



Town of Georgetown

MINUTES

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3 Committee: Planning Board
4 Date: January 26, 2022
5 Time: 7:00 pm.
6 Location: Virtual Meeting via Zoom
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9 Members present: Harry LaCortiglia, Bruce Fried, Bob Watts, Joanne Laut, George Comiskey.
10 Staff present: Town Planner, John Cashell.
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12 Minutes transcribed by A. Thibault. Note: Video recordings of all Georgetown Planning Board
13 meetings may be found at www.georgetownma.gov and by choosing the Community TV option.
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15 The Meeting was called to order at 7:01 by Harry LaCortiglia.
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Minutes:

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20 J. Laut: Motion to accept the meeting minutes from January 12, 2022 with edits.
21 B. Fried: Second.
22 Motion carries 5-0; via roll call vote.
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Vouchers:

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27 B. Watts: I move to approve the voucher for Zoom \$104.99.
28 J. Laut: Second.
29 Motion carries 5-0; via roll call vote.
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Public Hearing: 2 Norino Way:

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34 Jill Mann, Attorney.
35 Jayme Fishman, Applicant.
36 T.J. Melvin, Engineer.
37 Chris Drinan, Architect.
38 Kyle Baker, Odor Control.
39 John Mason, Odor Control.
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41 J. Mann: There are four levels of odor containment.
42

43 The first level of odor control containment is the building shell.
44

45 Secondly there is the interior partition system. Each room has a partition - a room within a room.
46 This creates two levels of containment.

47 Third, there is spray foam insulation. This is closed cell foam that creates another level of complete
48 seal.

49
50 Fourth, the air is scrubbed. The exhaust is a closed HVAC system. We use a high plume exhaust fan.

51
52 I have taken the liberty to create a “Special Conditions Document” that I would like to discuss with
53 the Board.

54
55 H. LaCortiglia: Please submit those to John, and we will review them prior to our next meeting and
56 discuss at that time.

57
58 B. Fried: I did research on chlorine dioxide – and how it works with bacteria and mold in other
59 industries. Is there a marijuana growth facility that is using this system?

60
61 J. Mason: Yes, it’s used as a disinfectant and sanitizer. It is also used as an odor control agent. We
62 are in a dozen nationally, yet it’s a relatively new industry.

63
64 B. Fried: Is there a facility that is using this currently and proving that it works as an odor mitigant?

65
66 K. Baker: We have one operational facility in another state. We have components operating
67 separately. Yes, that is in Illinois.

68
69 B. Fried: You have this system operational in Illinois?

70
71 K. Baker: Yes. We do not provide facility names. We have strict NDA agreements with our clients.

72
73 B. Fried: Will you ask your client for a reference letter, stating that they are using this technology and
74 it is working? I would like proof that this works. I would like to have a reference letter at a minimum.
75 We want to protect the town and the neighbors.

76
77 We really need to make sure your system works. I couldn’t find anything proving that its effective in
78 cannabis yet, although it is used in other industries.

79
80 K. Baker: I am sure that I can ask, I am not sure they will comply.

81
82 B. Fried: Please ask multiple clients. I would like a reference letter, at a minimum saying that “we are
83 so and so, we have these systems that is utilizing this Technogym from Eco Buds and it is working
84 great” and anything else they may say. I want to believe everything that you are telling me, I did a lot
85 of research, checked you out and what others are using Chlorine Dioxide. I could not find anything
86 currently showing that is being used effectively in the cannabis industry yet.

87
88 H. LaCortiglia: I am sure that if it is successful in Illinois, I am sure they would be proud to point out
89 how much better this is than a carbon filter. I am sure that they would be happy to provide you with a
90 letter of support.

91
92 K. Baker: We have a couple of clients that we work with, and I can assure you that they would
93 provide a letter of recommendation at minimum.

H. LaCortiglia: If your client would prefer, we could accept the reference confidentially. We can handle confidential materials.

B. Fried: Two scrubbers, do you plan on using both?

J. Mann: I just gave examples. The plans are not finalized yet.

B. Fried: I am sure that Mr. Fishman will ensure it does the job. He doesn't want it to come back at him.

B. Watts: My questions are about track record. It seems that this is cutting edge, something that we really haven't seen. I would caution that until we have some real reassurances that this is a viable technology, I will think carefully and slowly about it. There are concerns regarding odor.

J. Mann: When you see the conditions we drafted, it will allay those concerns. Containment is key. And, Mission had no containment. We have a completely closed system. HVAC system is a proven technology in other industries. Additional layers of assurance will be outlined in the draft conditions.

G. Comiskey: Different thickness panels, different size exhaust blowers. These are definitely going into your building—correct?

G. Comiskey: Would the Board like to consider a Peer Review?

{Planning Board discusses, and agreed to request a peer review once plans are further developed.}

G. Comiskey: I did look at a few industrial hygienists. There are a couple of local ones. One did odor control for Newburyport Wastewater Plant. It is for peace of mind. We want to cover all of the bases here and receive any recommended conditions.

B. Watts: Yes, we want to see as close as we can to a final picture. So that we are not going through this many times.

G. Comiskey: I think a peer review should come before. That is my opinion.

J. Mann: It takes 60-90 days to create final plans.

C. Drinan: At least 90. I would say three months. Four to six months for full submission.

B. Fried: For field service, are filters changed regularly? Do you have a field service office in Massachusetts? How is that going to work?

K. Baker: There is an office in New York. They guy who manages the team lives in North Carolina. He handles the East Coast.

B. Fried: How do you get the chlorine dioxide?

J. Mason: It is made in a reactor under quality control standards.

Typically, monthly a technician comes out. It is a monthly service. We work with Eco Buds.

{Planning Board agrees to request Town Planner to locate a peer reviewer with cannabis experience.}

Sumul Shah, 4 LongHill Road: On LongHill Road, we don't have offensive smells. This proposal is right in a neighborhood.

I do have a consultant for odor control, and I do plan n to review. Is the peer review a public process? Would the public be involved?

J. Cashell: Building permits are always appealable by direct abutters in 20 or 30 days. The appeal goes to the Zoning Board of Appeals. It is a local process.

S. Shah: I am using Epsilon Associates.

J. Mann: Yu cannot use a firm that is being used by an abuttor. There is a conflict.

Lauren King, 4 Birch Tree Drive: There is only one other facility in the entire country. Where is the nearest neighborhood to that facility?

How many kids are in that neighborhood? I'd like to find out its location.

The peer review, whether it is before or after the special permit needs to take into account this is not just a growth facility. It is a growth facility within a populated neighborhood full of kids.

The special permit process for the medical waste industry – how many of those that take short cuts to a special permit are in a neighborhood full of kids?

For me, the issue is 60,000 sq. feet of drugs. All of the chemicals to cover the smell, are there any studies done on release of those into the air? Can those cause any long-term effects for residents for their lungs, breathing all these chemicals? Are there any studies done on those chemicals, with residents within 400 feet of it?

H. LaCortiglia: Mr. Mason--MSDS sheets and TMDL's – will you submit those?

K. Baker: Yes. We will provide those.

Lauren King: It would be irresponsible for us not to consider the neighborhood location. There may not be that many comparisons with growing drugs this close to a neighborhood.

S. Sadler, 7 Hillside Drive: I've heard a lot of discussion regarding state-of-the-art scrubbers, data sheets.

Are there town or state odor standards that the state is requiring from these facilities? Or, is it as simple as it cannot create a nuisance? What do we use the MDS sheets or the TMDL's? Are there standards at state or town level?

190 J. Mann: We can't create a nuisance to abutting property owners. We are required to maintain a
191 nuisance free structure, and to mitigate nuisance. Our license specifically says that we cannot create
192 odor. We are obligated to prevent odor. I do not know what the other permits in town have done. I
193 am not aware of those.

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195
196 G. Comiskey: There is a history in town with the Hoods Coating Plant on Searle St. There were
197 emitting a smell in 1990. Neighbors were complaining for a couple of years. Abutters went to the
198 Zoning Board.

199
200 The building inspector used the nuisance ordinance of smell and told them to cease and desist until
201 they got rid of the smell. The business said no, and they went to court from 1900-2000 was a court
202 case. DEP and EPA got involved and finally shut them down but it took ten years. It could be a
203 matter of opinion. If a marijuana facility says that we don't think that there is a nuisance smell.

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205
206 J. Mann: This is not applicable. I think the Hood Plant did not have a state license, host agreement,
207 conditions with the Planning Board and other requirements with the special permit. We are subject to
208 much more stringent licensing requirements. That operating property was probably there before the
209 abutters moved in there. We would need to know more about the Hood Plant to opine. There are
210 so many controls in place now, that are not there for historic cases from the 1990's.

211
212 Jayme Fishman: I would add that this is a highly regulated industry at both the state and local level.
213 Under the Host Community Agreement, I believe that we are a partner with the community. The
214 dynamic is that we have to be a good business partner. We would not endanger that relationship; we
215 are subject to all the renewal approvals.

216
217 G. Comiskey: The Mission Dispensary -- are they subject to the same requirements?

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219 J. Mann: No, we don't know what their license subjects them to. But you can read our license, and
220 this is what we are subject to. I think the CMR's have been modified to include conditions that
221 people did not originally consider with the Mission project.

222
223 S. Sadler: It sounds like all marijuana facilities are bound by the same regulations. With that said, the
224 applicant has mentioned how the smell is related to the age of the building.

225
226 Has anyone spoken to Mission? I visited Mission. I saw spray foam everywhere.

227
228 I think we have an opportunity to work with Mission and get some information about what we didn't
229 do. That might highlight some things we could do for this application here.

230
231 H. LaCortiglia: There are physical dissimilarities between the two buildings.

232
233 B. Watts: At Mission, there are large rooms. Here, there are many small rooms. As we learn, we get
234 better.

235
236 J. Cashell: When you talk about the odor from Mission—recently it hasn't risen to the occasion where
237 it is recognized and enforced as a nuisance. In that case, the town would be forced to take action.

L. Graham: November 22 was my initial report. It was about 13 pages. I followed up on December 22 with another one-page review report that I have not had a response on.

On January 18th, I received a letter from the applicant's engineer. I have not thoroughly reviewed it. I sent a letter yesterday with only four items to perhaps discuss tonight.

{Planning Board, Town Planner, Larry Graham and applicant's representatives discuss the front yard about Long Hill Road; landscape; drainage; infiltration basins; overflow pipes; outflow areas; open space; number of trees; slope; stormwater;}

L. Graham: Can they landscape 80,000 sq feet with all the drainage in the front yard?

We need to get further into the landscape plan. Regarding turning the infiltration basins into rain gardens also—they are not interchangeable.

H. LaCortiglia: I would like to see a rendering of the hill, from the street on Norino Way, in conjunction with the engineer.

L. Graham: I think the landscape plan needs to be revisited.

J. Mann: Yes, it does.

J. Cashell: We are now focusing on the site itself, after the odor issue. Now is the time for a visual representation from Norino Way. The walls need to be engineered by a structural engineer.

It is landscaped open space, rain gardens, shrubbery. Landscape plan is and of itself this Board has jurisdiction over.

It is an important feature of a site like this, within the LongHill Road residential area.

{Larry Graham discusses with the Planning Board and Town Planner the Fire Department issues of drive aisle width; curb radii; grade on southern end of building; location of hydrants; emergency exit.}

H. LaCortiglia: Has there been a letter from the Fire Department?

L. Graham: I believe Ms. Mann got a response from the Fire Department.

J. Mann: They responded to T.J. Melvin. They basically said all issues were ok, but we do not have anything in writing.

H. LaCortiglia: I would like for the file, something in writing from Chief Savage that his is in agreement.

J. Cashell: The interim Fire Chief's issue is that there is an emergency exit out to LongHill Road.

{Planning Board, Town Planner and Larry Graham discuss 28 parking spaces; turnarounds, engineered walls; catch basins; grading;}

286
287 G. Comiskey: In your stormwater report, your TSS is 80%?

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289 L. Graham: I noticed that too.

290
291 T.J. Melvin: I'll have to update that worksheet. We should be well above the 80%.

292
293 G. Comiskey: I didn't see any test pit data.

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295 T. J. Melvin: I will get that data for you.

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298 H. LaCortiglia: Do we have a photometric plan yet?

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300 J. Mann: Yes. It was submitted.

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302 L. Graham: All you have is wall mounted lighting?

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304 J. Mann: Right.

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306 H. LaCortiglia: Will you please re-submit that plan? And, do we have a full plan set now?

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308 J. Mann: No, we are waiting for Larry's comments.

309
310 *{Planning Board, Town Planner, Larry Graham and applicant's representatives discuss traffic; pedestrian doors and*
311 *overhead doors; gate; exit signs;}*

312
313 L. Graham: How often does product come in and out?

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315 J. Mann: Two trips a week maximum. There is not a lot of activity.

316
317 B. Fried. Motion to continue Humboldt/2 Norino Way to March 23, 2022.

318 B. Watts: Second.

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320 Motion carries 5-0; unanimous.

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322
323 **Planning Office:**

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326 1. Ch. 57 Erosion and Stormwater Control and Major Development Review.

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328 J. Cashell: This public hearing is scheduled for February 23rd.

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330 G. Comiskey: I may have a proposed change in the regulations.

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332 J. Cashell: Those amendments can be proposed at the public hearing. Be prepared to suggest any
333 amendments you'd like.

Also, the Major Development Review regulations are new.

The Major Development Review Committee was led by Bruce and included Jean Nelson, Mike Birmingham, Jay Ogden and George Comiskey.

We have yet to assign a chapter number to those regulations i.e., Ch. 57 Stormwater. We need to come up with a number.

H. LaCortiglia: Is that something we should ask Town Counsel?

J. Cashell: Yes.

G. Comiskey: Can you send me a clean copy of the stormwater regulations?

J. Cashell: Yes.

H. LaCortiglia: I'd like a copy too.

2. FY23 Budget.

{Planning Board and Town Planner discuss current and FY23 expenses and salary line items.}

Motion to adjourn: B. Fried.

Second: J. Laut.

Motion carries 5-0; via roll call vote.

Meeting adjourned at 10:17pm.