

PLANNING BOARD
Meeting Minutes
Thursday, September 24, 2020
6:00 P.M.

PB Members Present: Brandon Quesnell, Paul Graves, Jeffrey Mulliken, Ross Zachs, Paul Kelly and Steven Azar.

Members Absent: Monica Stubner (excused) and Marianne Clements (unexcused).

Staff: Thaddeus Soulé (Town Planner).

Mr. Soulé introduced the virtual hearing, explaining the reason the Public Hearing was being held virtually. He then called the roll.

Chair Brandon Quesnell called the Planning Board Public Hearing to order at 6:00 P.M. and turned the meeting back over to Mr. Soulé, who then explained how the Board, the applicants and the public could participate remotely, and reviewed the meeting protocol.

1. **Public Comment:** None.
2. **Consent Agenda:** Approval without objection required for the following item: None.
3. **Public Hearings:**

PLN 20-34 (*postponed to the meeting of October 22nd*)

Application by **Keith LeBlanc**, of **LeBlanc Jones Landscape Architects**, seeking a Site Plan Review pursuant to Article 2, Section 2320(A), High Elevation Protection District (A), of the Zoning By-Laws for changes to parking, stairs, and walkways, and adding a wood deck, and installing a pre-fabricated swim spa, an outdoor shower, retaining walls, and native plantings on the property located at **14 Thistlemore Road**.

PLN 20-2007

Application by **Robin B. Reid, Esq.**, on behalf of **BWell Holdings, Inc.**, requesting a Special Permit pursuant to Article 2, Section 2440, Permitted Principal Uses, B15, Marijuana Establishments, Industrial, of the Zoning By-Laws to create a marijuana production facility on the property located at **45 Court Street (General Commercial Zone)**.

Presentation: Attorney Robin B. Reid, on behalf of the applicant, and Karen Nash, the principal of the applicant corporation, were in the meeting to present the application. Attorney Reid said that the business would be located in bay 2 of the building on the premises. That bay is now occupied by Fay's Automotive. She said that the production aspect of BWell Holdings, Inc. has a Special Permit to operate in the rear building at 220 Commercial Street. Ms. Nash had the opportunity to move to this larger space outside the downtown area. The proposal is to give up the previous Special Permit and obtain one for this property. Attorney Reid said that this was a small operation and would comply with all state Cannabis Control Commission regulations. This will be a small infusion and assembly facility, but is categorized as 'industrial' by the Zoning By-Laws. She described the

machinery to be used in the process, a nano-emulsifier, as being comparable to the size of a desktop computer tower. It works by taking the marijuana concentrate and making it water-soluble so they can then be atomized. There will be no processing of marijuana flour on the premises the extracts will be purchased wholesale, so no extraction will be done, and no growing will occur onsite. The water is distilled and purchased wholesale and brought to the site for use. There will be no odors or noise generated as a result of the process. All of the products used in the process will be stored in secure vaults, packaging and labelling will be what is currently appropriate for marijuana products; detailed labels with content warnings and child- and tamper-proof packaging. Not much trash will be generated, and that which is, will be handled inside the building until it is hauled away by a qualified hauler. All state CCC regulations will be followed. All transportation of final products will be during off-hours by a licensed marijuana transportation company. There will be limited site changes, including the installation of a generator behind the building on the north elevation. A bike rack will be placed onsite and designated parking spaces for employees will be created. Security lighting is shown on the site plan. All state CCC security and operational regulations will be followed. Access to the building will be strictly controlled. Ms. Nash has contracted with Helix Security, which strictly handles security for marijuana establishments, to install the system for the security infrastructure, including the installation of alarms, motion detectors, and monitoring cameras, and undertakes risk assessment and employee vetting. The security plan has been reviewed and approved by the CCC. The generator will be exercised in the middle of the day on a week day. Ms. Nash is willing to add more motion-detector lighting if requested. Attorney Reid argued that the benefits outweighed any adverse effects. The benefits include 3 full-time jobs, adding value locally by creating products here that are sold elsewhere, providing medical grade marijuana to those who are qualified for, and benefit from, it, generating revenue in the form of taxes and contributions to the Town's charitable fund. In addition, BWell Holdings, Inc. is going to contribute to the establishment of an incubator and commissary kitchen providing the public with opportunities to enter the marijuana production business. There are no adverse effects as a result of this proposal, no congestion will occur, as less traffic will be entering the site, no hazards will be created, and there will be no environmental degradation associated with the production process.

Public Comment: None.

Board Discussion: Mr. Soule commented on the proposal, clarifying that the applicant intends to relinquish the Special Permit for the back building at 220 Commercial Street and a correction as to how much money goes to the Town as a result of the operation. The Board questioned Attorney Reid. Ms. Nash says that she is aware of the flooding issues on Court Street and has made provisions to work around the issue until the Town establishes a pumping station in the neighborhood.

There was a motion by Jeffrey Mulliken to grant a Special Permit pursuant to Article 2, Section 2440, Permitted Principal Uses, B15, Marijuana Establishments, Industrial, of the Zoning By-Laws to create a marijuana production facility on the property located at 45 Court Street (GC). Paul Graves seconded. VOTE: 5-0-0.

4. Work Session:

a) Pending Decisions: None.

b) Minutes of September 10, 2020:

September 10, 2020: *There was a motion by Ross Zachs to approve the minutes of September 10, 2020 as written. Paul Kelly seconded. VOTE: 6-0-0 by roll call.*

c) Any other business that may properly come before the Board: None.

There was a motion by Jeffrey Mulliken to adjourn the meeting at 6:30 P.M. Ross Zachs seconded. VOTE: unanimous by roll call.

Respectfully submitted,

Ellen C. Battaglini

Approved by _____ on _____, 2020
Thaddeus Soulé, Town Planner,
on behalf of the Planning Board