



**CITY OF GLOUCESTER
PLANNING BOARD
MEETING MINUTES
October 6, 2016**

7:00 P.M.

**Kyrouz Auditorium
9 Dale Ave, Gloucester
Richard Noonan, Chair**

Members Present: Rick Noonan, Chair, Mary Black, Vice Chair, Shawn Henry, Doug Cook, Joe Orlando, Henry McCarl
Staff; Gregg Cademartori, Planning Director, Matthew Coogan, Senior Planner

I. BUSINESS

A. Public Comment- None

B. Review of Outstanding Unapproved Minutes-

Motion to approve the minutes of August 18, 2016 was made by Ms. Black, seconded by Mr. Cook and unanimously approved.

Motion to approve the minutes of September 15, 2016 was made by Mr. McCarl, seconded by Mr. Henry and unanimously approved.

II. CONSENT AGENDA

Planning Board to consider the *Approval Not Required* Plan submitted by Carrigan Enterprises Inc. to create 4 new lots at **21 Massasoit Road** (Assessors Map 231, Lot 16).

Debra Eliason- Eliason Law 63 Middle St. Gloucester

Attorney Eliason stated that there were two applications for the same lots. They are tied together. She requested that the public hearing for the common driveway also be opened.

Mr. Cademartori stated that the ANR is the first threshold of the process to see if the lots can stand on their own.

Attorney Eliason disagreed and asked that the public hearing be opened so the board could consider the entire proposal as one.

Mr. Noonan supported Mr. Cademartori's statement that the ANR was to be heard first.

Attorney Eliason presented the history of the access of the road to the board stating that the road had been used in the past. She stated that it is of sufficient width and frontage and that a common driveway is the best design for the site. Access by the common drive provides a beneficial means for traffic and storm water management. The fire chief also agrees with the common drive for a turn-around for the truck.

Mr. Noonan stated that in 2014 the board previously decided that the lots were not buildable because there is no reasonable access. The condition of the road remains the same as in 2014.

Mr. Cademartori stated there is no evidence that a vehicle has travelled that road. There is a point in the road where it is not drivable.

Mr. McCarl stated that there has been no substantial change out there since 2009. At both site visits there wasn't sufficient access.

Attorney Eliason requested that the application be withdrawn without prejudice.

Motion to accept the withdrawal of Approval Not Required Plan submitted by Carrigan Enterprises Inc. to create 4 new lots at 21 Massasoit Road (Assessors Map 231, Lot 16) without prejudice was made by Mr. McCarl, seconded by Mr. Orlando and unanimously approved.

III. PUBLIC HEARINGS

In accordance with MGL Chapter 40A, Section 9, and City of Gloucester Zoning Ordinance, Sections 1.8 and 5.21, Gloucester Planning Board to consider the following application:

Carrigan Enterprises, Inc. for a **Common Driveway Special Permit**, Section 5.21, to serve four lots at **21 Massasoit Road** (Assessors Map 231, Lot 16).

Motion to withdraw the application for Carrigan Enterprises, Inc. for a Common Driveway Special Permit, Section 5.21, to serve four lots at 21 Massasoit Road (Assessors Map 231, Lot 16) without prejudice was made by Mr. McCarl, seconded by Mr. Orlando and unanimously approved.

II. MAJOR PROJECT SPECIAL PERMIT REVIEW

In accordance to the City of Gloucester Zoning Ordinance, Sections 5.27 and 5.7.4, Gloucester Planning Board to review the following applications:

Happy Valley Ventures MA, Inc. for a Major Project Special Permit to construct a Medical Marijuana Treatment Center and Cultivation Facility at **38 Great Republic Drive** (Assessors Map 263, Lot 64)

Attorney Joel Favazza

Attorney Favazza presented a power point presentation to the board which showed the site for construction. It would be open for business in 2019. As the business grows a second facility will be built. He reported that departmental reviews are currently taking place and the Fire Chief did request that a separate gated emergency access be installed. The presentation included parking, major project review and site plan review standards were explained in relation with the project. Until the project is put out to bid a cost cannot be calculated. If permits are received this fall, construction will start in the spring.

Mr. Cademartori stated that the project has been referred out to other departments for review and comment.

Attorney Favazza stated that the initial building will have production and R&D. The second building will be expansion of the work done in the first building. None of the marijuana will be grown in Gloucester The site is manufacturing and retail only.

Mr. Noonan stated concern regarding the two applications for the same type of facility that are within 500 feet of each. City legislation was passed that these types of facilities must be a minimum of 1500 feet of each other. He asked the board to take a ride up to see where the site and layout will be.

Mr. Henry requested clarification of the importance significance of the letter of non-opposition that comes from the city. To propose these types of facilities involves a very long process and local legislation states that they can't be within 1500 of each and tonight we have two that are within 500 feet of each the presumption is that one or the other will not be allowed. At some point the city will need to decide if a 1500 foot buffer is needed. The city needs to determine what is the starting point, what is in process and if the regulation is needed.

Attorney Favazza stated that City Council has to wrestle with the use permit portion of the application. The planning board needs to look at each application independently and let the city council decide on the number of facilities allowed in Gloucester.

Mr. Henry stated that if there is the potential of not getting approved because of the distance limit and someone else got there first. It is incumbent of the city to spell out the process so it is upfront and fair.

Mayflower Medicinals, Inc. for a Major Project Special Permit to construct a Medical Marijuana Treatment Center at **41 Great Republic Drive** (Assessors Map 263, Lot 58). *Also being reviewed by Planning Board under Section 5.8, Site Plan Review.*

Bruce Tobey, Noon Lope Deveroux & West, 81 Main St, White Plains NY
John Henderson- CEO Mayflower Medicinals
Jaime Lewis COO Mayflower Medicinal
Attorney Adam Farnham
Brain Anderson- Architect
Charles Ware- Meredian Associates

Attorney Tobey gave the history of Mayflower Medicinal. He stated that the operation will be located in an existing 2500 s.f. existing building. He explained the site and interior use of the building. Products will be brought in from Hollister Mass. There are no significant impacts for parking because the property is fully functional as is.

All improvements will be confined to the interior of the building, other than a 66 foot paved area. It is a positive fiscal impact for the city and will meet social and medical needs of the community. The major project and site plan standards were presented in relation to the project. Projected opening will be in November 2017. The building permit triggers the process.

Mr. Cademartori questioned the parking areas for Mayflower in relation to the entrance to the facility.

Mr. Anderson explained that Swan Net will use the rear parking and that there was a chain link fenced area for Mayflower patients.

Mr. Henderson explained that there is an arrangement with the landlord that patient access would be isolated and is a short walk to the entrance.

Mr. Orlando asked for the security of the building to be explained.

Ms. Lewis stated that there will be 24 hour security. Anyone coming in has to show proper state identification. Swan Net employees will not have access to the facility. Only the landlord will have access and is subject to a background check.

Ms. Black asked for clarification regarding access for pedestrians and truck access.

Mr. Anderson explained the access for trucks for Swan Net and for Mayflower patients. An onsite security guard will help with traffic.

Mr. Orlando requested a site visit.

Mr. Orlando asked how many people would be hired.

Ms. Lee stated 15 maximum.

Mr. Cademartori stated that the other facility stated that 19-30 people would be employed if a seconded facility is constructed.

Mr. Cademartori asked the home delivery that was in the narrative; how would that happen and what percentage of the business would it be.

Ms. Lee stated that it would only be to patients who are homebound and there are extension amounts of regulation for a facility to be allowed to provide that service.

Mr. McCarl and the entire board stated concern with the acceptance of two applications and if it fair and equitable for the applicants.

Mr. Henry asked if Gloucester can support more than one facility

Mr. Henderson stated yes.

Mr. Henry stated that the regulation needs to be revisited again because the city has limited the areas of where these facilities can be located.

The board discussed at the length the merit and need of the 1500 foot buffer between building sites.

III. NEXT MEETING

Next regular meeting of the Planning Board October 20, 2016 (may be subject to change).

Planning Board Members: If you are unable to attend the next meeting please contact the Planning Office at (978)281-9781.