

**Town of Hatfield
Planning Board Minutes
Memorial Town Hall
January 5, 2022**

Members Present: Chair Stephanie Slys, Jimmy Tarr, Bob Wagner, Paul Dostal, Mike Paszek
Admin: Gerard Bueno

Attendees: Kim Baker (via remote), Eric Van Geel (via remote), Dan Fuqua (via remote), Martin Omasta (via remote), Paul Cernak, Michelle Kersbergen, Bernie Smiarowski, Chris Chamberlain, Jared Glanz-Berger

Chair opens meeting at 6:02 PM

Public Forum

No public comments

ANR Straits Rd, Paul Cernak

Paul Cernak is present for the meeting. He is looking for an Approval not Required for a parcel on Straits Road. It is a 7-acre parcel that he would like to make into a building lot. Bob Wagner verifies that the Board isn't approving any projects today. They are confirming that the parcel meets the minimum requirements. The Sq FT is 49,000 and the frontage is 700FT. This does meet the requirements. Jimmy Tarr makes a motion to approve the ANR. Bob Wagner seconds. Motion passes.

Special Permit discussion with Black Birch

Michelle Kersbergen is present for the meeting. Black Birch would like to discuss with the Board regarding their Special Permit. Chair Slys agrees that this is an important conversation to have. Chair Slys references the Entertainment and Pouring license that the Town approved for Black Birch LLC. The hours of operations that were in the Special Permit dictated the hours with these licenses. The Permit the Planning Board approved for Black Birch in March 2017, set the hours of operations be set from 12pm-6pm. Michelle Kersbergen would like to extend the hours of operations in order to have special events and gatherings throughout the year. Small discussion on the current Special Permit. Bob Wagner recommends that Black Birch submit a Special Permit amendment sooner rather than later so that by the spring months they would be able to adjust, pending the decision by the Board. Michelle Kersbergen agrees and will be in contact with Admin Assistant Gerard Bueno for submitting a Special Permit with Site Plan Approval. The next meeting will tentatively be February 2nd. Michelle Kersbergen believes she can get something submitted prior to that date.

Potential grow facility, Bernie Smiarowski

Bernie Smiarowski and Jared Glanz-Berger are interested in purchasing property off Straits Rd. They would like to have 3-4 cannabis grow facilities on the property, along with a potential solar array that would power the facilities. Chris Chamberlain of Berkshire Design Group is representing the project. He shows a rough draft of a potential proposal. It is in the early stages. The property is 38 acres and is off North Hatfield Rd with access also on Straits Rd. Small discussion on Site Plan. Jimmy Tarr asks about the location of the solar array. This would not be included in the Special Permit application. Chris Chamberlain states it will be proposed at a later time. Further discussion on the proposed site plan and the 500 FT required setback. Chris Chamberlain explains that Bernie Smiarowski would become the owner and their plan would be to lease 3-4 tenants to use the grow facilities and each would be licensed through the Cannabis Control Commission. Bernie Smiarowski and Jared Glanz-Berger would operate as landlords leasing out to 3-4

facilities. Chair Slyszy inquires if there is a precedent for this type of practice. Jared Glanz-Berger explains there is a precedent that has been set and there are a handful of these type of projects in the State already. Small discussion on how the operation would work. Chris Chamberlain points out that in the Towns bylaws, it states that "Special Permit may be limited to current applicant..." The question is, would this Special Permit be granted to Bernie Smiarowski and Jared Glanz-Berger as the landlord? Would there be further requirements imposed to the lessee of the fields? Chair Slyszy believes they would need to get further clarification from town Attorney Tom Mullen. Chris Chamberlain explains that they will be going before the Conservation Commission to request a negative determination. When they get this request, they plan on submitting for a Special Permit with Site Plan. Further discussion on the Site Plan.

Follow Up discussion on 137 N. Hatfield Rd

Chair Slyszy reads the response from Attorney Tom Mullen in regard to rezoning of 137 North Hatfield Rd. During the Planning Boards December meeting, there was a request to rezone for 3 of 4 lots at 137 North Hatfield Rd to light industrial. This was brought to last years town meeting, so there needs to be 2 years before this request can be made again.

Discussion on Master Plan at Large draft notice

Chair Slyszy reviews the draft notice from the Select Board to solicit at large community members to join the Master Plan Committee. Small discussion on the Master Plan committee membership.

Approvals of minutes from 12.1.21 meeting.

The Board reviews and makes correction to the minutes.

Paul Dostal makes a motion to approve the minutes. Bob Wagner seconds. Motion passes.

Next Scheduled meeting is February 2

Jimmy Tarr makes a motion to close the meeting. Paul Dostal seconds. Motion passes.

Meeting adjourned at 7:16 pm.