

2 Norino Way Wrong for Community Wrong for Neighborhood

HUMBOLDT EAST LLC - 2 NORINO WAY

PRESENTATION FROM THE LONG HILL NEIGHBORHOOD

Overview

- ▶ 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.
- ▶ Odor, clearing trees, major grade changes, lighting, traffic etc. all significantly alter the character of the neighborhood. The facility is undesirable and does not align with expected aesthetic.
- ▶ Planning board should reject this application for this location.



TOPICS

1. Distance Requirements – Sumul Shah
2. Odor Issues from the Facility – Sumul Shah
3. Health Impact of Marijuana from a Healthcare Perspective – Kevin Collins
4. Light Pollution Impacts & Visual Character – Tom Hagen
5. Traffic & Security – Javier Torres
6. Water Usage & Noise Impacts – Jason Halmen
7. Health Impact of Marijuana on Kids from Educational Perspective – Lauren King

Distance & Odor

Sumul Shah,
4 Long Hill Road



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

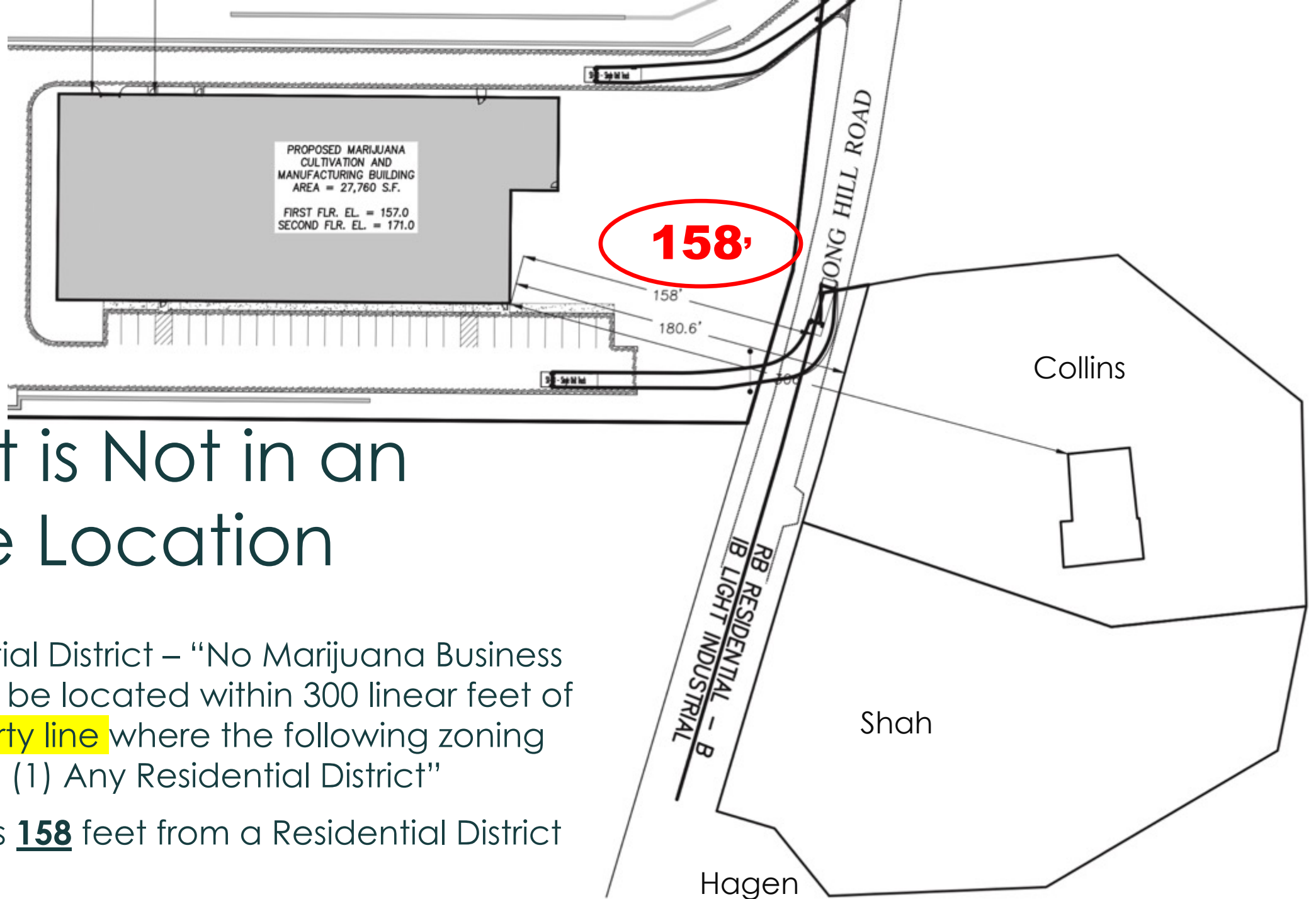
- ▶ Residential District – “No Marijuana Business use shall be located within 300 linear feet of a property line where the following zoning district... (1) Any Residential District”



Project is Not in an Eligible Location

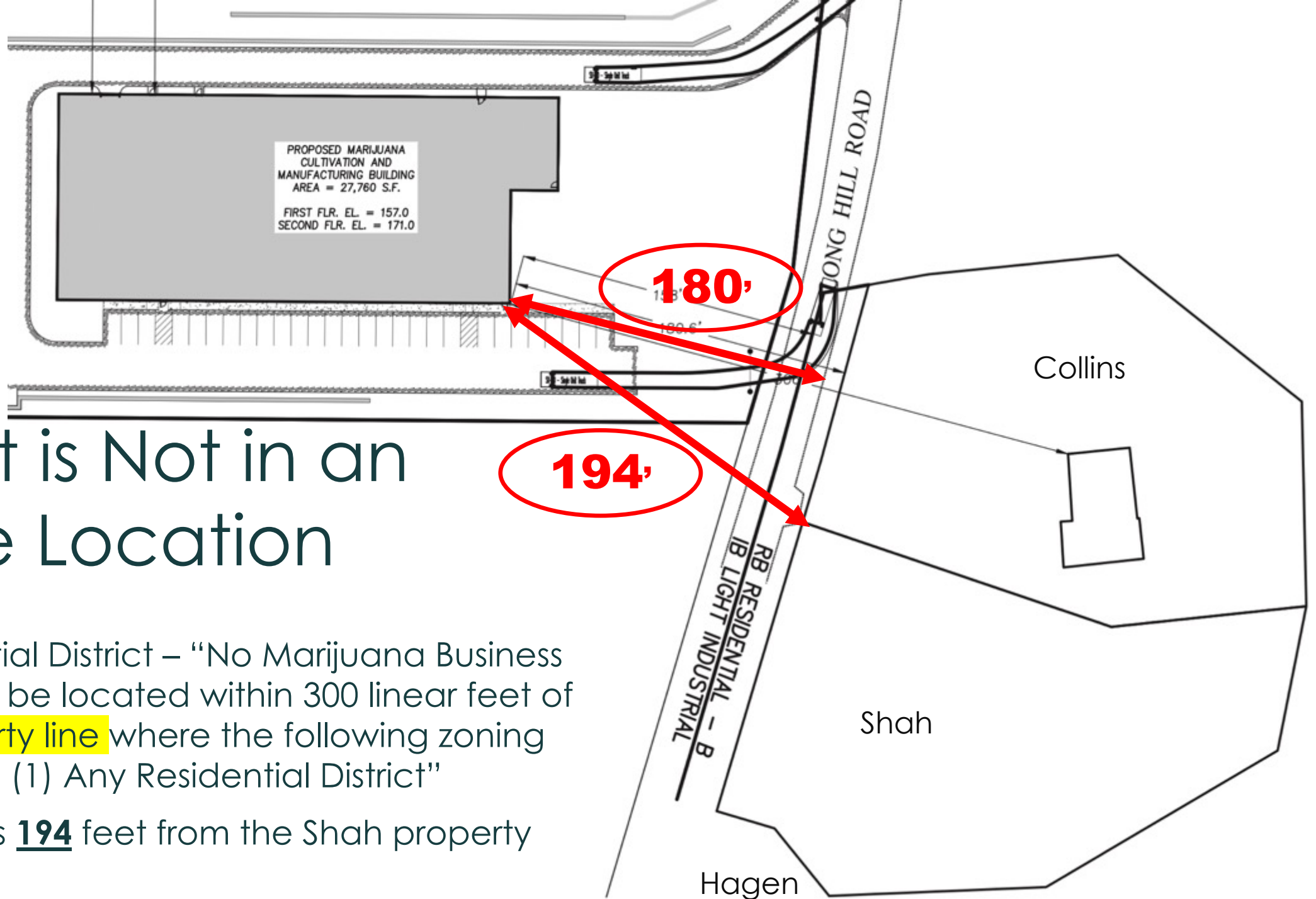
- ▶ Residential District – “No Marijuana Business use shall be located within 300 linear feet of a property line where the following zoning district... (1) Any Residential District”





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”
- ▶ Project is **158** feet from a Residential District



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”
- ▶ Project is **194** feet from the Shah property

Project is Not In Eligible Location

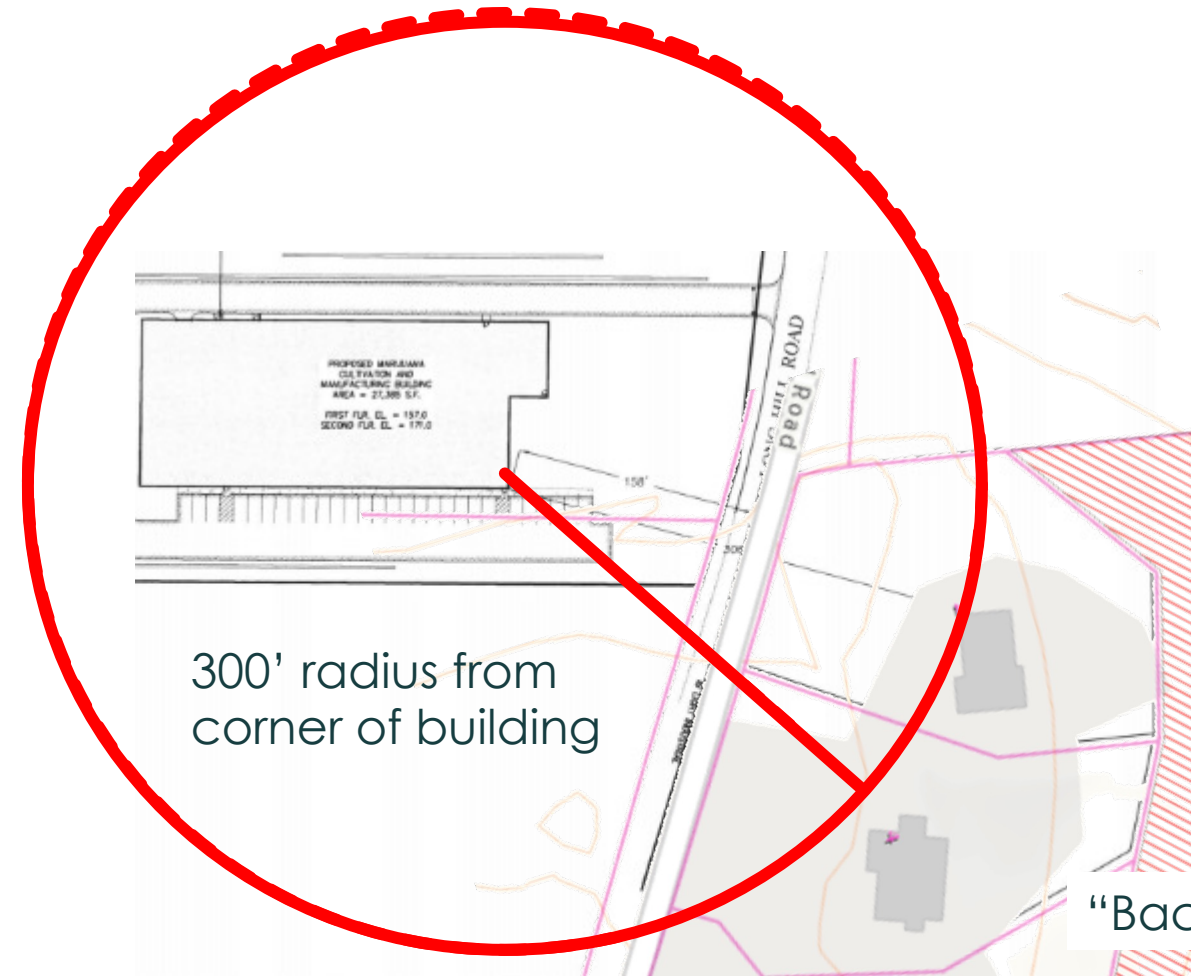
- ▶ Minors - “No Marijuana Business use shall be located within 300 linear feet of a property line where the following zoning district... (11) Similar facility in which minors commonly congregate in an organized, ongoing, formal basis”



”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”



Separation Requirements Not Met

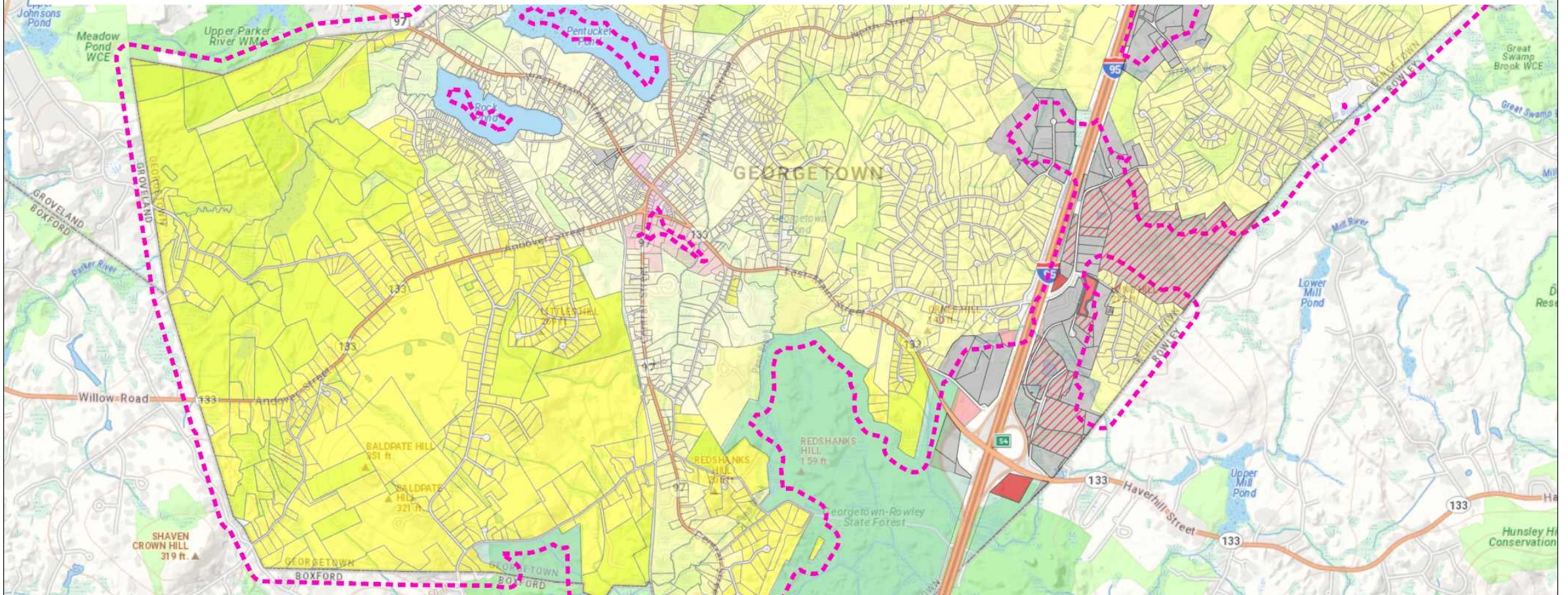
§ 165-161 ¶I, Separation. Distances shall be calculated by direct measurement from the nearest property line of the land used for school or child-care purposes or places where minors frequent or any other use listed above in § 165-161H to the nearest point of the property line of the proposed Marijuana 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.

Separation Requirements Not Met

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

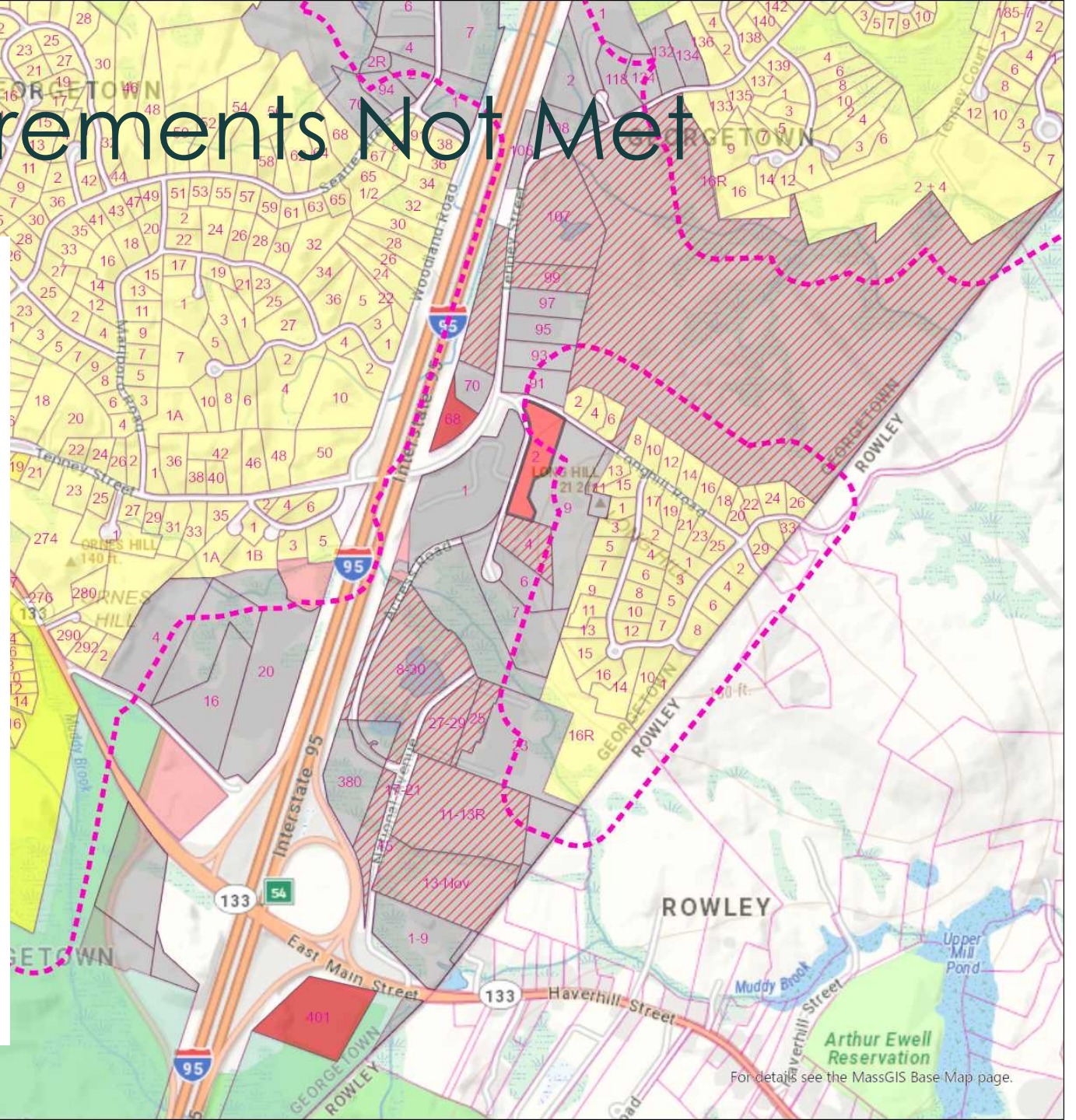


This map shows areas within Georgetown that meet this requirement of 300 feet from Residential Districts.

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 outside of the 300' setback requirement.
- ▶ Areas in dark red are existing facilities.
- ▶ Sites exist that meet the requirements.



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.

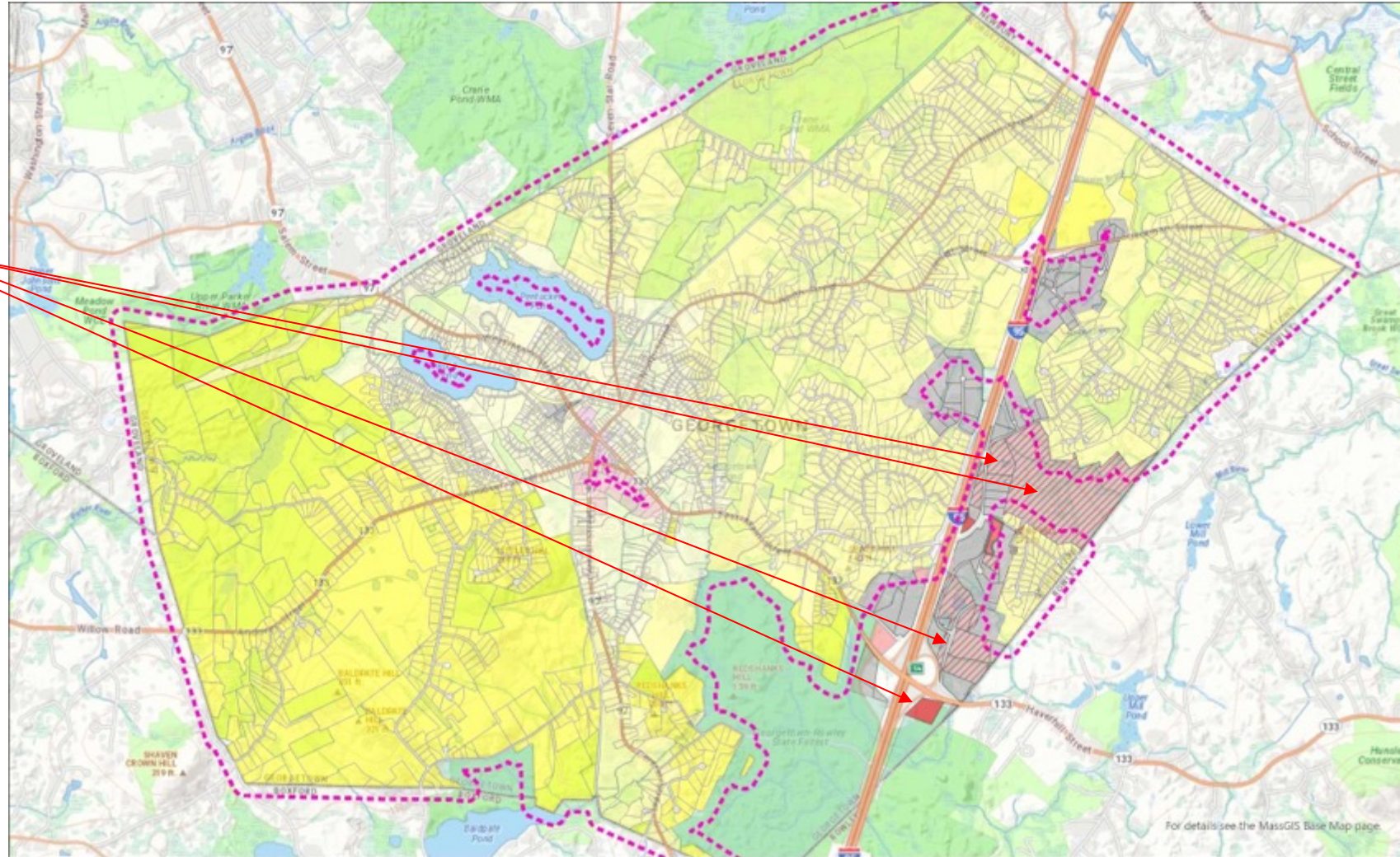
Submission Requirements Not Met

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

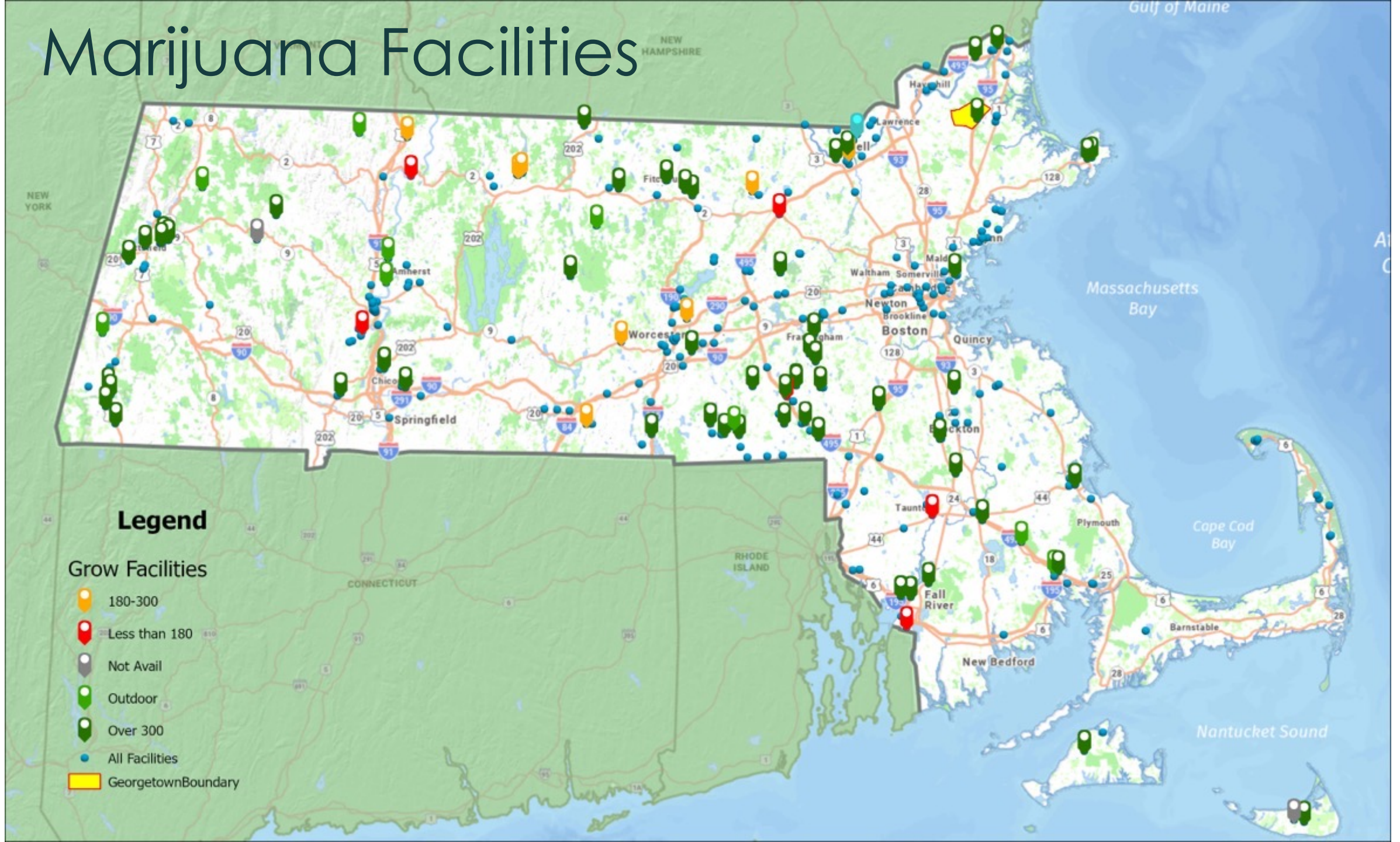
Potential Sites that are 300' away from Residential Districts AND in Marijuana Business District

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

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



Marijuana Facilities



Very Few Facilities are less than 180 feet



Montague



Milford

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.

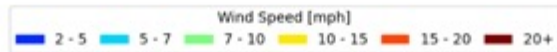
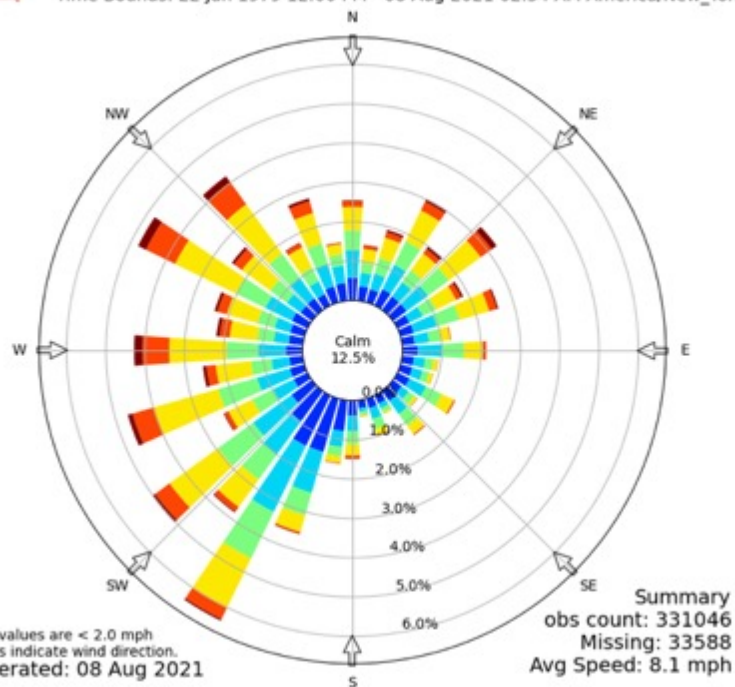
- ▶ Current standards applied to Mission Dispensary are not working! The smells are strong coming off the highway and driving by the facility.
- ▶ The applicant and all consultants

Smell

Predominant wind direction is directly towards the residential neighborhood.

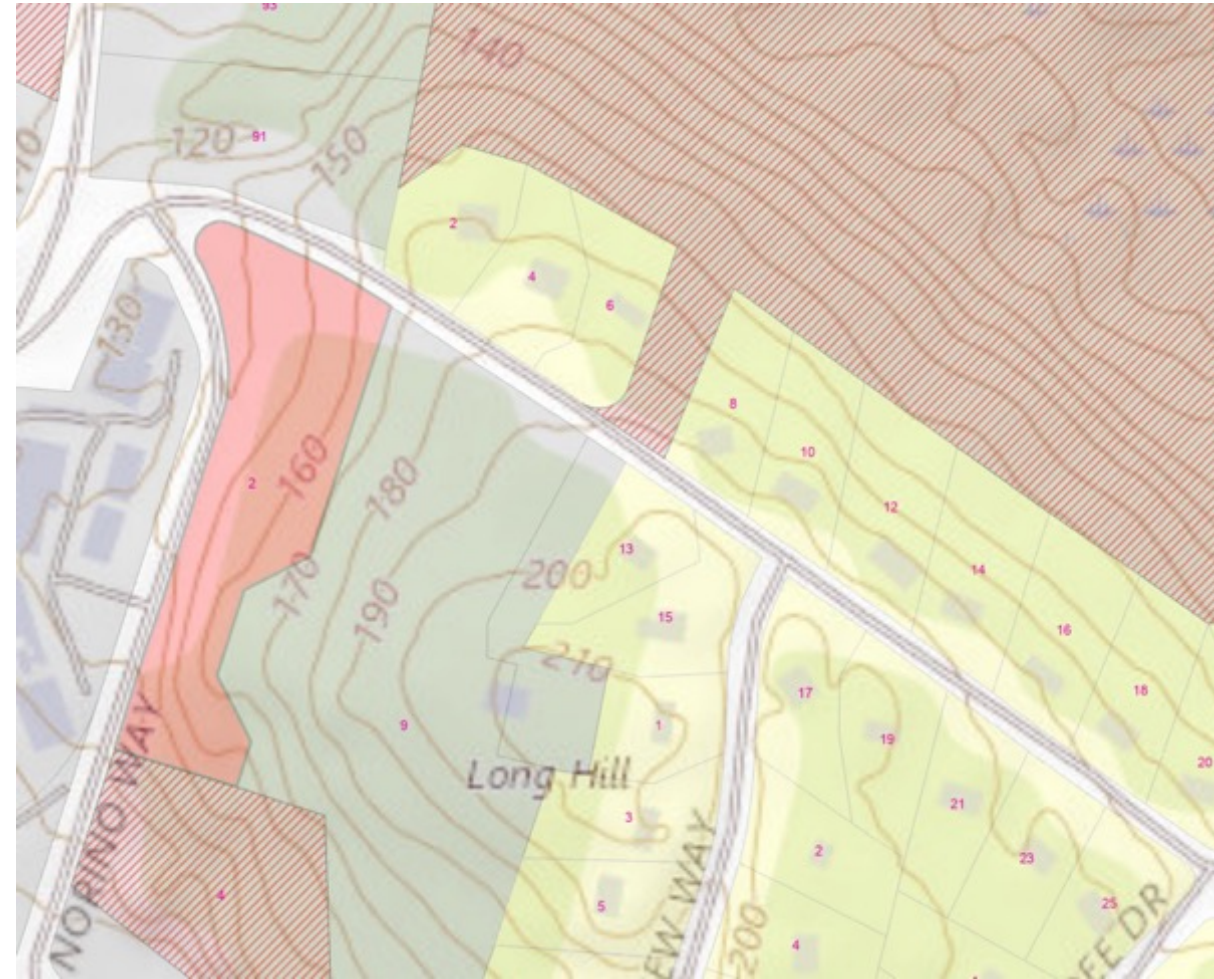
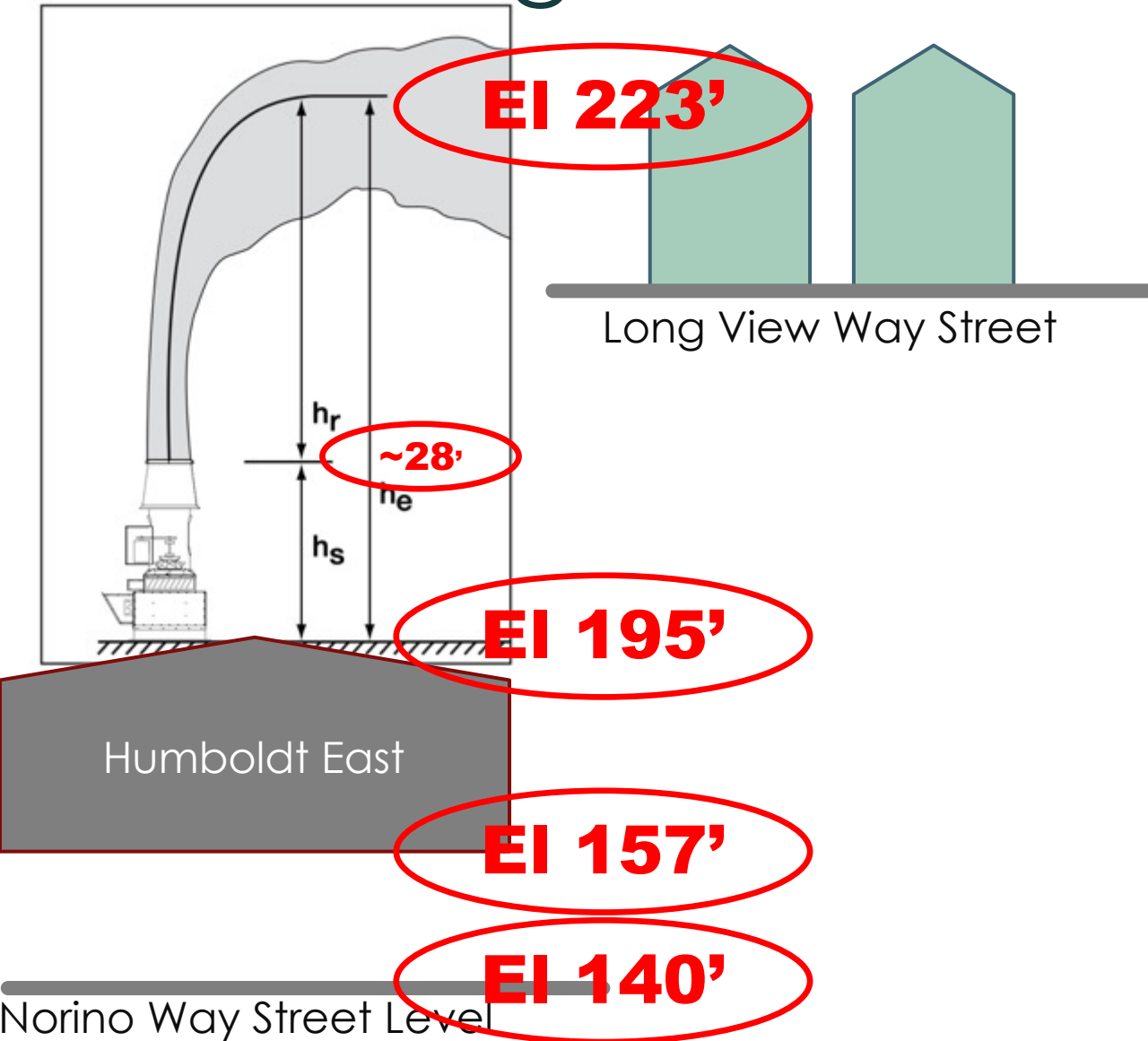


[LWM] LAWRENCE MUNICIPAL
Windrose Plot
Time Bounds: 22 Jan 1979 12:00 PM - 08 Aug 2021 02:54 AM America/New_York



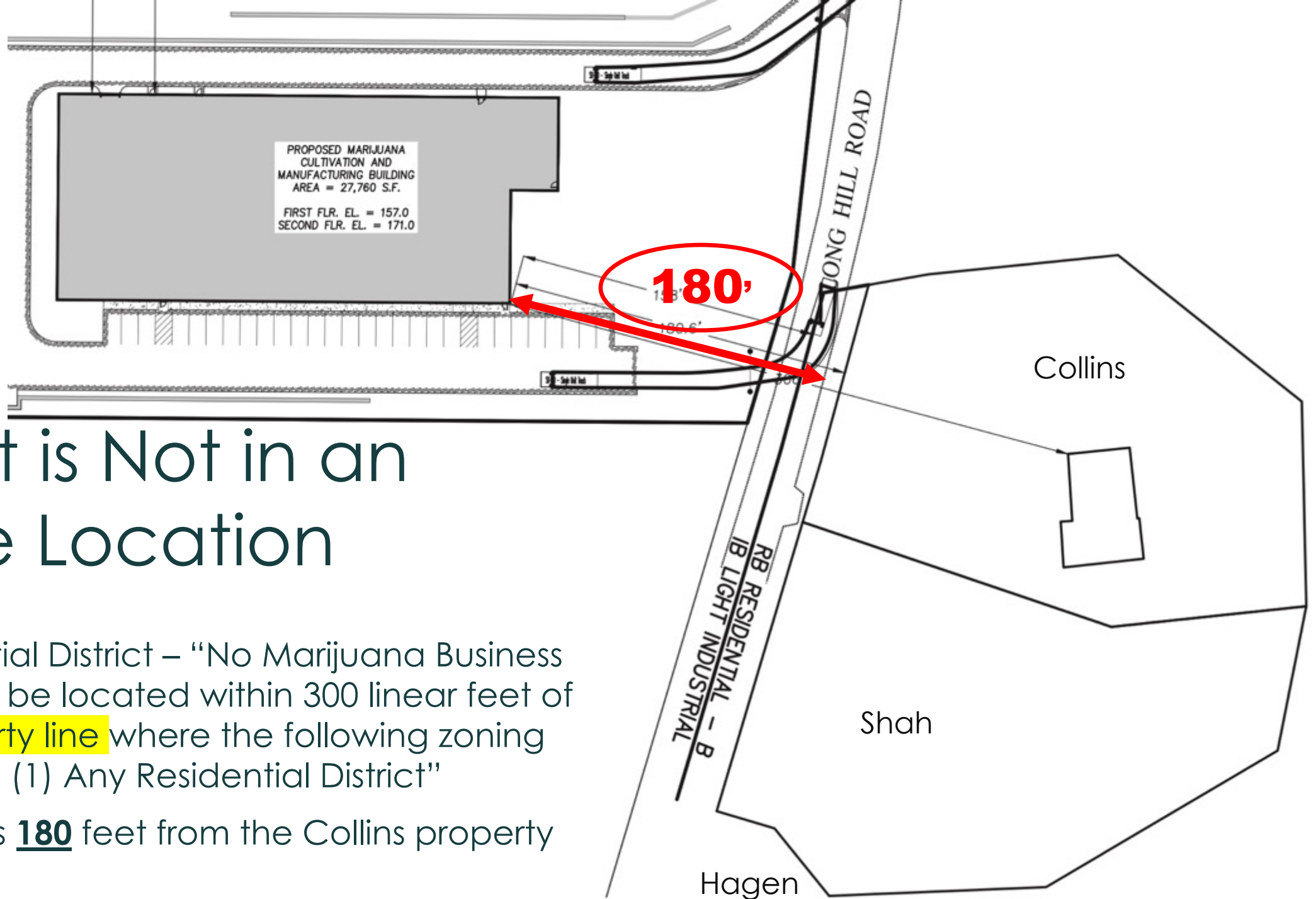
For details see the MassGIS Base Map page.

Smell – Exhaust will blow directly into Neighborhood!



Health Impact of Marijuana from a Healthcare Perspective

Kevin Collins
2 Long Hill Road



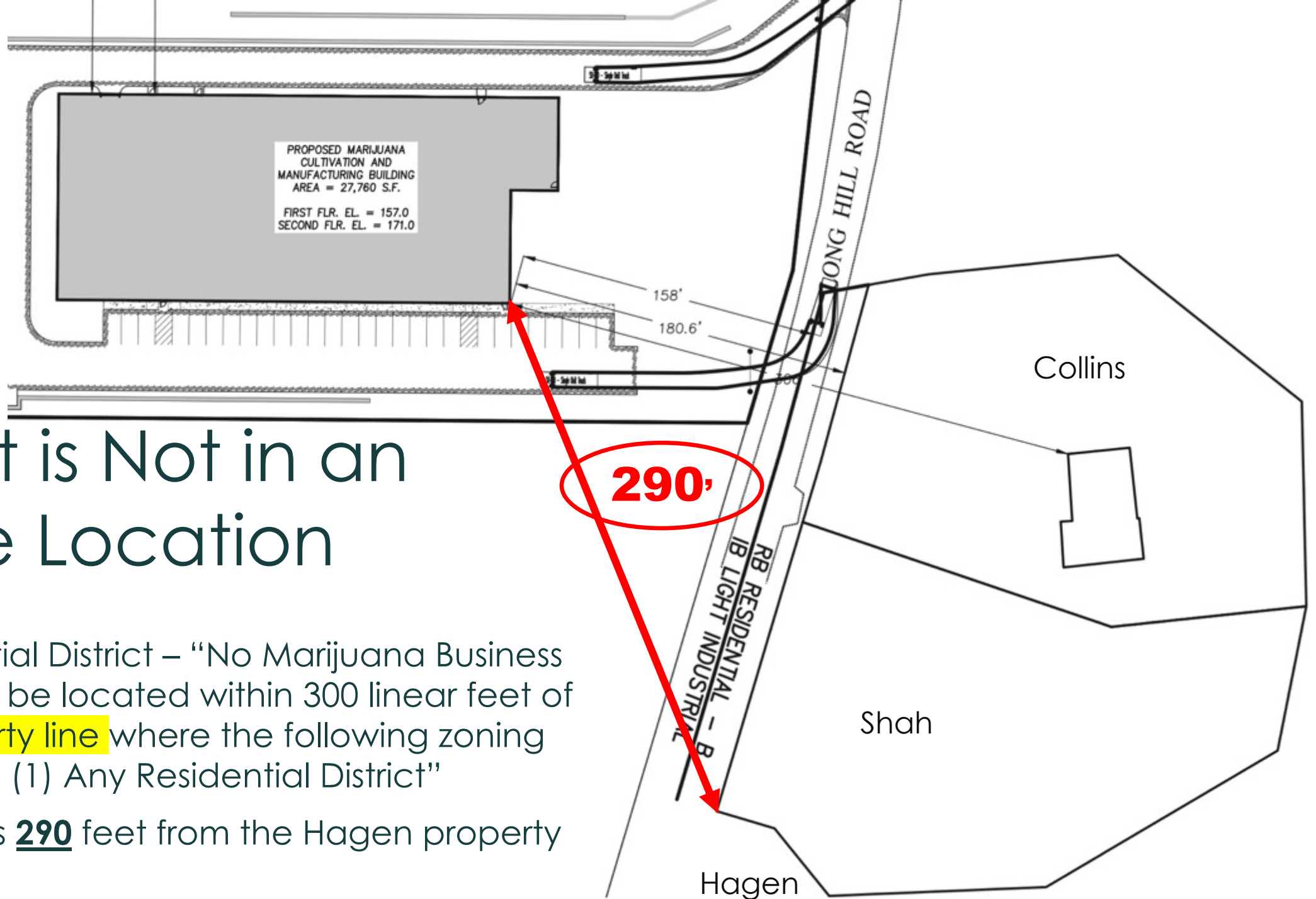
Project is Not in an Eligible Location

- ▶ 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”
- ▶ Project is **180** feet from the Collins property

Lighting & Visual Impact

Tom Hagen
6 Long Hill Road





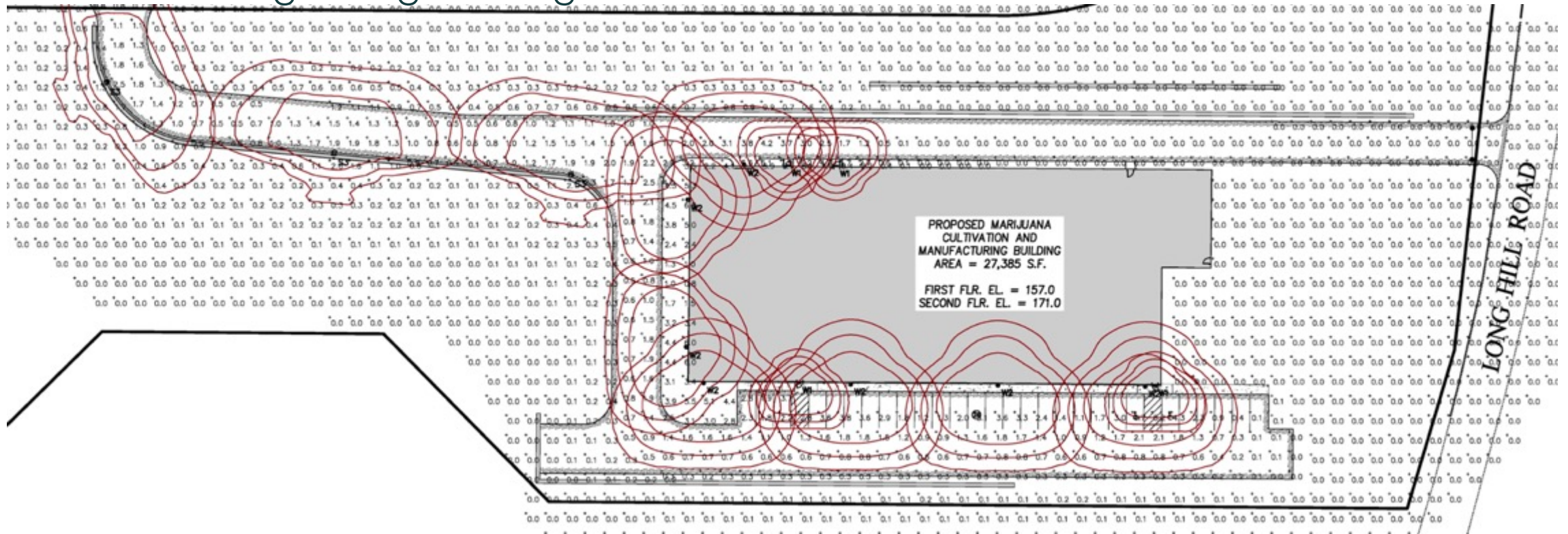
Project is Not in an Eligible Location

- ▶ 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”
- ▶ Project is **290** feet from the Hagen property

Excessive Lighting Intrusion

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

- ▶ A significant amount of lighting is being proposed at the facility
- ▶ The facility will be operating day and night - lighting will impact sleeping hours
- ▶ Headlights from cars pulling into the property at night will shine onto Long Hill Road
- ▶ The brightest lights on the property (7 @ 9720 lumens/lamp) happen to line the back of the building facing the neighborhood

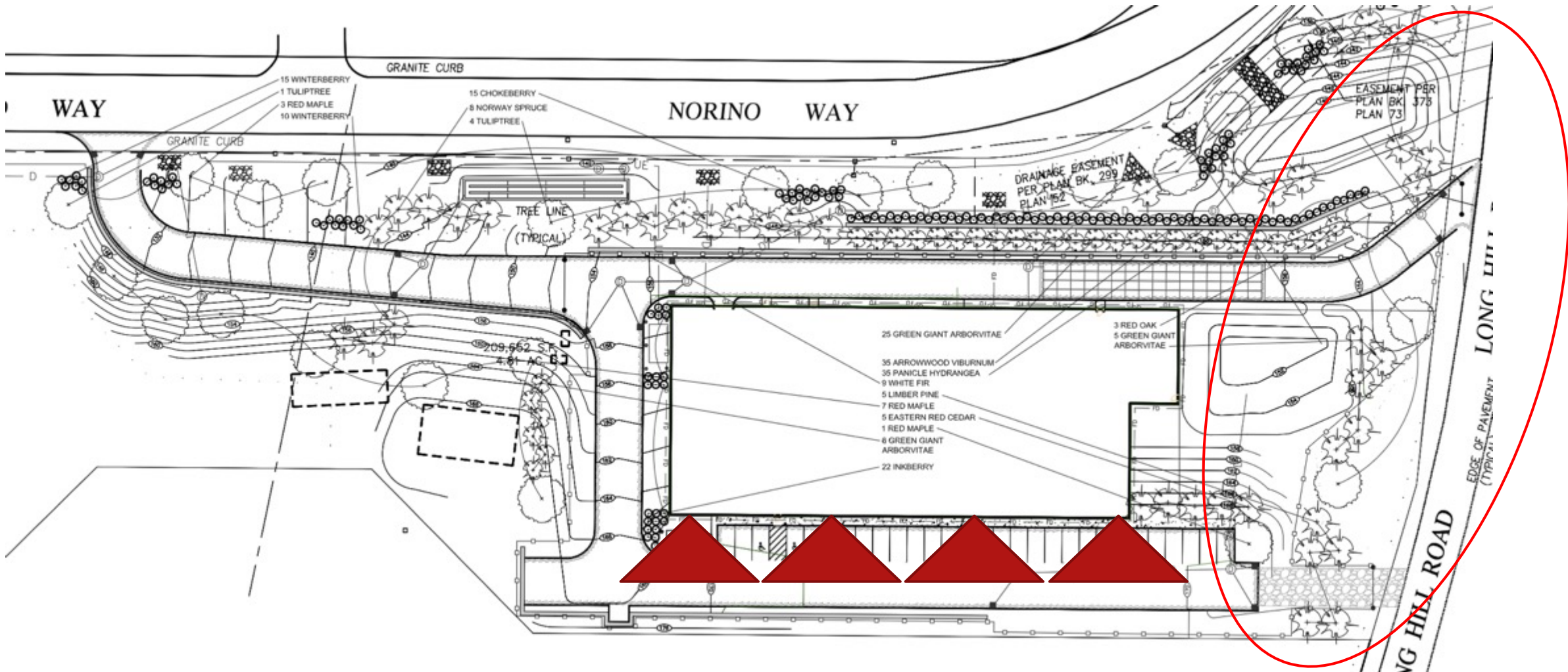


Excessive Lighting Intrusion

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

- ▶ Removal of vegetation will make the lighting more pronounced.

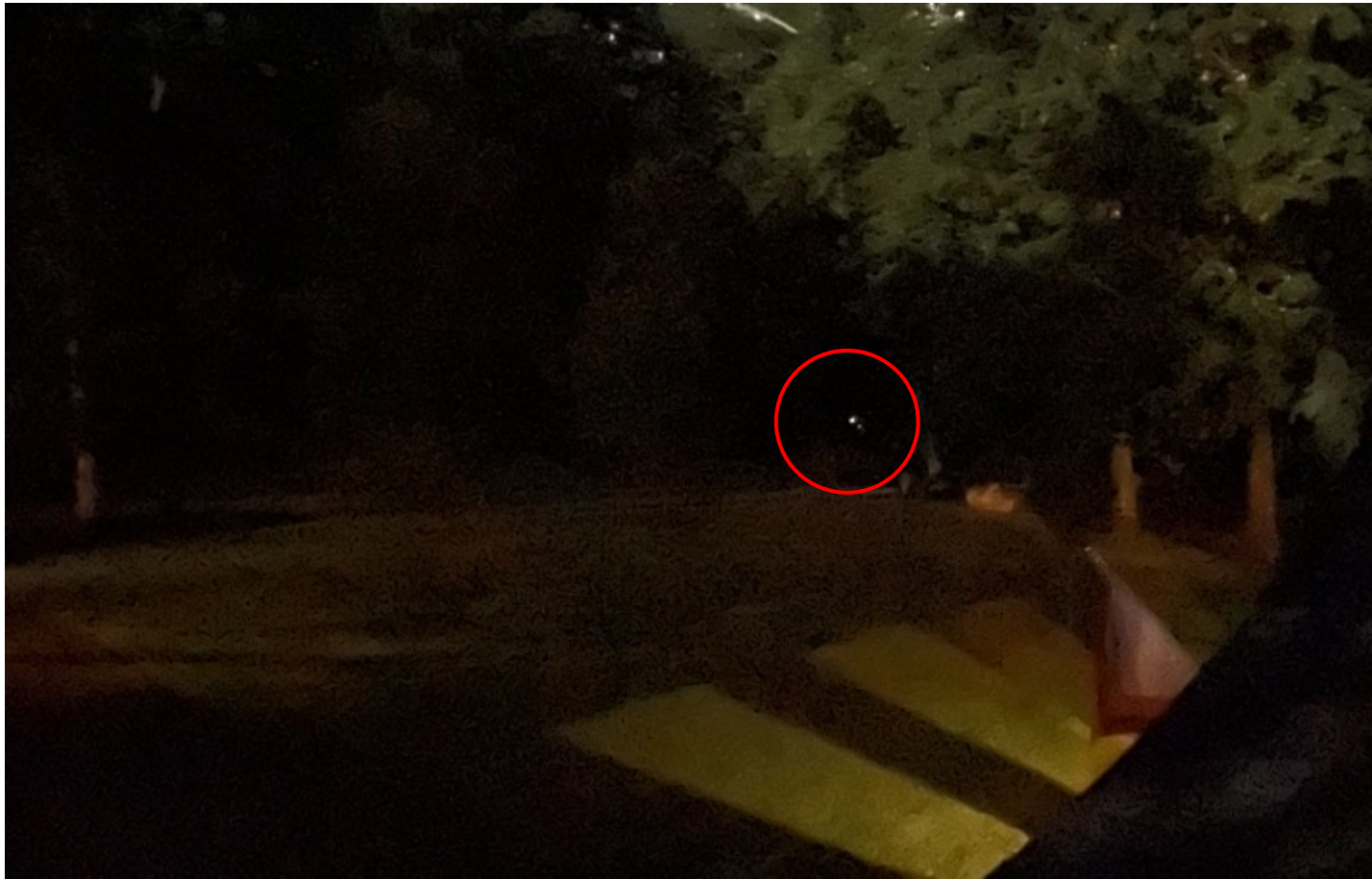
Minimal Trees in this area compared to current landscape



Excessive Lighting Intrusion

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

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



Visual Impact Not Met

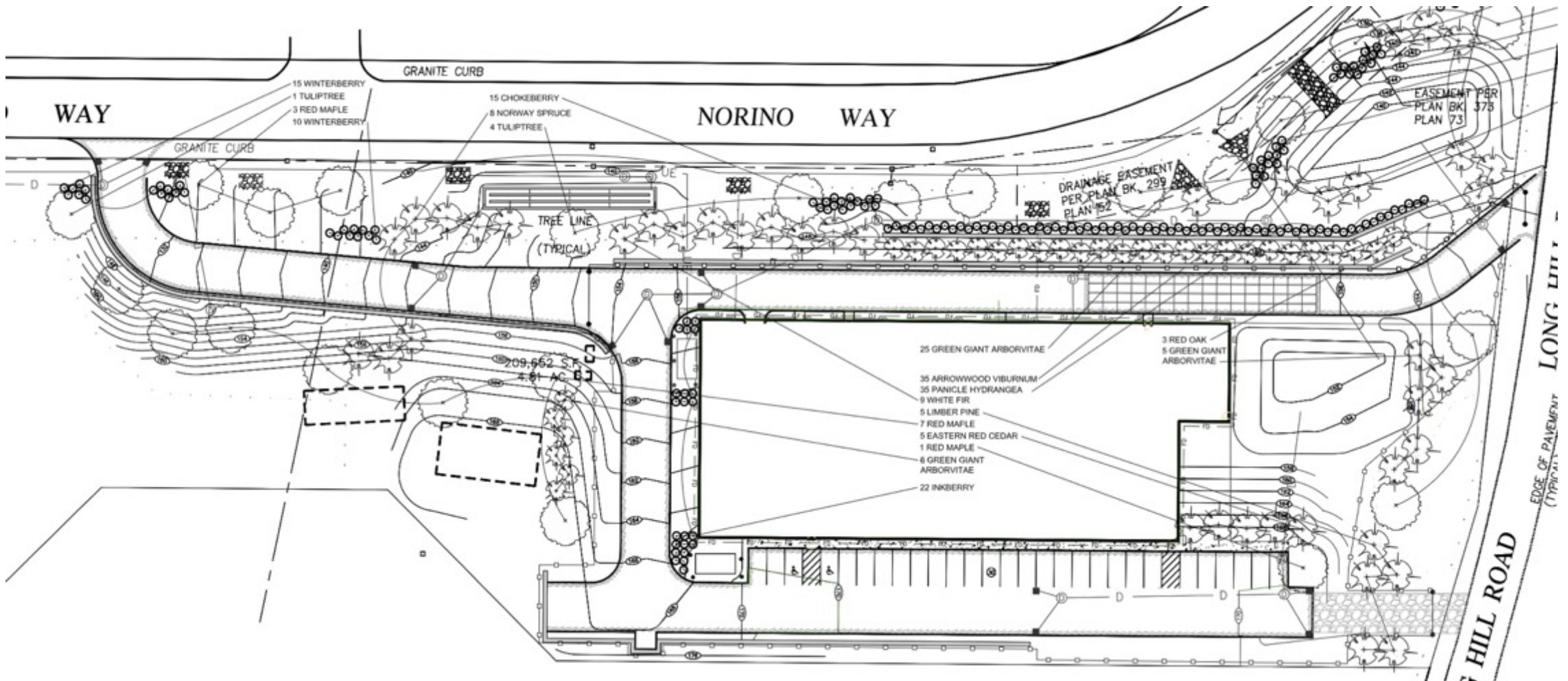
- ▶ §165-162 ¶B, (2) Minimizes visual impact by controlling off-site visibility of parking, storage, or other outdoor service areas viewed from public ways and places or land residentially used or zoned;
- ▶ Photosimulations are not realistic as vegetation will take years to achieve mature heights



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

- ▶ Plantings have been designed to disguise the facility from the road, but most trees will not even reach the top of the facility. View from Long Hill will be the top of the building and over the height of the trees.



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.

Traffic & Security

Torres Family
6 Birch Tree Drive



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

Water Usage & Noise Issues

Jason Halmen
12 Long View Way



Grow Facility Water Usage

Per the Cannabis Control Commission – Commonwealth of Mass
Energy and Environment Compiled Guidance (Dated January 2020)

Location of Facility and Source of Water

An important consideration for siting of a facility is the availability of water for production. Typically, water for a greenhouse or indoor facility would come from local municipal water or from a regional water supplier like the Massachusetts Water Resources Authority (MWRA). In the case of local municipal water, attention should be paid to whether the water supplier has enough capacity to supply the water both from a source and infrastructure perspective. Depending on the watershed and the specific town the facility is located in, the additional volumes may not be available within the town's registered or permitted amounts, or an Interbasin Transfer¹⁴ approval may be required.

Grow Facility Water Usage

Per the Cannabis Control Commission – Commonwealth of Mass
Energy and Environment Compiled Guidance (Dated January 2020)

In the more typical methods of cultivation (namely soil and hydroponics), medical marijuana studies have estimated that indoor grows require watering in quantities of 98”/room-year, or 40 gallons/room-day (one room = 250 sq. ft.).¹⁹ Hydroponically grown cannabis is much more water intensive than other crops. When grown indoors, however, facilities have the capacity to set up recycling systems that clean and filter used water to be recycled back into irrigation; which helps negate the amount of freshwater input into the system. Treating water and reusing treated water are activities that are regulated by MassDEP and require permits.²⁰ This water would need to be changed periodically, and nutrient levels can reach unusable points for the plants if not applied correctly.

Grow Facility Water Usage

Breaking down the previous slide:

In the more typical methods of cultivation (namely soil and hydroponics), medical marijuana studies have estimated that indoor grows require watering in quantities of 98"/room-year, or 40 gallons/room-day (one room = 250 sq. ft.).¹⁹ Hydroponically grown cannabis is much more water

Proposed Grow Canopy is 20,000 Square Feet

250 sqft = 40 gallons a day of water

40 gallons a day x 1 year = 14,600 gallons a year

20,000 sqft = 3,200 gallons a day of water

3,200 gallons a day x 1 year = 1,168,000 gallons a year

Grow Facility Water Usage

Breaking down the previous slide:

gallons/room-day (one room = 250 sq. ft.).¹⁹ Hydroponically grown cannabis is much more water intensive than other crops. When grown indoors, however, facilities have the capacity to set up recycling systems that clean and filter used water to be recycled back into irrigation; which helps negate the amount of freshwater input into the system. Treating water and reusing treated water are activities that are regulated by MassDEP and require permits.²⁰ This water would need to be changed periodically, and nutrient levels can reach unusable points for the plants if not applied correctly.

Treated water is regulated by MassDEP and requires permits

Unusable Water will be cover in the next slide

Grow Facility Water Usage

Per the Cannabis Control Commission – Commonwealth of Mass
Energy and Environment Compiled Guidance (Dated January 2020)

Wastewater Disposal

Even with recapture methods, however, systems need to be flushed on occasion and new water introduced, especially in the event of pathogen outbreaks or from the presence of high levels of salts or ions that could be detrimental to crop growth and development. Water which is not reused must be discharged to a sewer or collected and stored in a certified holding tank for disposal at an approved facility. Note that water which is being disposed of cannot be discharged to an on-site septic system. If wastewater is being discharged out of the facility (e.g., to a Title 5 system, a sewer system, the ground, or surface waters), the proponent must contact their local

MassDEP office to determine if a discharge permit is required. If wastewater is being stored, it must be kept in a holding tank that is permitted by MassDEP (Transmittal Form DEP01).

Grow Facility Water Usage

Per the Cannabis Control Commission – Commonwealth of Mass
Energy and Environment Compiled Guidance (Dated January 2020)

Wastewater Disposal

Question:

Is this **on site** stored wastewater
considered **hazardous waste** due to the
fertilizers used in the plants?

Grow Facility HVAC Noise

The most common HVAC methodology for Grow Facilities today is
Variable Refrigerant Flow (VRF)

Each VRF System is operated by Heat Pump
Condensers

In a 30,000 sqft facility (20,000 canopy)
your average load is 300 tons

To achieve that you would need
Qty 15 – 20 ton condensers

Grow Facility HVAC Noise

The most common HVAC methodology for Grow Facilities today is
Variable Refrigerant Flow (VRF)

Each 20 ton condenser carries a dB(A)
rating of 68

For a total calculated sound rating of
80.7dB(A) of all condensers

Grow Facility HVAC Noise

The most common HVAC methodology for Grow Facilities today is
Variable Refrigerant Flow (VRF)

15 – 20 ton condensers = 80.7 dB(A)

Garbage disposal, dishwasher, average factory, freight train (at 15 meters). Car wash at 20 ft (89 dB); propeller plane flyover at 1000 ft (88 dB); diesel truck 40 mph at 50 ft (84 dB); diesel train at 45 mph at 100 ft (83 dB). Food blender (88 dB); milling machine (85 dB); garbage disposal (80 dB).

80

2 times as loud as 70 dB.
Possible damage in 8
hour exposure.

Passenger car at 65 mph at 25 ft (77 dB); freeway at 50 ft from pavement edge 10 a.m. (76 dB). Living room music (76 dB); radio or TV-audio, vacuum cleaner (70 dB).

70

Arbitrary base of
comparison. Upper 70s
are annoyingly loud to
some people.

Grow Facility HVAC Noise

This dB(A) rating is not even factoring in the high plume exhaust fans noise which will discharge to a cross wind directly at residential levels up Long Hill Road

Health Impact of Marijuana on Kids from Educational Perspective

Lauren King
4 Birch Tree Drive



The American Academy of Child and Adolescent Psychiatry

- ▶ Today's marijuana plants are grown differently than in the past and can contain two to three times more tetrahydrocannabinol (THC), the ingredient that makes people high.
- ▶ Parents can help their children learn about the harmful effects of marijuana use. Talking to your children about marijuana at an early age can help them make better choices and may prevent them from developing a problem with marijuana use later.
- ▶ Research shows that marijuana can cause serious problems with learning, feelings, and health. Short-term use of marijuana can lead to:
 - ▶ School difficulties
 - ▶ Problems with memory and concentration
 - ▶ Increased aggression
 - ▶ Worsening of underlying mental health conditions including mood changes and suicidal thinking
 - ▶ Increased risk of psychosis
- ▶ Marijuana use in teens can lead to long-term consequences. Teens rarely think they will end up with problems related to marijuana use, so it is important to begin talking about the risks with your child early and continue this discussion over time.

National Library of Medicine

- ▶ An “unintended consequence” of marijuana legalization is the impact on the pediatric population. From prenatal exposure to unintentional childhood exposures, marijuana exposure can affect pediatric patients at every stage in childhood. Regardless of the stage or reason of exposure, concerns exist about short-term and long-term consequences in a child’s physical and mental health. As more states allow both medical and recreational marijuana, availability and prevalence of use will likely increase and more surveillance and research is needed to evaluate the consequences on the pediatric population.
- ▶ States that have passed medical marijuana legislation have had significant rises in pediatric marijuana exposure calls. From 2005 to 2011, there were 985 unintentional marijuana exposures in children less than 9 years of age, with a median age of exposure of 1.7 years

Centers for Disease Control and Prevention

- ▶ In 2019, 37% of US high school students reported lifetime use of marijuana.
- ▶ Negative effects of teen marijuana use include:
 - ▶ Difficulty thinking and problem-solving
 - ▶ Problems with memory and learning
 - ▶ Reduced coordination
 - ▶ Difficulty maintaining attention
 - ▶ Problems with school and social life
 - ▶ Marijuana use has been linked to a range of mental health problems, such as depression and social anxiety
 - ▶ Approximately 3 in 10 people who use marijuana have marijuana use disorder (potential for addiction)

U.S. Department of Health & Human Services

- ▶ I, Surgeon General VADM Jerome Adams, am emphasizing the importance of protecting our Nation from the health risks of marijuana use in adolescence and during pregnancy. Recent increases in access to marijuana and in its potency, along with misperceptions of safety of marijuana endanger our most precious resource, our nation's youth.
 - ▶ The marijuana available today is much stronger than previous versions. The THC concentration in commonly cultivated marijuana plants has increased three-fold between 1995 and 2014 (4% and 12% respectively)
 - ▶ These harms (of marijuana) are costly to individuals and to our society, impacting mental health and educational achievement and raising the risks of addiction and misuse of other substances.
 - ▶ Additionally, marijuana use remains illegal for youth under state law in all states; normalization of its use raises the potential for criminal consequences in this population.
 - ▶ In addition to the health risks posed by marijuana use, sale or possession of **marijuana** **remains illegal under federal law** notwithstanding some state laws to the contrary.

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.
- ▶ Odor, 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.
- ▶ Planning board should reject this application for this location.

