



Town of Georgetown

MINUTES

Committee: Planning Board

Date: August 10, 2022

Time: 7:01 pm.

Location: via Zoom video-conferencing

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

Staff present: Town Planner, John Cashell; Administrative Assistant Andrea Thibault.

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:

J. Laut: Motion to accept the meeting minutes from July 27, 2022 as stated in our packets with edits.

B. Fried: Second.

Motion carries 5-0; unanimous via roll call vote.

Vouchers:

G. Comiskey: Motion to approve the voucher for MIMAP FY23 contract for \$2,000.00; as cited in our packets and on this meeting's agenda.

J. Laut: Second.

Motion carries 5-0; unanimous.

J. Laut: Motion to reimburse the Town Planner for office equipment \$244.99; as cited in our packets and on this meeting's agenda.

G. Comiskey: Second.

Motion carries 5-0; unanimous via roll call vote.

Public Hearing: G. Mello Disposal, 20 Carleton Drive.

H. LaCortiglia: Opening the public hearing for G. Mello 20 Carleton Drive. There is a request from the applicant to continue this hearing until August 24, 2022.

G. Comiskey: I move to continue the public hearing for G. Mello to August 24, 2022 at 7pm or thereafter in cyberspace (via Zoom).

J. Laut: Second.

Motion carries 5-0; unanimous via roll call vote.

47 B. Fried: Given the number of hearings on the agenda tonight, I'd like to move that each one is
48 allocated 30 minutes. I will be the timekeeper.

49
50 {*Planning Board agrees.*}

51
52 **Public Hearing: 93 Tenney Street Site Plan Approval.**

53
54 H. LaCortiglia: Opening the public hearing for 93 Tenney St. - Site Plan approval, continued from
55 July 27, 2022.

56
57 Deb Colbert, Engineer for the applicant: good evening. We are hoping to close the hearing on 93
58 Tenney St. The town's peer reviewer submitted his comments today.

59
60 We are waiting on Board of Health final approval and we expect to see that shortly.

61
62 We did make some adjustments to the plans for stormwater. The phosphorous and TSS had a higher
63 rate of requirement. We added debris rows after each catch basin.

64
65 We have a deep sump that comes into a Brentwood. Isolation rows catch TSS removal. We are
66 capturing 97%.

67
68 Also, phosphorous removal will be 99% in this system.

69
70 In addition to the revised plan, we added a detailed landscape plan. We enhanced and added
71 additional landscape. We will protect the row of trees owned by the abuttor.

72
73 We've added trees along Tenney Street and a wildflower mix that the Conservation Commission is
74 very happy with.

75
76 G. Comiskey: I'm satisfied with the changes.

77
78 We got a correspondence from another project in town. The building inspector denied the permit for
79 the 40% of landscaping.

80
81 I don't think that the Planning Board grants that waiver. It is in the intensity of use schedule. We can
82 approve the landscape plan, but you may need to contact the building inspector to get affirmation.

83
84 Deb, can you show that in our Site Plan review, where we can grant the waiver? The building
85 inspector is the zoning enforcement officer. He issued denials partly based on the 40% landscape
86 requirement.

87
88 Where can you point out to me where the Planning Board can grant that waiver?

89
90 D. Colbert: I cannot point that out. Perhaps we can get a conditional approval?

91
92 H. LaCortiglia: John, would you be able to write some draft conditions and incorporate Thad Berry's
93 comments that he sent out today?

95 J. Cashell: I'll do my best to have it for August 24.

96
97 H. LaCortiglia: Can I have a motion to continue to August 24, 2022, at 2022 at 7pm or
98 thereafter in cyberspace (via Zoom).

99 B. Watts: So moved.

100 J. Laut: Second.

101 Motion carries 5-0; unanimous via roll call vote.

102
103
104 **Public Hearing: 91 Tenney Street Site Plan Approval.**

105
106 H. LaCortiglia: Opening the public hearing for 91 Tenney Street, Site Plan Approval.

107
108 We received a response from our technical review expert today.

109
110 D. Colbert: Conservation Commission is very happy. The Board of Health has approved the septic.
111 We are asking for a waiver for the 40% landscaping requirement.

112
113 We reviewed the stormwater calculations. TSS is at 97%. Phosphorous is at 100% removal, due to
114 the flow rate and the infiltration rate of the soils.

115
116 H. LaCortiglia: There is an issue of utilities coming in underground. The plan does not mention that
117 they are temporarily above ground – but we can add it into the conditions. It is unfortunate that there
118 is such a backlog of transformers.

119
120 D. Colbert: Once we get the transformer, we will move the utilities underground and remove the
121 poles.

122
123 H. LaCortiglia: We will need to determine a bond amount for that. Do you have an estimate?

124
125 D. Colbert: I will get that to you in the next couple of days.

126
127 Javier Torres, 6 Birch Tree Drive: The entrance to that industrial facility will be on LongHill Drive, a
128 residential neighborhood?

129
130 D. Colbert: Yes.

131
132 H. LaCortiglia: That section of LongHill Road is industrial. We do the best we can to create a buffer
133 between industrial and residential.

134
135 J. Torres: Was there any consideration given for the entrance and exit to be on Tenney Street?

136
137 H. LaCortiglia: The entire front is wetland. For the environment, the best solution is the LongHill
138 Road entrance.

139
140 Lauren King, 4 Birch Tree Drive: When there have been people visiting that site, they are parking on
141 the bottom LongHill Road.

It is a tight intersection with Norino Way. There are school buses, cars and queue behind construction vehicles parking and blocking us in and out of our own neighborhood. It is the only exit and entrance.

What consideration is being given to the neighbors?

H. LaCortiglia: It is illegal to block a street without a police detail.

L. King: The construction parking turns a two-way road into a one-way road when construction vehicles are parked on the road.

H. LaCortiglia: The contractors are responsible for that issue. You would call the police department if the road is blocked.

J. Torres: Will this project submit a traffic study? We will be dealing with that traffic as well as the traffic from 2 Norino Way.

H. LaCortiglia: This is light industrial, low impact. There is no need for a traffic study. Any board members? Discussion?

G. Comiskey: There is only one shift, a day shift.

J. Torres: There are multiple developments immediately abutting a residential neighborhood, with only one exit and entrance.

H. LaCortiglia: 2 Norino is emergency exit only for the fire department.

Tom Hagan, 6 LongHill Road: What is the nature of the business?

D. Colbert: Light industrial with truck vehicle storage. Four to six personnel.

Sumul Shah, 4 LongHill Road: Related to traffic and parking on LongHill Road – Is it possible to create a condition for no parking on LongHill Road?

H. LaCortiglia: The Select Board would have to do that; it is not under Planning Board jurisdiction.

S. Shah: How about a commitment from the developer that no contractors will park along LongHill Road?

D. Colbert: I cannot speak for my client. Please speak to the contractors on site before you call the police. I cannot promise conditions.

G. Comiskey: I have the same concerns for 91 Tenney St. as I did for 93 Tenney St. I believe that there may be a variance required.

H. LaCortiglia: Draft conditions for 91 Tenney Street need to create a hold back for the temporary electric poles.

191 J. Cashell: I should have it ready for the next meeting. That bond can still be established before a
192 building permit is issued.

194 H. LaCortiglia: Is there a motion to continue to August 24, 2022, at 2022 at 7pm or
195 thereafter in cyberspace (via Zoom).

196 J. Laut: So moved.

197 B. Fried: Second.

198 Motion carries 5-0; unanimous via roll call vote.

201 **Public Hearing: 430 Andover Street, Special Permit.**

203 H. LaCortiglia: Opening the public hearing for 430 Andover Street.

205 *{Reads the public hearing notice into the record.}*

207 Rob Serino, 430 Andover Street: The plot plan is set to take Lot 2 to build a single-family residence
208 with an accessory dwelling. We need an easement through Lot 1 because the frontage is wetlands.

210 J. Cashell: This is unusual. I prepared this map relative to the plan that the applicant submitted. The
211 applicant has not submitted an ANR plan.

213 This is a horse farm with longstanding livestock use. This applicant would like to preserve as much
214 open space as possible.

216 Rob Morrison, 430 Andover Street: We want to build on the acreage behind us. We need an
217 easement because we can't go through the wetlands.

219 H. LaCortiglia: This is the first time since 1999, that I've seen access across lot frontage for a special
220 permit. There are a number of questions about how we can make this occur.

222 *{Planning Board, Town Planner and applicant discuss the plans; existing home; location of barn; proposed new home,
223 horse and livestock property; wetland issues, slope and grading; easements; potential parcel created in Boxford; Chapter
224 61A and change of use; two-acre zoning fire safety common driveway.}*

226 H. LaCortiglia: The easement will be on 1-2A.

228 R. Morrison: Yes.

230 B. Watts: Will there be another parcel created in Boxford?

232 G. Comiskey: I am wondering that too, Bob.

234 R. Morrison: There will be two six-acre lots, instead of one 12-acre lot.

H. LaCortiglia: A common drive permit may be easier. Chapter 165-73.1 is the access across lot frontage. A common driveway permit would allow you to waive the access across the lot frontage. We would need the fire department comments regarding safety.

Chapter 61A protection agricultural use with reduced taxes that you have on the parcel, and then having the home would have to be looked at. You may want to discuss that with the Board of Assessors. You haven't given the town notice that you'd be changing the use from agricultural to residential. You have two-acre zoning and change of use.

G. Comiskey: If the property comes out of Chapter 61A, it goes up to all of the Boards for right of first refusal for 160 days.

R. Morrison: I would like to withdraw without prejudice in order to reconsider the plans, and perhaps request a common driveway permit.

H. LaCortiglia: Is there a motion to allow the applicant to withdraw without prejudice?

B. Watts: So moved.

B. Fried: Second.

Motion carries 5-0; unanimous via roll call vote.

{Five-Minute Break.}

Public Hearing: 2 Norino Way/Humboldt East.

H. LaCortiglia: Opening 2 Norino Way, continued from July 27, 2022.

Jill Mann, Attorney for the applicant: The full team is here with me with the exception of the applicant Mr. Fishman.

We updated the landscaping plan to make sure that we extended the second emergency drive that the fire department wanted with the fencing and screening. We also located the transformer on the Site Plan.

We got comments regarding some issues from Mr. Shah and his consultants and we responded to them in writing. We got a letter from Attorney Kornitsky outlining the location and the eligibility; and then the separation and the validity of the waiver.

Sumul Shah, 4 LongHill Road: I submitted a memorandum in opposition of the waiver that was granted. I would be happy to defer to Mr. Kornitsky who is here, to speak on the memo.

Attorney Marc Kornitsky, for the abuttor Sumul Shah: This memo deals with the 300-foot buffer, the waiver and the eligibility.

H. LaCortiglia: Perhaps, the best thing to do is to summarize for us.

285 M. Kornitsky: I am a 20-year member of a zoning board. The 300-foot buffer that is provided, first -
286 it is my understanding that the bylaw itself requires that the distance be measured from the nearest point
287 of the property line from the marijuana business parcel.
288

289 I am not certain that the application contains the proper measurements.
290

291 I see in the site plan it provides distance from the building where the use will be conducted. With a
292 buffer, it is from the property line because the use is with the parcel.
293

294 It is about 58-feet across the street from a residential property. With the waiver, it is the applicant's
295 burden to demonstrate effectively that the marijuana business would be prohibited in the town.
296

297 The Board should carefully be certain that the applicant has met its burden. I don't know about the
298 34-lots that would meet the 300-feet in the district.
299

300 My client feels that he was prohibited from, or not permitted to make public comment and provide
301 evidence before that vote was taken. My client opposes this application.
302

303 J. Mann: We did comply with all of the requirements. The bylaw states a 300-foot separation.
304

305 In June 2019, the Town voted to give this Board the ability to waiver.
306

307 If the Board finds that the use would be prohibited in other lots in the marijuana district, and we
308 demonstrate to this Board that there is no possibility of diversion to minors, then a waiver can be
309 granted.
310

311 We showed you the plans.
312

313 Mr. Fishman did look at all of the available lots. They were either too small, or overburdened with
314 wetlands.
315

316 The bylaw says, are you able to locate this facility, or will it be prohibited?
317

318 Regarding diversion to minors, we demonstrated that the building is secure.
319
320

321 August 25, 2021, by a unanimous vote of the Board, those conditions were met. The conditions were
322 met.
323

324 H. LaCortiglia: What other issues were brought up that you mentioned?
325

326 J. Mann: The Dan Arruda letter.
327

328 Attorney Marc Kornitsky: I do have experience. I represented one of the first 13 marijuana facilities
329 in the Commonwealth. They had a similar experience in Cambridge with their license.
330

331 They provided evidence of approaching every single landowner in the district.
332

The property was located near Alewife. No one would accept an above market offer for their property. With that evidence, Cambridge found that it was elusory. It needs to be more than just the say so that the applicant couldn't find something else.

Town meeting spoke when they implemented the 300-foot buffer. It is a significant distance that the waiver is requested. I would suggest it may be time to reconsider.

Was there a finding as to the actual distance? Lots can be combined; the marijuana overlay looks to be a pretty significant district in terms of the property.

H. LaCortiglia: Please do it as expediently as possible, I know that the Board has reviewed it.

Resident's Presentation – See Exhibit 1, attached.

S. Shah: At the last Planning Board meeting, I promised we'd get our neighborhood together for a presentation. We all are very interested, and would like to have our say.

I've developed projects for 20 years; I've been in front of hundreds of Planning Board. I did my research carefully on the lots, I used GIS mapping to create 300-foot buffer.

The other two facilities meet the 300-foot setback in Georgetown, and other properties that do. I did include the apartments because they are the same landowner, much could be done creatively with that property.

Already two other facilities in town that meet the 300-foot setback, and there are other lots that meet the setback as well.

There are many different ways of building facilities in this town that are not 58-feet away from a residential neighborhood.

Dan Arruda, odor peer reviewer for the abutters: I've worked in the compliance, safety and operations of these facilities for seven years. I am a subject matter expert, with experience in multi-state operations. I've provided an assessment for my client. I will quickly summarize.

The HVAC filters were not called out in the plan. MERV13 in my experience are the only filters that will stop mold, mildew and odors from escaping.

There are no deep cleaning practices cited for mold, mildew in addition to decontamination.

The kitchen plan for the second floor is of concern. What is it used for? What will be produced? Not clear about the stoves, ovens, hotplates. Will they be infusing and what type of processing? A lot of these manufacturing processes create odor.

There are water usage and disposal concerns. How will all of the wastewater be handled, the nutrients and chemical in the wastewater? Will that be treated?

G. Comiskey: Is Mr. Lannan, our consultant here?

381 J. Mann: No. These questions are already answered anyway.

384 Kyle Baker, odor control for the applicant discusses the filters and how they are cleaned. They are
385 connected to the HVAC units. They are yet to be specified. In terms of mold and mildew, we are a
386 bio-security company.

388 Deep cleaning during end of harvest cycle with an EPA approved disinfectant. The filters are designed
389 to trap airborne particles.

391 D. Arruda: Oftentimes, if the space is not cleaned correctly, and from my experience, we have had to
392 use products such as Procure.

394 K. Baker: It is illegal to make an air disinfection claim.

396 D. Arruda: We are looking for a plan to decontaminate, especially inside those rooms. You will see
397 mold; mildew and you will see different infestations.

399 They do cause additional odors that will need to be cleaned by the HVAC system. I am wanting to
400 make sure that these things are addressed.

402 In my experience, and I've been in countless facilities across the country. I've seen complete bio-beds
403 that have been involved to deal with odors such as in Franklin, MA.

405 These cultivation facilities always tend to smell. We are trying to make sure that there is no odor
406 nuisance caused to this neighborhood and surrounding area.

408 This is something on the way to being regulated, but it is going to smell.

410 H. LaCortiglia: Your personal testimony is that every facility has an odor?

412 D. Arruda: Yes.

414 J. Mann: Regarding the kitchen - it is not a kitchen like a restaurant system. This is a lab system. All
415 exhaust will go through the scrubbers. I don't know what type of production or manufacturing could
416 occur in the lab.

418 D. Arruda: I am concerned about what cannabis processing is occurring in the kitchen lab on the
419 second floor that would be contributing to the odors. When you say Lab, will there be processing in
420 the Lab?

422 J. Mann: If you are talking about manufacturing of products, yes, it is possible. It will be conducted as
423 a lab space, not a kitchen.

425 D. Arruda: With a lab there will be processing of cannabis materials. That requires NAFAP1, Ch 30A
426 for extracting and processing.

H. LaCortiglia: We can move onto the next issue. Any odors created will be mitigated by the system they have created. If there are standards, the applicant will stick with those. Do you have a water usage concern?

D. Arruda: On the record, the processing or manufacturing of products within the kitchen lab space – there needs to be a plan in place and signed off by an engineer. There are some specific steps that need to be followed and should be included with this plan now.

I've actually been a part of many teams and have built more than ten 100,000 sq. foot facilities for the record.

D. Arruda: How will waste water be treated?

J. Mann: There is a tank pursuant to all Cannabis Control Commission regulations. It is not anything unusual.

D. Arruda: Are you sampling the waste water before it is allowed to be dumped into the collection tank, to be sure there is nothing unsafe that could be added to the tank that could potentially seep into the ground?

J. Mann: There is no ability to seep. It is an industrial holding tank. We have to test the production waste water before it can be exported and sent somewhere. Do your facilities test the water before going into the tank?

D. Arruda: Many times, we have to absolutely test the water for our water permits depending on the municipality and the location.

The plan did not seem have a plan to mitigate or reduce the water needs for the building to prevent disruption or cause nuisance to the neighbors or put a burden on the municipal system.? What is that plan?

H. LaCortiglia: We will be discussing that water usage issue later this evening.

D. Arruda: This is zoned for light industrial use. You have outlined a processing potentially, gases, chemicals, hazardous waste. That is not light industrial.

H. LaCortiglia: Light industrial means that none of that odor escapes.

D. Arruda: Because that kitchen is not built right, the smells will be escaping.

There needs to be a hazardous waste plan, it is necessary to see how hazardous waste will be handled. We are confusing cultivation with the kitchen/lab.

Alcohol and solvents are used to clean. There should be a hazardous waste plan in place to deal with the solvents, since the processing and manufacturing in the kitchen lab is unclear.

476 K. Baker: From my understanding there is no intention for extraction.
477
478 H. LaCortiglia: So, they will not be cooking marijuana or cannabis products?
479
480 K. Baker: Not exactly. There are different methods of extractions. These gases can be volatile and
481 extremely dangerous processes.
482
483 C1 D1 is essentially bomb proof areas. This facility is not exercising those. If they wanted to create an
484 edible, they will likely outsource that. That is my understanding.
485
486 D. Arruda: Even if you outsource, solvents would still be required. As such, there is a need to be
487 registered as a hazardous waste generator.
488
489 Oils heated on hotplates generate additional odors.
490
491 It is not clear exactly what is going to be happening in that kitchen lab. We need to be sure that it is
492 done safely and not to create an odor nuisance.
493
494 J. Mann: The Cannabis Control Commission regulates this.
495
496 D. Arruda: The Cannabis Control Commission does not regulate odor or hazardous waste.
497
498 Each separate room, the mother, the nursery, the clone, all share an HVAC system. Is each room on
499 a separate closed loop system or do they share?
500
501 I saw the floor and HVAC system; they appear all to join. Each mother room should have its own
502 closed room system.
503
504 An odor or infestation will be exacerbated and spread throughout the system.
505
506 Chris Gonzales, architect for the applicant: Individual rooms are sealed and locked with climate
507 control. From there they would go out to the mechanical systems. I need to refer to Kyle Baker.
508
509 Kyle Baker for the applicant: These are not MEP level drawings; they are conceptual designs to
510 illustrate basic design.
511
512 Each HVAC unit is in control of several different zones.
513
514 D. Arruda: Rooms are sharing zones?
515
516 K. Baker: Yes. That is an economic decision that the owner made.
517
518 B. Fried: We have gone well over; can we see Mr. Shah's presentation? I know it is last, but maybe he
519 can zip through it?
520
521 H. LaCortiglia: If we could move through this as quickly as you can please?
522
523 S. Shah: As an overview, the town already has multiple cannabis facilities, and more proposed.

Why is it ok to put a marijuana facility next to a residential neighborhood. There will be odor, clearing of trees, grade changes, lighting. They all change the character of the neighborhood. I've lived on LongHill Road for over twenty years.

The Planning Board should not approve this application. This facility is affecting families.

300-foot bylaw, people live in the apartment buildings it is zoned industrial but it is being used as residential.

58-feet from property line to property line.

Children aggregate in my home, attending backyard art school that my daughter teaches. The idea of building a marijuana facility less than 200 feet away from children learning art is not right.

There are many other sites that meet the requirements. As was stated earlier, the applicant has an obligation to inventory the other sites, they haven't done that.

Insurance documents are required and not provided.

It is possible that there are other locations. All of the marijuana facilities in the state (provides a map). There are very few under 300, seven are less than 180 and there is a reason why they are kept away. They create impacts. The only ones that are closer than 180 feet are a number mobile homes sandwiched between the facility and an airport.

Another facility there are two houses, a huge grade change and significant buffering.

Mostly there are industrial zones where these are places, not residential areas. All of these are nothing like the LongHill neighborhood.

85 or 84 are permitted, only 7 are this close. They are not meant to be this close to residential homes.

Odor is a bylaw to be mitigated. Mr. Arruda, Tech Environmental, Ms. Mann and every other consultant has agreed that this facility will cause a smell.

The issue with odor is that it is subjective. With stormwater and with sound, there are standards. There is no such standard with odor.

I appreciate the efforts of Tech Environment and the applicant to reduce the odor, but the fact is that it is going to smell in our neighborhood.

Regarding wind, it is predominantly from the west or southwest. In all cases we are directly downwind from the preponement wind.

I reviewed the fans that the applicant is proposing. Given the elevation, this facility will blow the air directly into the homes on Longview Way.

Noise also follows the direction of the wind, and will also carry and impact the neighborhood.

Tom Hagan, 6 LongHill Road: Lighting and Light pollution. As of now, we have very little light pollution. There are proposed 7 lights at 9070 lumens all facing our property. Removal of all the vegetation will worsen the light pollution our neighborhood experiences.

Regarding changing the character of the neighborhood, with all of the vegetation removed, we will be experiencing the light intrusion from the apartment complex.

The visual impact is not met, since the planting will take many years to grow to maturity. What will be the success rate of these plantings, especially with the summer we've had, will these plants mature?

We lose the character of the neighborhood significantly with this enormous building footprint.

H. LaCortiglia: We have a bylaw that prohibits the light from leaving the property line.

Javier Torres, 6 Birch Tree Drive: Traffic and security. I share all the concerns from my neighbors as well. Security measures are inadequate, with millions of dollars of inventory they only have a locked door.

With the traffic plan, it doesn't cover the number of trips to dispose of the waste water in the tank, there is no mention of that. It is understated. It seems like the plans are severely lacking.

S. Shah: One of the other concerns on traffic, is that it will be at night. The facility will operate more than one shift, which again adds to light pollution in the neighborhood with all the trees cleared.

Jason Halmen, 12 Long View Way: Water and noise issues. In Georgetown, we have experienced months of constraints on water usage with a water shortage.

Based from Cannabis Control Commission – it states

“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 an infrastructure perspective.”

The calculation, based on the Cannabis Control Commission's data, for this facility comes to 1.168 million gallons a year.

How is the town supporting this water usage? I cannot use water; I am on all restrictions - but we are giving up 1.168 million gallons? And, this is, ok?

I don't know if this has been addressed. Who has authorized this on behalf of the town?

Waste water storage on site, what is the size? This will have to be regulated by MA DEP which requires permits. I would like to see those permits.

What are the chemicals, cleaners, whatever else? This will be concentrated into a storage tank.

No one has answered the question – will there be hazardous waste on site? Everyone is dancing around the question.

Is this is ok surrounded by a residential neighborhood??

There are major concerns for the water usage. How much water can we give up for the town?

H. LaCortiglia: We have already discussed water usage. Ms. Mann, can you address the waste water tank?

J. Mann: A wastewater tank is an industrial holding tank. There isn't a requirement for a discharge permit because there is not enough water to trigger that, and we are discharging to a holding tank.

The Cannabis Control Commission calls any materials that touch cannabis hazardous waste. It can get flushed through a sewer system. We are not using PCP, when we use chlorine dioxide, we use a type of dissolution that is not hazardous.

This is not a spray room with an auto body store where there are actual solvents. Yes, there are fertilizers, pesticides, solvents and cleaners but they are not the type.

H. LaCortiglia: The water going into the tank is not going into the septic or the groundwater. It will be trucked off the facility. Is that correct?

J. Mann: Yes.

G. Comiskey: Watering marijuana should only be 2-3 days a week. Are you watering every day? Are you open 5-days a week?

J. Mann: No, these systems are automated.

Kyle Baker for the applicant: I am not a cultivator. It depends on the kind of media. Soil requires less water; coconut coir requires more water. So, water usage varies from plant to plant; and different growing methodologies. Different growers have different methodologies, some water once or twice a day, some water every other day.

G. Comiskey: Water usage is a big concern in Georgetown. A few years ago, I asked how much water the Mission facility is using. Based on what I was told, Mission is maybe using 180,000 gallons a year. This is a much bigger facility.

I am thinking about capping water usage based on a year amount, with a fair number. I don't know the total size of Mission compared to your cultivation.

I am going to come up with a number, and if you don't like the condition, you can justify why you can't reach that number. You might have to deal with satisfying that condition.

The resident is right, water is a big issue in Georgetown.

The draft conditions do not satisfy that concern.

668
669 J. Mann: I have given you the information regarding the square foot amount. There is water usage per
670 square foot. It is the way it calculates out.
671
672 H. LaCortiglia: Perhaps that would be best discussed with draft conditions.
673
674 J. Halman: They will need 15 20-ton condensers. Noise from the building will total at a sound rating
675 of 80.7 decibels.
676
677 At over 80 decibels, with 8 hours exposure, you are at risk of hearing damage.
678
679 They will be running 24/7. Where are they putting 300-tons of condensers, and how will that noise
680 not be offensive to the neighborhood and the surrounding area?
681
682 J. Mann: We have a closed facility; all of the mechanicals are inside. We exhaust through the attic
683 space.
684
685 J. Halman: That is physically impossible. You cannot have a sealed system and reject heat inside a
686 building. It has to reject heat outside.
687
688 So, when the MEP plans come out, and the condensers are outside- then they are in violation, correct?
689
690 J. Mann: We do not have any condensers outside. There is no outdoor equipment.
691
692 H. LaCortiglia: It would require a modification of the permit.
693
694 J. Halman: Additionally, you will also have the high plumed external exhaust noise as well, that noise
695 has not been calculated.
696
697 I disagree that there will be no heat of rejection taking place outside.
698
699 S. Shah: Could you state your HVAC credentials for the record, Mr. Halman?
700
701 J. Halman: I work for FW Webb; I am the Director of commercial and applied HVAC systems for
702 nine states. We physically design, and sell HVAC specially for grow facilities. My equipment is in
703 three grow facilities in MA- one in Newburyport, one in Brockton one being built in western MA.
704
705 I can speak to how these facilities are heated and cooled.
706
707 Lauren King: 4 Birch Tree Drive; I am a school principal and on the Georgetown School Committee.
708 I am very invested in children. There are reminders to the Board to consider as they make this
709 decision for our neighborhood and how it impacts our families.
710
711 Our neighborhood is going to have to discuss this with our children. Today's marijuana is a drug that
712 can cause some harmful effects, it is much different than living next to a farm with odor.
713
714 There are risks to our children. When we purchased our home, there was an industrial zone at the end
715 of the street. Nine years ago, this was not legal in MA.

716
717 There are unintended consequences of long-term hazardous effects for a child's physical and mental
718 health.

719
720 The CDC has information regarding the negative effects of teen marijuana use.

721
722 The US Dept. of Health and Human Services. The surgeon general emphasis protecting us from the
723 health risks of marijuana. It is much more potent in the past. It is still an illegal drug under federal
724 law.

725
726 This is impactful for a neighborhood of families.

727
728 S. Shah: We have provided information and ask that the Board reject this application.

729
730 John Cancellera, 8 LongHill Road: As a point of order, there seems to be disagreement on whether
731 there will be an odor.

732
733 If there is an odor, it will have a significant impact on the livelihood, and property values of about 50
734 homes.

735
736 What do we do if we roll the dice and accept the mitigation and move forward, and it turns out that
737 there is an odor. What is your recourse?

738
739 J. Mann: We have designed a very intricate and robust system. If there is an odor, there is a 24-hour
740 hotline to report. We will address any odor and eliminate it.

741
742 J. Cancellera: What would be our recourse in enforcing this mitigation plan? Are there provisions in
743 the town regulations are there to protect us from odor requirement violations? Is there an objective
744 measurement in the town? Or could we homeowners be left high and dry?

745
746 H. LaCortiglia: Unfortunately, it is subjective, it is not quantifiable. As far as recourse, we are looking
747 at conditions tonight. There are ways to address and odor release if it did occur.

748
749 G. Comiskey: The building inspector can order a cease and desist.

750
751 J. Cancellera: How does the building inspector order a cease and desist without any bylaws? Ms.
752 Mann, would you agree with that?

753
754 Is there a requirement that there is no odor?

755
756 Would your position be that you are implementing the town approved?

757
758 J. Mann: The conditions have not been finalized yet. The condition is that we do not create a
759 nuisance with odor.

760
761 J. Cancellera: Intentions aside, I suggest a special condition that addresses odor. What would the
762 objective test be? If we cannot do that -- then we'd be forced to reevaluate the 300-foot waiver.

764 Michael Hornberger, 198 E. Main Street: The allowance for the buffer, was that a town-wide decision
765 and could that be opened to the town?
766
767 Can there be a town-wide election before the permit is put in place?
768
769 H. LaCortiglia: The ability for the Planning Board to approve a waiver - it was put on town warrant,
770 and voted on at town meeting.
771
772 The Planning Board voted for the waiver unanimously.
773
774 Town Meeting requires 2/3 majority as most zoning changes used to be. That was done several years
775 ago.
776
777 J. Cashell: This Zoom meeting will be shutting down at four hours.
778
779
780 D. Arruda: Regarding water – marijuana plants are required to be watered daily, by hand watering,
781 drip, or machine system. You may want to have a water usage condition.
782
783 Again, with all the chemicals, the concern for me is not having a hazardous waste management plan.
784
785 I would ask for a condition to at the very least to have a plan in place and adherence to all federal
786 OSHA requirements that would be applicable to that facility.
787
788 Steve Sadler, 7 Hillside Drive: Our town recently has been designated as an environmental justice
789 community. I don't know if this particular project requires any type of state review through MEPA.
790 There are other marijuana facilities proposed to be built withing town.
791
792 Do we need to look at this impact as a whole to all of these to the town?
793
794 H. LaCortiglia: The EJ is located around the ponds.
795
796 S. Sadler: Yes, it is in within 5 miles. Do we have to look at this collectively? Along with the other
797 applications in town and is that a requirement?
798
799 H. LaCortiglia: Not to my knowledge.
800
801 Darci Halman, 12 Longview Way: It was great to hear of a potential mitigation. The other company
802 eventually had a cease and desist. How long did the cease and desist take?
803
804 G. Comiskey: I can elaborate. I told the story before. The zoning board voted to hold Hood
805 Coatings accountable, and told the building inspector to cease and desist and he wrote the order.
806 Hood Coatings went to court. It was a long legal battle before they got them to comply.
807
808 D. Halman: If something wasn't being complied with, it would become a legal issue and potentially a
809 long-drawn-out process.
810

My grass is brown and dry. With the water restriction issues, how can any watering be done outside to create aesthetic appeal? We want the full-grown trees; how will that happen with the lack of watering.

H. LaCortiglia: The water will be trucked in, to irrigate all the vegetation that first year.

D. Halman: Even with a watering plan, is there a mitigation plan if it does not take root in one year or five years? Is there mitigation plan for external landscaping like there is for sound, odor, and lighting?

Craig Cooper, 1 Beechwood Drive: We bought our home 12 years ago. It is a wonderful neighborhood, there are a lot of kids.

I vigorously oppose a marijuana facility. It is morally wrong, it is bad for our neighborhood, bad for our property values, bad for our children. When they go to school, they will be known as kids from the weed neighborhood.

I never would have bought my home here had I known. Putting marijuana in a residential neighborhood, aside from the water, lighting, noise, odor issues.

If there is a smell creates issues with our children.

If this facility were going into your neighborhood, would you be ok with it?

J. Cashell: We should consider continuing this before everyone has to be noticed again. I suggest we wrap things up and continue to the next meeting.

Javier Torres, 6 Beechtree Drive: Have you considered the provision for immediate recourse, the odor concern being the major one – could the Board consider three strikes and you are out?

What immediate action can be taken should there be repeated violations for the nuisance clause, that was the basis for granting the exception to the 300-feet.

Any more questions from the public? Any more questions from the public?

H. LaCortiglia: I'll accept a motion to close the public comment period.

J. Laut: So moved.

B. Fried: Second.

Motion carries 5-0; unanimous.

H. LaCortiglia: We have seven minutes left. I was hoping to review the draft decisions. What do we have on August 24.

J. Cashell: We already have six hearings on the 24th. I would suggest for September 14. It is unavoidable.

Cable TV shuts off recording here.

859
860
861
862
863
864
865
866
867
868
869
870
871
872
873
874
875
876
877
878
879

H. LaCortiglia: I'll hear a motion to continue to September 14, 2022, at 7:00pm in cyberspace on Zoom.

G. Comiskey: So moved.
B. Fried: Second.
Motion carries 5-0. Unanimous.

Motion to adjourn: B. Fried.
Second. B. Watts.
Motion carries 5-0. Unanimous.

880 Meeting adjourned at 11:00pm.