



TOWN OF
MONTAGUE
MASSACHUSETTS

TOWN HALL
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Turners Falls, MA 01376

PLANNING BOARD
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DECEMBER 12, 2023 MEETING MINUTES
PLANNING BOARD

The Montague Planning Board met in-person in the Second Floor Meeting Room, Town Hall, 1 Avenue A, Turners Falls and via Zoom at **6:30 p.m.** on **Tuesday, December 12, 2023.**

Members Present: Ron Sicard, Elizabeth Irving, Sam Guerin, George Cooke **Absent:** Bob Obear
Staff: Maureen Pollock, Planner. **Also in attendance:** Seth Rutherford, Chris Gallant, Bryan Camden

PUBLIC HEARINGS:

SPR 2023-04 & SPR 2023-05 – 253 Organic LLC – Request a Special Permit with Site Plan Review for the use of a Medical Marijuana Treatment Center and Marijuana Retailer, to be co-located with the existing Marijuana Cultivator and existing Marijuana Product Manufacturer, and to request a Special Permit to extinguish the previously approved Special Permit 2018-02, under Sections 5.2.7(b)x, 5.3, 8.10, and 9.2 of the Zoning Bylaw, located at **253 Millers Falls Road (Parcel #17-0-31)**, General Business (GB) Zoning District.

The Planner shows a site plan of the building and property. Three members of the Board and the Planner conducted a site visit (inside and outside) the day previous. The Planner gave some background information: The original approval for marijuana production/cultivation dates to 2018. At that time zoning bylaws only allowed recreational retail as an accessory use to production. Currently 253 has two principle uses (production +cultivation) plus a recreational use (sales). The applicant would like to add another co-located use (medical treatment). Medical treatment has additional State law for both 253 and the patient. The Planner sees this hearing as a good opportunity to “clean-up” the previous special permits. Retail would become a principal use like manufacturing and cultivation. Medical treatment would be the only principal use by Special Permit if approved by the Board at this meeting.

George Cooke asks if the Town allows four principle uses. Seth Rutherford responds “Yes, the CCC allows co-located facilities.” The Planner continues that the Town allows co-located uses under by-law section 5.3.

Seth Rutherford says there will not be changes outside of the building. Inside there will be two separate registers for medical patients, and a conference area. Any remodeling will go through the building department. The CCC provides a medical treatment inspector in addition to the retail inspector.

George Cooke asks about the percentage of business related to medical treatment. Rutherford responds, “not a lot.” He expects that the medical business will grow slowly- maybe up to 10%.

Rutherford reviews his Community/Host Agreement with the Town of Montague. It was amended about 6 months ago.

As required by the CCC, 253 had a community meeting before this hearing. Certified abutters were notified, and the meeting was made public through a legal ad. The residents of the mobile home were notified by the owner of the trailer park. One couple did attend that pre-meeting and voiced a concern about the name “medical treatment center.” Rutherford continues that medical patients do not pay tax on the product.

E. Irving asks about the zip codes of their clients. Rutherford responds about an hour circle around 253.

E.Irving asks about interactions with nearby neighbors. Rutherford responds none. Bryan Camden representing the Airport (largest abutter) attended the meeting in support of 253. Rutherford reviews how the air scrubbers operate and are maintained.

E.Irving confirms that the scrubbers work, as someone who toured the facility.

The Planner brings up 253 Farmacy’s support of RiverCulture, the town’s art organization. Rutherford reviews the many ways both he and 253 have contributed to the community including about \$900,000 in excise tax.

Ron Sicard asks about a pedestrian light on Turnpike Road. The Planner responds, “that is being worked out by Franklin Regional Transit Authority”

The Planner reviews zoning bylaw section 8.10.4 (Special Permit Standards). 253 is currently meeting those standards/ regulations. The Planner did submit additional conditions to the Board and applicant. The applicant is fine with the additional conditions as they are also required by the CCC.

Sam Guerin asks about the adequacy of customer parking vs. the gated (guarded) area.

Rutherford talks about what he can say to a recreational customer vs. a medical patient.

MOTION by R. Sicard to approve SPR 2023-04 & SPR 2023-05 – 253 Organic LLC – Special Permit with Site Plan Review for the use of a Medical Marijuana Treatment Center and Marijuana Retailer, to be co-located with the existing Marijuana Cultivator and existing Marijuana Product Manufacturer with conditions, and a Special Permit to extinguish the previously approved Special Permit 2018-02, under Sections 5.2.7(b)x, 5.3, 8.10, and 9.2 of the Zoning Bylaw, located at 253 Millers Falls Road (Parcel #17-0-31), General Business (GB) Zoning District. Seconded by E. Irving. VOTE: Ron Sicard (AYE), Elizabeth Irving (AYE), Sam Guerin (AYE), George Cooke (AYE). MOTION PASSES 7:06PM.

Rutherford discusses the process for applying to the CCC. He hopes to be operational next year.

E.Irving thanks the owners of 253 for their professionalism and positive interactions with the Town and community.

PLANNING & CONSERVATION DEPARTMENT REPORT ON PLANING PROJECTS AND DEVELOPMENT UPDATES:

First Street (Parcel #04-0-0031):

The Phase II assessment report for First Street (Parcel #04-0-0031) identified contaminated soils and recommends the Town to remove contaminants in order the property to be suitable for housing. Town staff are seeking cost estimates for remediation work and then will seeks funding for work. Pioneer Valley Habitat for Humanity will postpone its Purchase & Sale of the site until June 2024; and will postpone submitting its Plan Approval application to the Planning Board until more information is provided. MassHousing has informed Habitat for Humanity that they will hold Habitat’s awarded Neighborhood Stabilization Program \$1.2M grant until the Town cleans up the site.

Montague City Village Center Study:

The main structures at the former Farren Care Center have been demolished. The Town anticipates taking ownership in the spring of 2024.

The final report for this study and market analysis will be made available in the next month or two. Planning Department staff will then present the report findings and recommendations to the Planning Board and the Selectboard for further discussion and to seek guidance on next steps. See project page for more info: <https://www.montague-ma.gov/p/1531/>

ADJOURN:

MOTION by E. Irving to ADJOURN. Seconded by S. Guerin. VOTE UNANAMOUS (4-0) MOTION PASSES 7:18PM