



Planning Board
TOWN OF MONTAGUE
One Avenue A, Turners Falls, MA 01376

RECORD OF PLANNING BOARD DECISION & VOTE

Applicant 253 Organic LLC
253 Millers Falls Road
Turners Falls, MA 01376

Date Filed: 06/03/2019
Case No. #2019-03
Petition heard on: 05/28/2019

Owner Savage Legacy, LLC
10 Industrial Boulevard
Turners Falls, MA 01376

Premises Affected

10 Industrial Boulevard
Turners Falls, MA 01376
Assessors Map 17 Lot 32
FC Registry Book 4273 Page 109

Special Permit ()
Site Plan Review ()

Pursuant to Montague Zoning Bylaws Section:

5.2.8 to permit a marijuana cultivation facility in the Industrial District

Final Approved Plans and documents on file with the Montague Planning Board:

1. Proposed Cultivation Facility Conceptual Layout Plan, Huntley Associates PC, 5/8/2019
2. Existing Conditions Plan, Huntley Associates PC, 5/8/2019
3. Project Narrative, 5/8/2019

The Board Finds:

1. Site Plan Review/Special Permit #2015-01 to allow the construction of a 7,300 square foot warehouse/office (rear) building in addition to the existing 6,800 square foot building at 10 Industrial Boulevard was completed in compliance with the approved plans.
2. The applicant, with permission from the owner, wishes to nullify SP 2019-01 and ANR 2018-07 that permitted the subdivision of the parcel into a lot for each of the two buildings to be serviced by a common driveway. Those decisions have not been filed in the Franklin County Registry of Deeds as of the date of issuance of this Special Permit.
3. The applicant owns the adjacent property at 253 Millers Falls Road, a marijuana establishment permitted under SP 2018-02.
4. Applicant intends to seek a permit from the Massachusetts Cannabis Control Commission to allow marijuana cultivation at the site and intends to integrate the two buildings at 10 Industrial Boulevard into the existing marijuana establishment at 253 Millers Falls Road
5. No new buildings are proposed and no major site work will be needed to accommodate the proposed use.
6. Marijuana cultivation is limited to the interior of the existing front building. The Rear building will be used for executive offices and equipment storage and will not contain marijuana products. Marijuana products will be shipped and received from 253 Millers Falls Road.
7. The facilities at 10 Industrial Boulevard will not accommodate or provide access to customers of the marijuana retail establishment that is permitted at 253 Millers Falls Road.
8. Site Plan Approval is required pursuant to Zoning Bylaw § 8.10.3. The applicant has opted to pursue site plan approval separately from the requisite special permit process.

9. The proposed marijuana cultivation proposal is in conformance with Zoning Bylaw § 8.10 (Marijuana Establishments) and will create no significant adverse effects to the neighborhood in accordance with the Special permit criteria in § 9.2.3

The Board Votes to:

(X) APPROVE () DENY

Issuance of a Special Permit to 253 Organic, LLC to permit to permit a marijuana cultivation facility in the Industrial District at 10 Industrial Boulevard (Assessors Map 17 Lot 32), subject to the following conditions:

1. Pursuant to Zoning Bylaw § 8.10.3 Site Plan Approval must be obtained from the Planning Board prior to issuance of a building permit.
2. This approval shall nullify Special Permit #2019-01 that permitted the subdivision of 10 Industrial Boulevard into two lots for each of the two buildings to be serviced by a common driveway.
3. All parking generated by the establishment shall be accommodated on-site. At no point shall customers, employees, or delivery vehicles be allowed to park on shoulder of Industrial Boulevard or Hadley Grant Drive.
4. Marijuana plants, products, and paraphernalia shall not be visible from outside the building in which the Marijuana Establishment is located.
5. No outside storage of marijuana products or byproducts is permitted.
6. No odor may be noxious or cause a nuisance, or impair public comfort and convenience. A written violation issued by the Montague Board of Health or the Cannabis Control Commission shall constitute a violation of this special permit.
7. The special permit shall be limited to the current applicant. The permit shall lapse if the applicant ceases operating the Marijuana Establishment or if the applicant’s license with the Commonwealth of Massachusetts expires or is terminated.
8. Amendments to Approved Plans: Any proposed changes from approved final plans shall be submitted to the Board and approved if consistent with the application and the findings and conditions stated in this approval. Significant changes shall be reviewed by the Board, which may allow the changes without further hearings if they are determined to be within the project scope and consistent with findings and conditions. The Board reserves the right to hold further public hearings on changes to the site plan that are determined to be outside of the project scope.

The vote of the Montague Planning Board on 05/28/2019 was as follows:

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| 1. <u>Ron Sicard, Chair</u> <u> AYE </u> | 3. <u>George Cooke</u> <u> AYE </u> |
| 2. <u>Elizabeth Irving</u> <u> AYE </u> | 4. <u>Frederic Bowman</u> <u> AYE </u> |
| 5. <u>Robert Obear</u> <u> AYE </u> | |

PLANNING BOARD,

By: _____
Ron Sicard, Chair

Walter Ramsey AICP, Clerk

CERTIFICATION THAT NO APPEAL HAS BEEN FILED WITHIN 20 DAYS FROM THE DATE THAT THIS DECISION WAS FILED WITH THE TOWN CLERK

Montague Town Clerk

Date