

## **Plainfield Zoning Board of Appeals**

Minutes

November 15, 2018

**Members Present:** Peg Keller, Chair, Ann Irvine and Joan Wattman, permanent ZB members and Bill Latimer, ZB Alternate. Members of the Applicant team included Chris Roos, President and CEO of 27 Broom Street LLC, Nicholas Rosati, COO of 27 Broom Street LLC, Jamie Paquette, interested citizen, Ed Stockman, interested citizen, Briony Angus, Tighe and Bond representing the Town ZBA in the peer engineer review capacity and Howard Bronstein, Chair of the Plainfield Selectboard.

**Call to Order:** Chair Peg Keller called the meeting to order at 6:30 p.m.

**Public Hearing 58 River Road:** The Zoning Board has before it an application for a special permit, submitted by Bob and Sally Silberberg to erect an accessory shed structure on their property located at 58 River Road. Because the hearing had to be scheduled for this meeting to comply with Chapter 40A statutory time periods, but due to the applicant's inability to be present, the hearing was opened but continued to the next meeting. The applicant will be requested to notify the abutters about the continuation. The next scheduled meeting is December 20, 2018. No one was present for public comment relative to this application.

*(The next meeting date was later revised to December 17<sup>th</sup> to accommodate member availability, so this applicant will be requested to notify their abutters of the 12/17 date).* The vote to continue the hearing to the above referenced date was unanimous in favor.

**Approval of the Minutes** – Minutes from the September 20, 2018 and October 10, 2018 meetings were approved as submitted.

**Planning Board update**– Member Irvine updated Member Wattman about the joint meeting with the Planning Board, which topics are being worked on, and the time table for presentation to town meeting in May of 2019.

**Public Hearing 27 Broom Street LLC:** At 7:00 pm, the board opened the continuation of a public hearing on the application of 27 Broom Street LLC for a Special Permit as required under Section 4.2 of the Plainfield Zoning Bylaws. The applicant proposes to construct a 16,000-square-foot marijuana cultivation facility, which will include a processing area, a greenhouse, on-site parking, pedestrian sidewalks, storm-water drainage, a fenced and secured outdoor grow area, and an on-site septic system. This is the second hearing on this project.

Introductions of all attendees were made. Present for the first time was Briony Angus, of Tighe and Bond. The firm has been secured by the Zoning Board to conduct a review of the application to assist the Board with its process. The session began with an update from Aimee Bell, representing the applicant. Her presentation addressed initial concerns expressed by the Board at the prior meeting, as well as an initial review by Ms. Angus. Highlights of her presentation were as follows:

- An aerial image was shown (as requested) depicting the site conditions and project parameters, particularly the existing vegetative conditions in and surrounding the proposed exterior grow area to identify clearance scale.
- **Fence** specifications with fabric screening around outside grow area (as requested) were described.
- **Lighting** plan was described/ installations proposed only on the building, similar in scale and illumination to a porch light, to be directed downward to assist employees with exiting the building.
- There are 8-9 exterior doors where lighting will be installed; but no lighting is proposed for any other locations as they are trying to reduce the lighting impact on the abutters.
- Lights in those locations will stay on all night, as required by the State Cannabis Commission. The existing barn will shield abutters from those lights.
- There will be no light visible from the greenhouse roof system. Roll out electric shades will be installed to provide a black out system. The panels will be translucent.
- **Traffic** – The applicant referred to the ITE trip generation book as Plainfield has no traffic references in the local by-law. Employee trips will occur

between 7:30 and 8:30 a.m. to enter the site and between 4:30 and 5:30 p.m. to exit the site. They do not expect any adverse impacts as a result.

- **Odor** – the biggest issue will be within the building. Odor is generated during the extraction process. Carbon filters will be utilized as scrubbers as well as an atomized mist. The greenhouse discharge will be directed in an easterly direction, away from abutters. The filter system has been tested across the country and found to be effective in other locations.
- Odor emanating from the outdoor grow area will be during the summertime, late August to early October. There will be leaves on the existing trees during that time period; the odor will be assisted to dissipate thru natural filtering by the trees and the woods. 85% of the area is surrounded by trees. The resulting impact on neighbors will be minimal. The practice of companion planting with flowers will assist in the cannabis odor reduction. The applicant owns the entire 80+ acre parcel and there are no abutters to the east.
- **Noise**- The applicant submitted a separate memo related to decibel levels. The equipment that would generate noise is measured to deliver 85 dba at one foot away (similar to a kitchen blender) and they estimate the closest abutter to be 1,500 feet away.
- **Exterior Grow Area Design** – Plants will be arranged in rows, with netting and hoop houses for rain protection. They will be placed in raised beds framed with wood. Rows will be in 20 ft. swaths, running from north to south.
- **Septic Design** – has not yet been finished. When the design is complete, they will determine whether to ask the Conservation Commission for a Request for Determination, or Notice of Intent. They will submit one or the other, as previously requested by the ZB and ConsCom.

At that point, the floor was opened for questions and comments. Mr. Stockman asked about the date on the aerial photograph. Ms. Bell replied it was from Google maps but she did not know the specific date. He added that he was present to relay concerns of Matthew Shippee, the direct abutter to the project who was not able to attend. He asked if the applicant was sure about the 1,500 ft. measurement to Mr. Shippee's property. Ms. Bell confirmed it was an estimate. Speaking for the Agricultural Commission, Mr. Stockman said people did not like lights on barns to remain on all night, so the applicant said they could remove the

light fixture from the existing barn. Mr. Stockman also noted that the odor filters will only work if they are maintained and replaced at necessary intervals, so a schedule should be created and followed. He also noted that to create the exterior grow area, soil would be disturbed. Soil borrowed from other locations on the site to be used for the raised beds creates soil disturbance, and he suggested an erosion control plan for those activities be submitted.

**Summary/** The Board concluded that the applicant had addressed the initial concerns, but the responses and additional submissions now needed to be reviewed by Ms. Angus. The hearing was continued to December 17<sup>th</sup> at 7:00 p.m. Comments will be submitted by Tighe and Bond with sufficient time for the applicant and Fuss and O'Neill to respond, so the Board will have the full exchange of information for the December 17<sup>th</sup> meeting. All were thanked for their participation.

**Adjourn/** The meeting concluded at 9:00 p.m.

Respectfully submitted, Peg Keller, Chair