



## BILLERICA PLANNING BOARD

Town Hall  
365 Boston Road Billerica, MA 01821  
978-671-0962  
978-670-9448 Fax

RECEIVED

2020 JUL 21 PM 12:28

TOWN CLERK  
BILLERICA

Matthew K. Battcock, Chair  
Gary DaSilva, Vice Chair  
Patricia Flemming, Secretary

Christopher Tribou  
Blake Robertson  
Janet Morris  
Michael Riley

### Special Planning Board Minutes

February 10, 2020-Room 210 @7:00 p.m.

Attendance: Matt Battcock, Blake Robertson, Gary DaSilva, Pat Flemming, Mike Riley, Chris Tribou, Janet Morris  
Interim Planning Director- Denise McClure

The meeting was videoed by BATV

Pledge of Allegiance

#### **PUBLIC HEARING:**

**13 ROBINWOOD AVE: B2 Minor Subdivision (Plate 49-Parcel 314-1)**

**The applicant request to divide the lad into 2 lots**

**Matt Battcock**-Can I get a motion to open and waive the reading of the notice

**Pat Flemming**- Motion to open the public hearing 13 Robinwood Ave and waive the reading of the notice

**Seconded by Mike Riley**

**All in Favor-7**

**Opposed-0**

**Attorney John McKenna -Representing Applicant** – We went to Board of Appeals to get a variance to sub divide the parcels into 2 lots. We would like the PB to sign off on the plan. The street is an accepted street and with that zoning relief we are here to obtain a sign off on this plan. The comment from the DPW which will be noted and reviewed for the necessary next steps.

**Denise McClure:** I would add that the DPW comment is that they had to extend the water line and add a fire hydrant.

**Janet Morris:** The abutter was hoping to have that they existing trees will remain.

**John McKenna:** We will keep as many trees as we can and we will make sure we speak to the abutter.

**Pat Flemming:** Will be a single family house?

*Approved  
7/20/20  
Keri Ruffi*



**John McKenna:** Yes

**No comments from Audience**

**Matt Battcock:** Motion to close the Public hearing

**Gary DaSilva:** Make a motion to close the public hearing for 13 Robinwood Ave

**Blake Robertson:** Seconded

**All in Favor-**7

**Opposed-**0

**8 PRISCILLA LANE: B2 Minor Subdivision (Plate 32-PARCEL 62)**

**The applicant request to divide the lad into 2 lots**

**Gary DaSilvia-** Motion to open the public hearing 8 Priscilla Lane and waive the reading of the notice

Seconded by Blake Robertson

**All in Favor-**7

**Opposed-**0

**Attorney John McKenna -Representing Applicant-**Split of an existing lot, we have received all of the zoning relief from the BOA. The noted the memo from the DPW. This will be a single Family residence

**Denise McClure:** they are conforming lots and condition them to include comments from the DPW  
And BOH into the conditions

**Blake Robertson:** Asking if the dash line on the plan is a fence

**John McKenna:** confirmed that it is a fence and that the fence will be removed

**No comments from audience**

**Matt Battcock:** Motion to close the Public Hearing

Moved by Blake Robertson

Seconded by Gary DaSilvia

**All in Favor-**7

**Opposed-**0

**Matt Battcock:** Motion to approve with the comments from the DPW

Moved by Blake Robertson

Seconded by Gary DaSilvia

**All in Favor-**7

**Opposed-**0

**MARIJUANA ESTABLISHMENT SPECIAL PERMIT-4 REPUBLIC RD (MAP 58 Block 17 lot 0)**

**Team**

Joseph Giannino-Public Relations

David Giannetta-CEO-Community Care Collective, Inc.

Michael Allen-Chief of Security-Armstrong Securty

Brian-Geaudreau-Civil Engineer-Hancock Associates

Stephen Farr-Traffic Engineer-Nitsch Engineering

Mark Salvari-Zoning Attorney

**Matt Battcock**-Can I get a motion to open and waive the reading of the notice

Moved: Gary DaSilvia

All in Favor-7

Opposed-0

**Joseph Giannino-Public Relations**

Summary of proposal and introduction of team and gives a presentation of the outside and the inside interior building. Proposes to build a 4,000 square ft building, new construction, high quality finishes. 48 parking spots. They would like to explain the process where it comes from and the process.

**David Giannetta-CEO-Community Care Collective, Inc:**

**Introduced himself:**

Signed Community Host Agreement with the Town of Billerica. Anticipates creating a steady revenue stream to the town through sales. Improve the currently vacant lot at 4 Republic Road by building a state of the art facility. Plan is to hire 50+% Billerica residents. Agreed to fixed amounts to the Town, revenue stream to the Town that will benefit the residents. They have a 5 year contract with Sanctuary Medicinal. They will also have a mentorship for himself and the employees so they are trained properly.

**Michael Allen-Chief of Security-Armstrong Security:** Former Police Chief with Rochester, NH police

Went over the following:

Will work closely with BPD to ensure the development of a comprehensive security plan. CCC will have a minimum of one onsite unarmed security officer present for the hours of operations. Positive identification through ID verification Scanner,. Secure Transportation and Delivery process. Alarm systems, video surveillance, Electronic Access Control. Safe and secure onsite product storage, Anti-Diversion Strategies

**Brian-Geaudreau-Civil Engineer-Hancock Associates**

**Site Overview:**

They looked at other companies on Republic Road to see what the other building look like; front facade will be landscaped from the building to the street. All the parking and loading will be behind the building. BOA & DPW have provided a comment letters, and we realize we have to file with the ZBA for relief for walls for the setback. We will also be filing with the BOA for storm water management permit. We will collect storm water runoff and treat it and infiltrate into the ground using underground infiltration system. We are making sure that we are not putting anymore runoff into Republic Road. Our plans will be revised accordingly. There will be standalone lighting for a bright parking lot. We are 518 ft. away from the boxing club when the setback is 500ft.

**Stephen Farr-Traffic Engineer-Nitsch Engineering**

**Explained the traffic report**

They took traffic counts in November of this past year and they bumped those up over 7 year time horizon 2% per year and that called No build growth factor and on top of that they added on additional trips that they can expect from the new site. A dispensary this size they can expect 657 trips per day, about 320 in and 328 out. It will not affect the operation of these intersections.

**Mark Salvati-Zoning Attorney:** The proposed building is not within 500 feet of any of the protected uses, Adequate parking spaces and arrangements of spaces in relation to deliveries; Safe vehicular and pedestrian movements; All Zoning setbacks; Adequacy of water supply, drainage and lighting; Security measures and emergency procedures; An approved Host Community Agreement with the Town; State approval (Pending)

**Denise McClure:** Beta will be doing the Peer review, the Building that size (4000 sq. ft.) does not require a site plan review but they are required to submit the elements of site plans. We would like to see the elevations of the plans.

**Mike Riley:** Asking about issue with overflow parking and number of bodies inside the facility, Will there be an area set up outside for people waiting. And Mike asked about literature on recovery.

**David Giannetta-CEO-Community Care Collective, Inc.:** Offset parking with employees to relieve parking issues, if it comes to that. Talked about people who pre-order, 7-8 minutes process to when you make a purchase and leave. The vestibule should be able to hold 30 people, the flow will be controlled, as 10 people exit, 10 people will come in. We extend on closing on the lot April 30<sup>th</sup> or earlier and we will start site work right away. Explained all products will be locked in a glass case, no products can be touched by customers. The education will be more on the use of the product that we are selling, going about it more of a natural way than pharmaceutical. Our intention is to put a program together to host a meeting to educate but inside the facility.

**Chris Tribou-** Asking about Handicap spaces and people loitering/walking while using products just purchased

**David Giannetta-CEO-Community Care Collective, Inc.:** That will be monitored with our surveillance security. Once they leave the property it is out of control.

**Joseph Giannino-Public Relations:** People with a medicinal card do get priority; this is no different than alcohol. Customer has to be 21 years old with a valid government ID and we scan the ideas to make sure that they are real.

**Gary DaSilva:** Questioned about armed security and delivery of product and asking about a soft opening

**Michael Allen-Chief of Security-Armstrong Security-**No employee will be carrying. Deliveries will be done during daylight, no set schedule. The vehicle is unmarked and will be inside the gated area, it is unarmed security. You cannot use a credit card to make a purchase. There will be panic buttons throughout the building. They will have parking attendants out and if they exceeding the parking, they will turn people away.

**Pat Flemming:** How much can they buy? And asked people who have medical card and having a separate line

**Michael Allen-Chief of Security-Armstrong Security:** 1 ounce of flower is the limit and 100 milligram like oils/edibles. It is metered and dosed. You can only buy one once a day. All products are prepackage and childproofed. People who will have medical card will be directed to the front of the line

**Blake Robertson:** Who are you 3 nearest competitors? Can you tell me about giving back to the community? And concerns about the abutters being close to Veterans Park and he would like them to check to see if they are within 500 feet of the park

**David Giannetta-CEO-Community Care Collective, Inc.:** Patriot Lowell, Gage Cannabis in Ayer. Than their will be one in Dracut and Tyngsboro. The revenue stream is based on grossed sales which is part of the host agreement which is 3%.

**Mark Salvati-Zoning Attorney:** Directed to Blake Robertson about Veterans Park, they will check

**Janet Morris:** Wants to know when someone goes into the facility and they scan the ID, will that information just stay at the facility or can you find out if they went to another facility that same day.

**Michael Allen-Chief of Security-Armstrong Security:** No, there could be a day in the future and it would have to be regulated by the cannabis control commission. We don't have that capability right now.

**Janet Morris:** I am concerned about somebody leaving their car running, I am concerned someone leaving their kid in the car while they go in the building. Will you have video surveillance? Who will oversee that your employees are properly trained?

**Michael Allen-Chief of Security-Armstrong Security:** We will have someone in the parking lot and the receptionist at the desk will have all the security cameras on their computer.  
The Cannabis Control Commission requires, they implement the Responsible Training Program for every employee.

**Janet Morris:** Is there any concern about being so close to a jail, you are literally abutting a jail, I worried about visitors bringing presents, throwing something over the wall.

**Michael Allen-Chief of Security-Armstrong Security:** I look at this business as improving safety of that surrounding area with the technology that we are putting in place. It is an additional safety net for your community.

**Janet Morris:** Questioned the amount of doors in the facility and Metal Detectors

**Michael Allen-Chief of Security-Armstrong Security:** Stated that was a typo. There are no windows that are open, all windows will be blacked out, you cannot see into the facility, that is a requirement of the Cannabis Control Commission. There will not be a metal detector.

**Janet Morris:** Do you have a backup if Sanctuary Medicinal has a situation with product? And do you have to notify the Town if you change your supplier

**David Giannetta-CEO-Community Care Collective, Inc.:** I have other contacts through networking; I have about 5 that I could use.  
Notifying the Town is not a requirement.

**Matt Battcock:** I think that this was in information presentation if you agree with it or not. It is a huge agreement for this area. What are the hours of operations? And do you plan on a soft opening?

**David Giannetta-CEO-Community Care Collective, Inc.:** 10 am to 10pm. We have thought it thru, probably during the week so we know what to expect.

**Matt Battcock:** I would like to see a more exact site plan with landscaping and how many employees

**David Giannetta-CEO-Community Care Collective, Inc.:** about 15-20 employees

**Janet Morris:** Is it a 3 story building or 2?

**David Giannetta-CEO-Community Care Collective, Inc.:** 1 Story

**Gary DaSilva:** I think that the Veterans Park is owned by the Sheriff's Department

**Chris Tribou:** Some ideas to get involved in the community, Green up Cleanup day, & Billerica Scholarship Foundation. DPW recommended installing a sidewalk onto connect the Treble Cove Rd to Republic Rd.

**Brian-Geaudreau-Civil Engineer-Hancock Associates:** Yes we can look at that

**Joseph Giannino-Public Relations:** We love to hear this feedback from all of you.  
And to make it clear, I want to put a real fine point on this, nobody under the age 21 years old is allowed in the facility at all. Not even loitering in the parking lot.

**Janet Morris:** Do you have Sample Signage?

**Joseph Giannino-Public Relations:** The Cannabis Control Commission, regulate the logo. In terms of the signage it would be similar to an alcohol sign with the warnings.  
There is no neon sign, that is illegal.

**Comments from Audience:**

**Matthew Bogman-43 Stag Drive:** The amount of times on can go into the facility is a surprise to me. Could you remind us to where our regulation came from? And are you and you team plan of providing a shuttle bus?

**Joseph Giannino-Public Relations:** Its once visit per day and you r maximum purchase. You cannot come in and buy your maximum and we can track how much you bought in a 24 hour period.

**Joseph Giannino-Public Relations:** We have a couple of different options for offsite parking. The properties are abutting. In the event that it is necessary we will provide transportation.

**Matt Battcock:** Asking up upcoming items on agenda for the march 9<sup>th</sup> PB meeting.

**Matt Battcock:** Can I get a motion to continue the Public Hearing for the Marijuana Establishment-Special permit for 4 Republic Road, March 9<sup>th</sup> @ 7:20pm

**Moved by Blake Robertson**  
**Seconded by Mike Riley**  
**All in Favor-7**  
**Opposed-0**

**PUBLIC HEARING (Cont.) PLANNED UNIT DEVLOPMENT SPECIAL PERMIT 279 BOSTON ROAD (MAP 31-PARCEL153-1)**

**Matt Battcock:** We have a letter from the Attorney to continue the Public hearing to March 9th

**Matt Battcock:** Can I get a motion to continue the Public Hearing to March 9<sup>th</sup>

**Gary DaSiliva:** I make a motion to continue the public hearing for 279 Boston Road to March 9<sup>th</sup>

**Seconded by Mike Riley**  
**All in Favor-7**  
**Opposed-0**

**Other Business:**

**Minutes Approval: 10/21/19 & 11/25/19**

**Matt Battcock:** Can I get a motion to approve the minutes for 10/21/19 minutes?  
**Moved by Blake Robertson**  
**Seconded by Mike Riley**  
**All in Favor-7**  
**Opposed-0**

**Matt Battcock:** Can I get a motion to approve the minutes for 11/25/19 minutes?  
**Moved by Blake Robertson**

**Seconded by Mike Riley**

**All in Favor-7**

**Opposed-0**

**Blake Robertson:** Asking about the appeal from the abutter for Marquis Tree, 9 Sterling Road.

**Denise McClure:** That has been forwarded to Town Council who then works with the attorney. I will contact the Town Council to see where it is at and I will give you a status.

**Blake Robertson:** I think we should put that on the agenda as a status

**Matt Battcock:** Yes, we can do that.

**Adjournment:**

**Matt Battcock:** Can I get a motion to Adjourn?

**Seconded by Janet Morris**

**All in Favor-7**

**Opposed-0**