may impair the normal use and peaceful enjoyment of any property, structure or dwelling in the area.

- ▶ The applicant has not addressed how odor will be addressed.
- ▶ Current standards applied to Mission Dispensary are not working! The smells are strong coming off the highway and driving by the facility.
- ▶ Planning board should require the applicant to provide details in how this standard will be met.
- ▶ HVAC systems should be reviewed by an independent engineer.

Project is a Nuisance - Odor

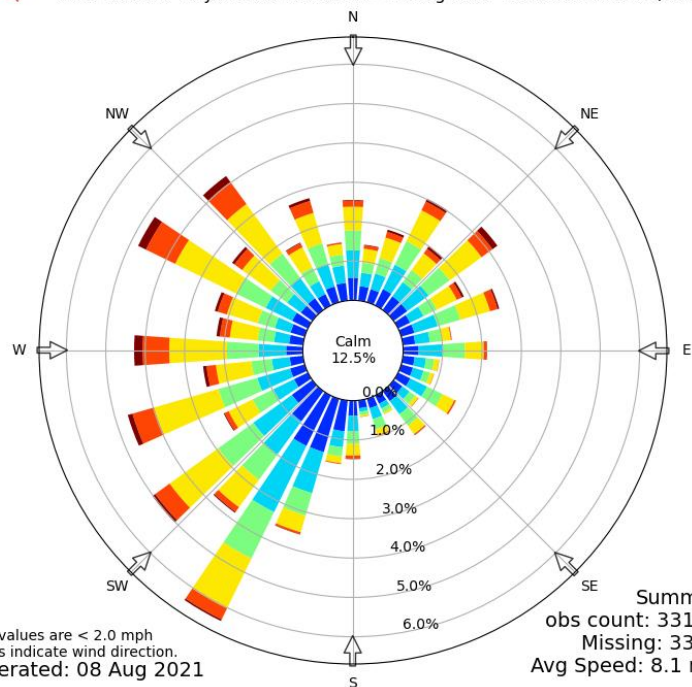
- ▶ The applicant states that the building will be sealed. How can the board ensure that the sealing is adequate? Will the board be hiring an independent consultant to verify the building sealing details? Are there air tightness standards that will be adhered to?
- ▶ Exhaust Fans will blow up and be carried by the prevailing wind into the community.

Smell

Predominant wind direction is directly towards the residential neighborhood.

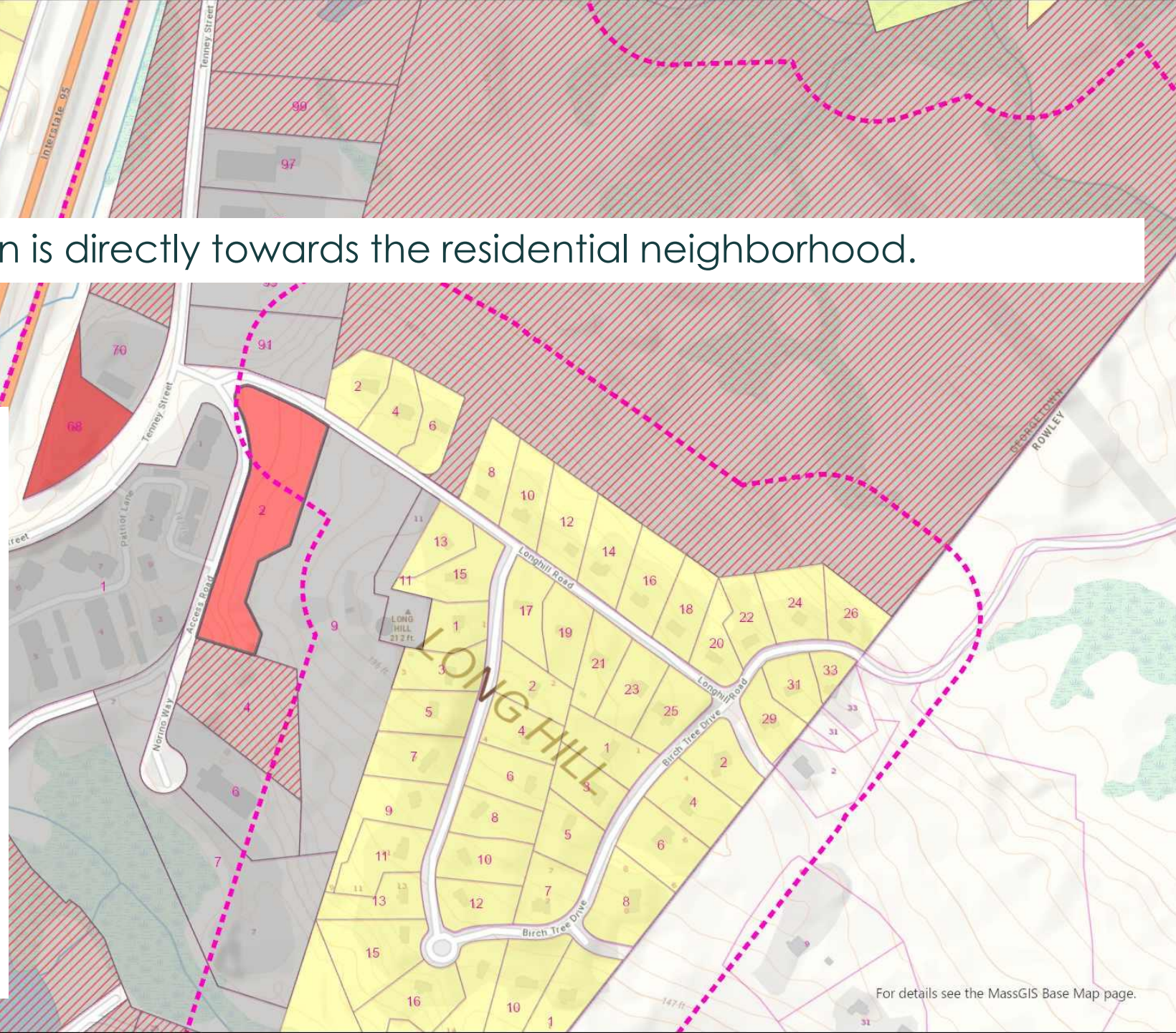
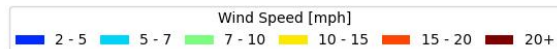


[LWM] LAWRENCE MUNICIPAL
Windrose Plot
Time Bounds: 22 Jan 1979 12:00 PM - 08 Aug 2021 02:54 AM America/New_York



Calm values are < 2.0 mph
Arrows indicate wind direction.
Generated: 08 Aug 2021

Summary
obs count: 331046
Missing: 33588
Avg Speed: 8.1 mph



For details see the MassGIS Base Map page.

Submission Requirements Not Met

§ 165-161 ¶E, Submission requirements and required documents.

(1) As party of the Special Permit and Site Plan Approval process, the applicant shall demonstrate to the SPGA's satisfaction that the following design process was followed in determining the location of a proposed Marijuana Business;

(a) Understanding potential development sites. The first step is to **inventory existing potential sites**;

(b) Evaluating the proposed development sites. The second step is to evaluate the proposed site in its larger context by taking care to identify eligible locations as described in § 165-161I and beneficial or detrimental connections to surrounding land uses and activities;

(3) A proof of liability insurance that satisfies § 165-161G.

- ▶ The applicant has not provided an inventory of potential sites.
- ▶ Insurance documents have not been submitted. Only a statement that quotes have been obtained for insurance.

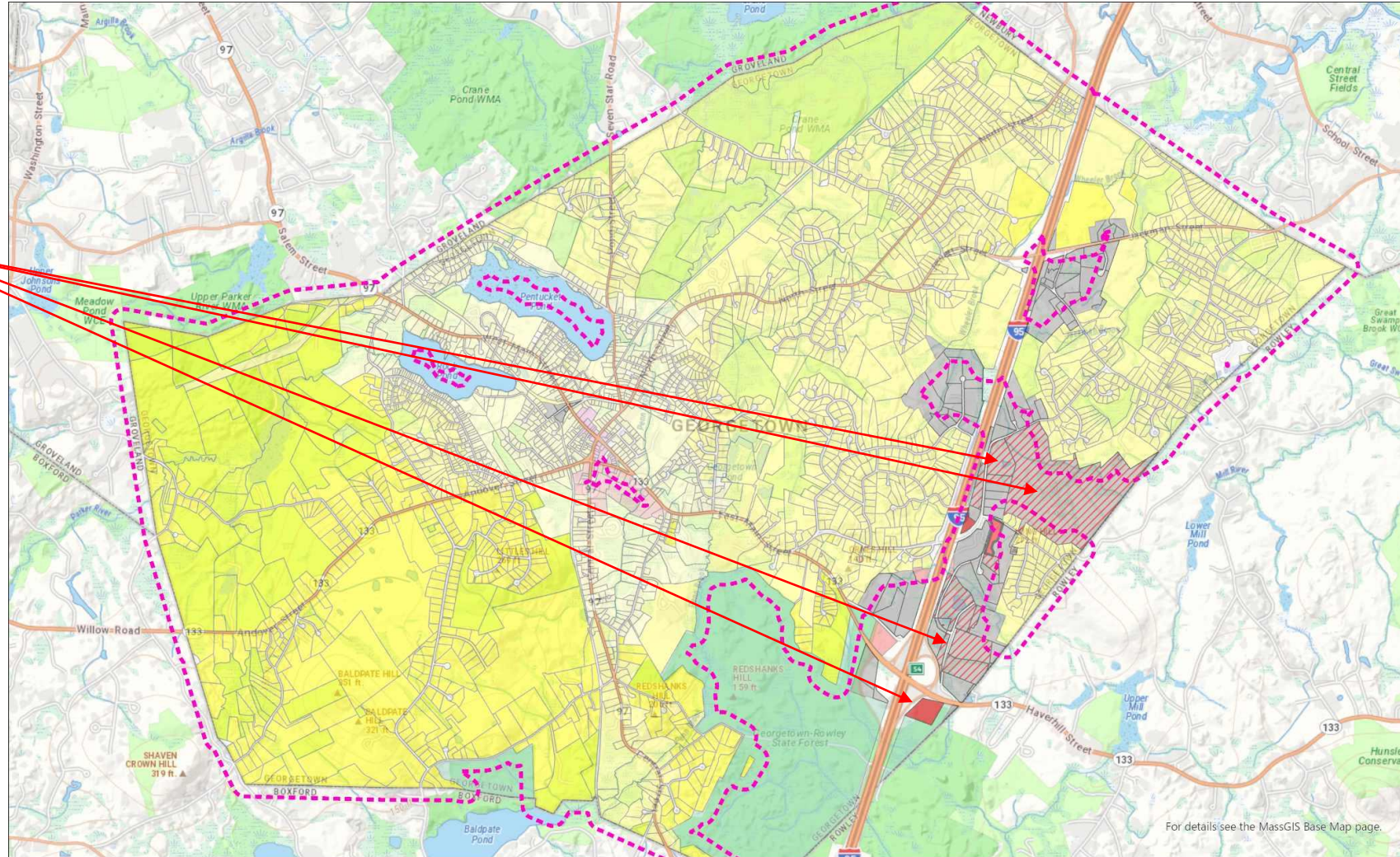
Submission Requirements Not Met

The first step is to **inventory existing potential sites;**

Potential Sites that are 300' away from Residential Districts AND in Marijuana Business District

Applicant states: "the only practicable location in the Town of Georgetown."

There are existing marijuana businesses in Town, so there are clearly locations.



Applicant License is Inadequate

§ 165-162 ¶D, Application. In addition to the materials required under Town of Georgetown Article XIII of Chapter 165, the applicant shall include:

- (1) A copy of its registration from the DPH or the CCC;
- ▶ The license provided as part of the application is for a smaller facility than what is being proposed. License is for up to 20,000 of cultivation with an establishment size of 40,000 sqft.
 - ▶ Proposed facility has significantly more than 20,000 of cultivation space with over 54,000 sqft of building

MARIJUANA ESTABLISHMENT PROPERTY DETAILS

Establishment Address 1: 2 Norino Way

Establishment Address 2:

Establishment City: Georgetown

Establishment Zip Code: 01833

Approximate square footage of the Establishment: 40000

How many abutters does this property have?: 12

Have all property abutters have been notified of the intent to open a Marijuana Establishment at this address?: Yes

Cultivation Tier: Tier 03: 10,001 to 20,000 sq. ft

Cultivation Environment:

Indoor

Security Measures Inadequate

§ 165-162 ¶D, Application. In addition to the materials required under Town of Georgetown Article XIII of Chapter 165, the applicant shall include:

(4) Description of the security measures, including employee security policies, approved by DPH or CCC for the Marijuana Business;

- ▶ Security measures are inadequate. Only discussion is regarding locked doors, but nothing about facility security

§ 165-162 ¶D, Application. In addition to the materials required under Town of Georgetown Article XIII of Chapter 165, the applicant shall include:

(5) Copy of the emergency procedures approved by DPH or CCC for the Marijuana Business;

- ▶ No emergency procedures addressed

Application is Incomplete

- ▶ The following provisions are not addressed, or inadequately addressed:

§ 165-162 ¶D, Application. In addition to the materials required under Town of Georgetown Article XIII of Chapter 165, the applicant shall include:

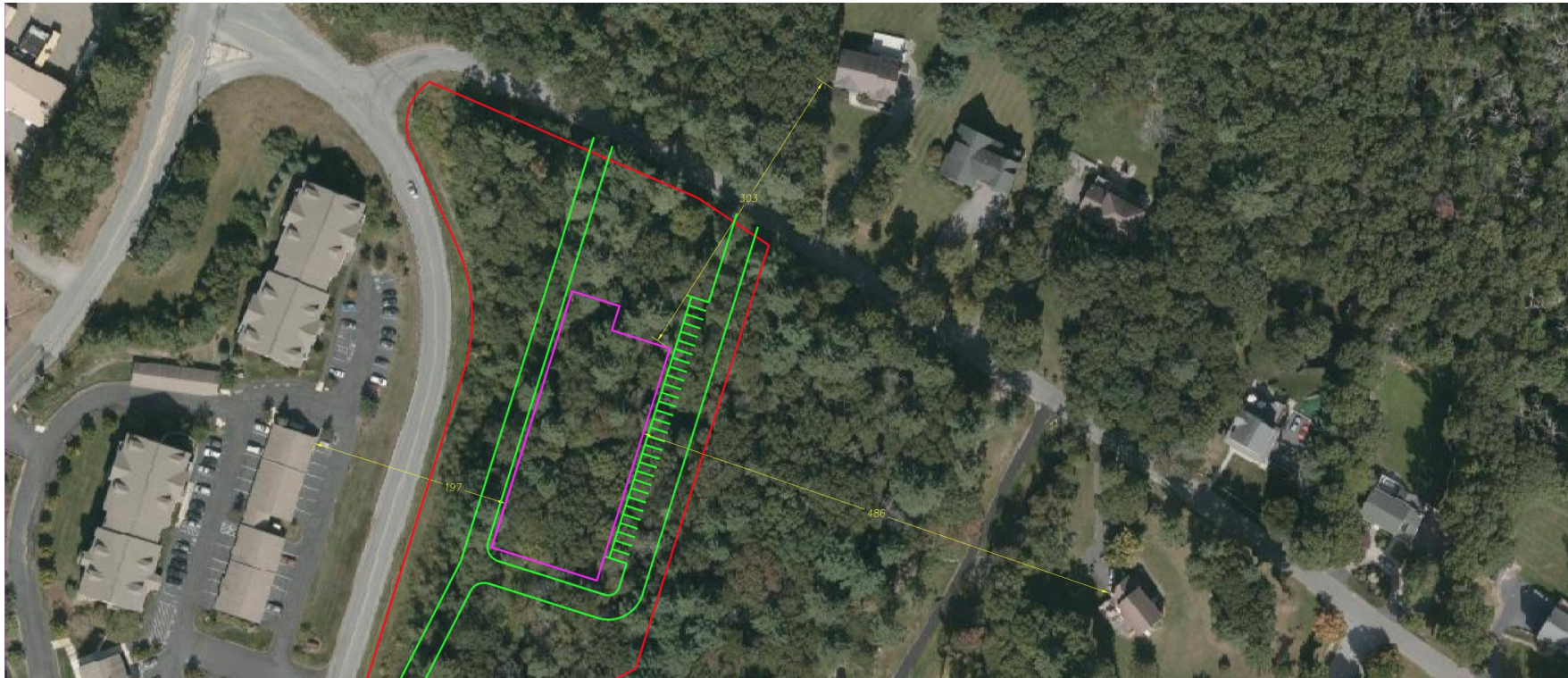
- (7) Copy of the policies and procedures for the transfer, acquisition, or sale of marijuana between Marijuana Businesses;
- (8) Copy of proposed waste disposal procedures; and
- (9) Description of any waivers from DPH or CCC regulations issued for the Marijuana Business;

Application is Incomplete

§ 165-162 ¶D, Application. In addition to the materials required under Town of Georgetown Article XIII of Chapter 165, the applicant shall include:

(10) Distance in linear foot from property line to property line of any zoning district, activity or use occurs as described in § 165-161H.

Distances were provided from building to building, not property line to property line



Application Has Numerous Errors

- ▶ Application does not match license
- ▶ Visual renderings do not match the architectural plans
- ▶ Visual renderings do not match topography in civil plans
- ▶ Narrative incorrectly states that the project does not abut a residential property
- ▶ Distances are building to building not property line to property line

Conclusion

- ▶ This town already has multiple cannabis facilities. Do we really need more?
- ▶ Why would the town put a marijuana facility immediately next to a residential neighborhood and a place where children come to learn and play. There are better alternatives and the applicant was required to identify the alternatives.
- ▶ Clearing trees, major grade changes, lighting, traffic etc. all significantly alter the character of the neighborhood that is undesirable and does not align with expected aesthetic.
- ▶ The applicant has rushed through the application process and has provided documents inconsistent with itself and contains numerous factual errors. The applicant is not even permitted by the CCC to build what is being proposed.
- ▶ Planning board should reject this application for this location.

