

**Planning Board
Lakeville, Massachusetts
Minutes of Meeting
Thursday, November 4, 2021**

On November 4, 2021, the Planning Board held a meeting at the Lakeville Police Station. The meeting was called to order by Chairman Knox at 7:00 p.m. LakeCam was making a video recording of the meeting.

Members present:

Mark Knox, Chair; Peter Conroy, Vice-Chair, Barbara Mancovsky, Michele MacEachern, Jack Lynch

Others present:

Atty. Phillip Silverman, Ben Nadolny

Site Plan Review – 475 Kenneth W. Welch Drive – submitted by Bud's Goods & Provisions Corp.

Atty. Silverman said they were here tonight on a site review of a product manufacturing facility located at 475 Kenneth W. Welch Drive. They are not doing cultivation or retail. This is a simpler use than has been talked about previously. Mr. Nadolny then advised since they last spoke in 2018, Bud's Goods has opened up a couple of retail stores. One is located in Worcester, one in Abington, and one expected to open in Watertown after the first of the year. They have products that they make under their brand which are packaged for them. They now want to bring that in house to their facility in Lakeville and bring that on-line.

Mr. Nadolny explained that in the first phase, they will be doing some manufactured goods for their own stores and some wholesale accounts. In phase two, they might pilot some product lines and see if something works for their brand and their branded products. For now, of the 20,000 square feet they have, they are only going to build out approximately 7,000 square feet to package a product that does well in their store and some others. He noted they were not growing but bringing in product, packaging it, and then shipping out the packaged product.

Atty. Silverman said that in regards to the Site Plan and taking account what the Board had asked the last time he was there with the other project, they have included some of that but it doesn't all apply. There were things in respect to the HVAC units and screening, but they were now not using those units. The fire access road was one of the key components last time that the Fire Department had required so that has been included. He estimated that eventually there might be as many as 25 employees at this facility in shifts. Right now, they are probably looking at more like 12 employees which would be the maximum on the site at any given time.

Atty. Silverman stated there are 23 parking spaces, and they are showing a loading area. However, unlike the last project, this is a drive-in. When they are loading, the car will drive right into the building and the door will shut behind. There are no changes to the existing lighting, and they will be operating from 6 a.m. to 8 p.m. He also mentioned that in addition to the manufacturing, the other piece of this is called a transporter license. They have the ability, through this license, to take other people's product and help them deliver it. It is a business to business license where they would have a vehicle here at the facility. It might go out to a wholesaler and deliver to a retailer, another wholesaler, or a product manufacturer. He wouldn't expect this to be a significant part of the operation but estimated they might do a delivery a day.

Mr. Nadolny added they can deliver to their own stores without that license which is what most of the fulfillment will be. The transporter license will be phase two or phase three, and something they would bring on if everything else is successful. They have not applied for it yet, nor has it gone under the Host Community Agreement (HCA.) They don't need it to operate, as under the Product Manufacturing license they are allowed to deliver anything they make to any retail store.

Mr. Knox advised the Site Plan they have is insufficient and doesn't show property lines. They have the previous Site Plan that was approved for the last applicant which had been provided to them with the expectation to show the fire lane. However, if they were going to sign a plan, it needs to show the rest of the ancillary items that are on this original Site Plan for notes. He then asked where they would be getting the product from if they were not growing at the facility. Mr. Nadolny replied they have a lot of cultivators that the Cannabis Control Commission (CCC) has given licenses to. He explained how their product line is smaller buds, and they have found a way to get it packaged and offer a lower priced eighth to the community. Atty. Silverman added to make it simpler, they are buying it wholesale from a cultivator within Massachusetts. Mr. Knox asked if it was coming from across the street or if they have other suppliers. Mr. Nadolny said they do not do business with Northeast Alternatives or Nature's Remedy. They sell Bountiful products but none of those contracts have been discussed yet.

Mr. Knox noted that there have been parking issues with the adjacent property across the street. They would be securitizing that issue and do not want to continue to exacerbate the problem in the park. They are building out 7,000 square feet of the building and they show the back end of the building as unused storage that is going to be expansion room. He asked how many employees would be in the building. Mr. Nadolny said the most at any given time would be 12, maybe 10. Mr. Knox asked when the product is brought into the building, do they transport themselves or does it get delivered by a wholesaler. Mr. Nadolny said they will have their own van, but it could also come in from a wholesaler as well.

Mr. Knox said the floor plan shows the delivery port where the delivery van can be pulled inside, and it looks like the easiest access is from the vault or the center room. Is that for storage of finished product? Mr. Nadolny said that is for both in and out. Mr. Knox said there are two loading dock doors there. Did he think they would end up using those? Mr. Nadolny said everything is licensed space but that whole warehouse space will be a non-limited access area. You must be 21, but no cannabis product is ever going to be allowed in that open space without

approval from the CCC through the architectural review plan submission. If they were to expand, they would have to get the CCC's approval.

Mr. Knox asked if the business grew and expanded into that part of the building, what would he envision. Mr. Nadolny said they might pilot some things out of there, but he really couldn't speak to the vision. They have a need for their stores to keep the supply going and instead of paying other people to do this, they should put at least some part of that building online. When they're ready for the next step, they can come back in front of the Board and describe the plan. Mr. Knox said his concern was the parking capacity. Atty. Silverman clarified that they did not believe that in any given shift they would have more than 12 employees. If they get larger and go beyond 12 employees, it means they are doing different shifts. There will not be 25 people on site, not for this.

Mr. Knox said he would like to see on this Site Plan the ability to place banked parking for an additional 12-15 cars if needed, so there is no parking on the street. The lot coverage does not come that close to 50% so its not an issue regarding density bonuses. Atty. Silverman said they could label something for potential additional parking. Mr. Nadolny said when they designed this building in 2018 it was for cultivation, manufacturing, and a dispensary. At that time, they had a parking plan with drainage. They build responsibly, and if there are problems happening in the business park, he promised they would notice. He didn't know if their plan was still on file showing them to be able to house other parking for that potential growth when they build out the rest of the storage space. Mr. Knox suggested having a game plan so they would not have to return to the Board, but it would already be on the plan and approved.

Atty. Silverman said he understood they were already facing some parking issues in this area, and they want to see what could potentially happen on this site so they don't have the same issues here. Mr. Knox said he would also like a note added to the plan that if the loading docks get used some parking might be lost and it may be the trigger for the banked parking they have discussed. Atty. Silverman reviewed that what the Board wanted to see apart from the parking space is the property boundary and what is adjacent. Mr. Knox gave him the prior plan for comparison purposes. Mr. Knox also asked that the current lot coverage be shown, as well as what it would change to with the banked parking, showing that it is still under the 50%.

Mr. Knox then made a motion, seconded by Mr. Conroy, to continue this Site Plan Review until their November 18, 2021, meeting at 7:00 p.m. The **vote** was **unanimous for**.

Sign By-law – update

Ms. MacEachern advised she had sent the latest version out to them. She made a few changes to the location of those items that where at the bottom and some wording that they discussed. Mr. Conroy said one thing he had thought of in regards to temporary signs or banners is if there was a limitation, or if the banner then becomes permanent. Mr. Knox said that his interpretation of what the Building Commissioner uses is anything that's placed as a sign is a sign, and every business is allowed two signs. By definition a banner is a sign. Mr. Conroy said that if it should

become a nuisance you could enforce it. Mr. Knox noted that in 6.6.5 temporary signs, it does say that at the end of 60 days, the sign shall be removed.

After further discussion, Mr. Conroy asked why they were going with white lights on black background only. Colored signs would not be allowed? Mr. Knox replied it was something they were trying to gain some control over. Those types of signs were very tasteful but that's not the only option. Maybe relief could be granted if that was their choice. Members then discussed the allowed size of a sign and if relief could be granted for a larger sign. They also talked about a refresh rate for electronic signs. Mr. Knox said when this is over, they could circulate a copy and then send it to the Building Commissioner for his approval before they request it go to Counsel.

Mr. Knox asked Ms. MacEachern to take the amended copy and resend it to them after the meeting. They could all then review it and have it for comparison at the next meeting with the original copy.

Design Standards – update

Ms. Mancovsky said she had not had a chance to put something together. She hoped for their next meeting she would have six samples for their review. She asked that if anything was sent out she be copied, and she would send it out as a zip file. She would also include Rodney Dixon from the Master Plan Implementation Committee as she thought that he had wanted to be involved. She suggested keeping this item on the agenda for their next meeting.

Master Plan Implementation – Fee review project – update

Mr. Knox said the one outstanding item was the Special Permit for both the Development Opportunities District and the Water Development District. It appears that they should mirror each other from the language they had. He suggested a flat dollar fee plus peer review costs which would be a pass-through fee. He noted that Atty. Kwesell had said they could not make it look like it's a tax based on the levity of the project. However, there is a cost that the Town will incur to reinstate a permits coordinator that would be covered by the fee.

Members then discussed what the impacts of a large-scale project would be on the various Town Boards. Should this process be separate from the 43D process and/or should a 43D have an additional line cost. Ms. Mancovsky suggested a fee of \$8,000 and \$15,000 for a 43D. Ms. MacEachern said that \$12,500 was the \$500 per acre. Members agreed on the fee of \$12,500 for the 43D as well as the two Special Permit Districts.

Ms. MacEachern also asked for a clarification on the fees for the Form B and Form C applications. There was currently a plan fee and a per lot fee. Mr. Knox asked if for an incentive to get a Form B in front of them if they should just go to \$750. He then instead suggested charging \$500 for the Form B and then \$750 plus \$500 per lot for a Form C submitted within 30 days. The next item was \$100 per waiver. Ms. MacEachern asked if they should keep

that in for now until they have the opportunity to go through the Planning Board Rules and Regulations. After discussing the public hearing fee, members didn't feel that would come into play and decided to eliminate it.

Review the following Zoning Board of Appeals petition:

a. Greene – 0 Shore Avenue-M041-B001-L011

Mr. Conroy made a motion, seconded by Ms. Mancovsky, to make no comment on the petition for Greene at 0 Shore Aveune-M041-B001-L011. The **vote** was **unanimous for**.

Old Business

There was no old business.

New Business

Mr. Conroy advised he had attended the first meeting with the Hazard Mitigation Committee on Facebook live. There will be a meeting at the Police Station on December 4, 2021. Ms. Mancovsky said there was a SRPEDD meeting last night. The funds from ARPA are coming available. If they need things, they need to request it. The deadline for trees and byways is December 6th and safe schools is December 1st. That has to do with streets around schools. There is also some cultural facilities funding. Members also discussed the CPA act and the upcoming vote at Town Meeting which would be on November 8, 2021.

Next meeting

Mr. Knox advised the next meeting is scheduled for November 18, 2021, at 7:00 p.m.

Adjourn

Ms. Mancovsky made a motion, seconded by Mr. Conroy, to adjourn the meeting. The **vote** was **unanimous for**.

Meeting adjourned at 8:30.