

# TOWN OF PLAINFIELD

Plainfield, Massachusetts 01070

Town Office: 634-5420 • 634-5406 • Fax: 634-5683



December 21, 2022

## **SPECIAL PERMIT DECISION for MARIJUANA PRODUCTION**

### **NOTICE OF DECISION**

Applicant: Mary Flahive-Dickson, dba BTE, Inc.  
129 Grant Street  
Plainfield, MA 01070

**Location:** 129 Grant Street, Plainfield, MA

In accordance with MGL Chapter 40A and the Plainfield Zoning Bylaw, the planning board acting as the Special Permit Granting Authority held a public hearing on Wednesday, December 7, 2022 at 7:00pm to consider an application received from Mary Flahive-Dickson (BTE Inc.) for a Special Permit for property located at 129 Grant Street for the following Commercial Use: Marijuana Production.

The project proposes to use 3 acres of the 113.7 acre parcel for Marijuana Production under the license requirements of the Cannabis Control Commission. The proposed location is 470 feet from the street, 380 feet from the north side yard, 600 feet from the south side yard and approximately 500 feet from the south west corner of a jog in the property along the south boundary as indicated on the Sheet 8184-CLEARING S1 dated July 15, 2021 and the grow area and proposed improvements are shown on the drawing 8184-CLEARING SP dated August 17, 2022. Both drawings were prepared by Heritage Land Surveying and Engineering, Southampton, MA.

### **Summary:**

Following a presentation by the applicant and questions from the public, the hearing was continued until December 21, 2022 allowing the applicant time to provide information regarding the capacity of the well, the anticipated quantity to be used for irrigation per day and the specifications of the proposed generator provided as emergency power with respect to potential adverse impact on the abutter, David and Gale Bulissa who operate the Peppermint Park Campground. The concern of odor at time of harvest was also raised given the southerly and southwesterly location from the grow area.

At the 12/21 continuation of the hearing, the documents presented in the application were reviewed and deemed complete in accordance with the submission requirements of the zoning bylaw.

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The capacity of the well at 12 gallons per minute and daily usage of 1500 – 2000 gallons per day is slightly more than the normal daily usage of 4 potential 3 bedroom residences (1320 gpd) which would be allowed by right based upon the available frontage of the property excluding the required frontage for the existing residence.

The proposed grow area is 600 feet from the nearest side boundary and approximately 700 feet from the nearest of four (4) public water supply wells located on the adjacent campground and outside the 250 foot primary protection zone required by Mass DEP, the regulatory authority for public water supplies.

The proposed emergency generator is a residential 22Kw propane fired Generac Guardian Model 70422 with a decibel rating of 67 DbA at 23 feet.

The requirements for sanitary facilities for agricultural production will be subject to approval by the Board of Health.

The odor produced is similar to odors produced through by-right agricultural production products (such as, hemp). The relatively small grow area combined with setbacks in excess of 500 feet will serve to mitigate potential odor intensity and migration.

**Findings:**

The board finds that the proposed use is not detrimental to the town or neighborhood and is in harmony with the purpose and intent of the Zoning By-Law.

The board finds that the proposed use has adequate provisions in the following area:

- a) The use is reasonably compatible with the character and scale of other uses permitted by right.
- b) The use will not constitute a nuisance by an unacceptable level of air or water pollution or excessive noise.
- c) The project will not create a significant adverse impact on to the quality of surface water or groundwater and has adequate provisions to ensure maximizing groundwater recharge.
- d) The project will provide adequate methods of sewage and refuse disposal.
- e) The design of project takes adequate provisions to protect neighboring properties from potentially damaging or offensive uses by providing vegetated buffer zones.

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**Motion:** That a special permit be granted for the proposed use of three acres for Marijuana Production at 129 Grant Street as presented in the applicant's application.

Conditions:

- 1) That the owner create and maintain a 200 foot no disturb zone along the southern boundary where contiguous with the abutting campground property as a privacy buffer and to ensure protection of the public water supply 250 foot protection zone.

The motion and conditions were approved by the board with a vote of 4-0 in favor.

The applicant shall record this notice of decision with the registry.

Signed: Brian Hawthorne 1/4/2023

Brian Hawthorne, Chair

Town of Plainfield Planning Board