

**Planning Board Minutes
Memorial Town Hall
May 4, 2022**

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

Attendees: John Pease, James Smiarowski, Eileen Miller, Matthew Marchand, Jillian Marchand, Kim Baker, Ron Smiarowski, Anne Holhut, Robert Holhut, Devon Elliot, Chris Omasta, Greg Omasta, Cynthia Moskal, Kathleen Wyckoff, Robert Wyckoff, Linda C. Milewski, Jim Doty, Rajeev Srinath, Virginia Martell, Bernie Smiarowski, Isaac Fleisher, Petrus Van Geel, Michael Bartlett Elizabeth Berringer, John Merz, Janet Williams, Chris Chamberlain, Jared Glanzberger, Howard Haberman, Eric Bodzinski

Chair opens meeting at 6:00 PM

Chair Slys and the Board recognize that after 20 years, this will be Paul Dostal's last meeting. There are 2 candidates for the seat. The Town Elections will be Tuesday May 17th.

Public Forum

No public comment

Public Hearing

Chair reopens public hearing. Public Hearing is continued from the April 28th meeting. Chair Slys verifies the format of the hearing. The applicants present to the Board, then supporters will address the Board followed by any opposition to the project. All questions and concerns will be directed to the Chair and the Board. Once support and opposition have been made, the Board has an opportunity to ask questions to the Applicant. Then they will close the public hearing and the Board will deliberate. Chair Slys gives the floor to the applicant. Bernie Smiarowski reads a written statement giving an overview of their proposed project. He, along with his brothers, and Jared Glasnberger own the property under the title Straits Rd LLC. Isaac Fleisher, the attorney for Straits Rd LLC is also present. Chris Chamberlain who is the lead engineer of the project presents the site plan to the Board.

The entire parcel is 38 acres with multiple agricultural fields. The parcel has access from both North Hatfield Rd and Straits Rd. There are two wooded areas on the parcel and a few wetlands that include agricultural ditches. There are no existing structures on site.

Chris Chamberlain explains that the project that is being proposed is a limited scope on this parcel. The project proposed is an area off Straits Rd, with proposed security fencing enclosing the area. Structures will include 3 greenhouses at 30FT/69FT each, and a separate trailer for offices. The long-term plan would be to own the parcel and lease the other fields to different growers. This permit the applicant is seeking now is for work on just this site plan.

Chris Chamberlain is confident that the site plan meets all zoning requirements. In rural residential zone, cannabis grow is allowed with a Special Permit. There is 500FT set back. The site plan shows that the proposed security fence is well beyond 500FT from the nearest residential property. All proposed work is well outside the 500FT radius. The plan is for single phase power use off Straits Rd. There is a new private well on site. Applicant plans to propose a solar array in the future but not with this site plan. They are requesting a waiver from a stormwater management plan. They feel impact is sufficient on the very flat side where water will run over. They are confident it will be retained within the site.

Details for security will be presented to the Police Chief for review. They will have an 8FT chain link fence with privacy screening. Chris Chamberlain states that the security personnel will be on site or on call 24/7. One identification sign on property which will show the address. The site will not be opened to the public.

Employees and authorized visitors will be the only one on premise. Chris Chamberlain addresses order mitigation. This site plan is primarily an outdoor grow facility. One of the three greenhouse will be for the mother plants. Vegetation buffers and spread-out nature of the outdoor make it so that Straits Rd LLC feels this will control the odor. Regulations in this zone are easily met on a 38-acre site. Chris Chamberlain emphasizes that the Marijuana license issued by the Cannabis Control Commission, goes to the lessee of the property.

The Board has some clarifying questions. Paul Wagner is curious if the 3 greenhouse structures are permanent structures. Applicant verifies that they are essentially hoop houses that are not permanent. Small discussion on the licensing process. It is clarified that licensee is required to go through the state regulations and Cannabis Control Commission. Jimmy Tarr asks about the number of plants. Applicant does not have a numbered estimate. Isaac Fleisher explains that the plant can occupy up to 100,000 SF. They anticipate fewer than 100,000 plants. Small discussion on security. Jared Glanzberger identifies the security team and their credentials. Bob Wagner states that he has spoken with the Police Chief and there have been no security issues with the other two cannabis establishments in Town, according to the Chief.

Chair opens the hearing to any supporters of the project.

Matt Marchand of 7 Upper Farm Path speaks to support of this project. He is an abutter to the other Cannabis Grow Facility in Town, off Main Street, and has seen no issues.

Kim Baker of 96 N. Hatfield Rd is a supporter of the project. She believes the Town will benefit from the host agreement.

Mackae Freeland, the owner of Treeworks in Hatfield, is a supporter of the project. Treeworks in a Cannabis manufacturing company and he would like to have access to local grow.

Chair Closes hearing to supporter comments.

Chair opens the hearing to any opponents of the project.

Petrus Van Geel of 9 Cronin Hill Rd opposes the projects. He identifies some issues he has with the project, including property value and odor control. He would like to applicant address these concerns.

Chris Omasta of Malloy Ave is an opponent of the project. He identifies issues he has with the project including security concerns.

Howard Haberman, head of security for the applicant, voices his support for the security practices of the business. Applicant verifies that there will be no money transaction on premises. In fact, no money will be on hand.

Greg Omasta of 123 N. Hatfield Rd speaks to oppose the project. He would like to get clarification on property ownership. Small discussion on the ownership of the property. Applicant has a Purchase and Sale agreement with the current owner of the property. Chris Omasta also has concern with water usage. He would like to see the Board require a stormwater management plan.

Michael Bartlett of 66 Mountain Rd is as an opponent to the project. He is looking for clarification on Zoning Bylaws 7a.4 section B, regarding the language. He believes all grow is required to be indoors. He would like this project to be indoors. Small discussion on the language. Board needs to get further clarification from Town attorney on this.

Robert Wyckoff of 4 N. Hatfield Rd. opposes this project. He has security concerns over the business and operation of marijuana establishments.

Eric Bodzinski of Go Farms on N. Hatfield Rd. is present. He is an abutter to this project and has some concerns over the ditches on his property and changes to the water flow. He is not necessarily an opponent and has been in discussion with the applicant. Small discussion on providing a stormwater management plan.

Linda Milewski of 8 N. Hatfield Rd. is an opponent of the project. She identifies some concerns she has including health risks due to soil content.

Further discussion on language in the Zoning Bylaws. Chair emphasizes that they need to get clarification from the Town Attorney.

Chair closes the hearing to opponent comments.

After a brief break, Chair continues the hearing. The Board would like the applicant to address some issues and concerns that were brought up during public comment. Further discussion on a stormwater plan. Chair Slyszy acknowledges that they are asking for a waiver but feels they should provide more detail on the water usage. Jimmy Tarr would like to know where the water is coming from, how much would they be using and where is the water draining. The Board would also like to know more about the security measures. They would like to hear feedback from the Police Chief regarding the specific security plan the applicant will be presenting to him. Paul Dostal would also like the applicant to gather information on property values and how they are affected, if any, by marijuana establishments. The Board requested information or studies that have been done in the State, and specifically, western Mass. Chair Slyszy believes the Board should consider continuing the hearing until the next meeting so that the applicant has enough time to gather all the information they are asking. Chris Chamberlain and the applicant agree.

Bob Wagner makes a motion to extend the public hearing to their next scheduled meeting on June 1. Jimmy Tarr seconds. Motion passes.

Next Scheduled meeting is June 1, 2022

Jimmy Tarr makes a motion to close the meeting. Mike Paszek seconds. Motion passes.

Meeting adjourned at 8:26 PM