

Board of Selectmen – Minutes of Meeting

BOARD OF SELECTMEN
MINUTES OF MEETING – May 7, 2019

Present: Patricia D. Carlino, Chair, David Consolati and Thomas P. Wickham, Board of Selectmen and Christopher Ketchen, Chief Administrative Officer (CAO).

Patricia Carlino, Chair opened the meeting at 7:00 PM.

1. **Approval of Minutes:** None.
2. **Public Hearings:** Franz Chan, Zipbox, Inc. – Roger Scheurer, the project manager for Zipbox, Inc. came before the Board to request the Special Permit. He stated that a duly posted Public Outreach was held at the Morgan House yesterday (5/6/19) and all abutters were notified of the Outreach meeting. He explained that the parking is adequate and the Security Plan has been approved by the Police Dept. They will have 24-7 security which will be maintained by a 3rd party security company. They have dealt with any odor issues with a carbon air filtration system and there will be no discharge of odors to the outside air. All growing will be done in sealed boxes. The noise will be kept to a 55 decibel at the property line on the back side of the mill. There will be no retail business done. When asked if there would be any further developments, Roger stated that at some point in the future they may request a special permit for a greenhouse to grow roses and lavender and there may be a lab sometime down the road if they find there is a need.

Susan Cinella asked if they could get a guarantee from the company that there will be no issues with odor, to which David Consolati replied that there are never any “guarantees”. David stated that, like any new business, there would be growing pains.

Uli Nagel asked about the lighting and was informed that there would be downcast lighting so as not to be intrusive to the neighbors.

Paul Abbott stated that he thought it is wonderful that a new business will be there bringing jobs to the community. Roger Scheurer stated that the intent of Zipbox is to hire at least 50% of their employees from Lee.

George from Crossway village asked about the plant material and stalk disposal. Roger explained that all disposal is highly regulated as the waste material is tracked from “cradle to grave”

Dave Forrest stated that he is happy to see the lights back on. The Town should be proud. He thanked everyone and commented that this is a wonderful thing for Lee.

John LePrevost stated that he hopes this keeps people in Lee and asked about trucks going up E. Center Street and perhaps there could be extra signage regarding streets where trucks are now allowed.

Mike Mosher commented that he hoped the trucks would not idle all night long.

Roger Scheurer stated that the normal hours of operation would be from 8:00AM – 4:00 PM and no one can come in unless scheduled.

David Consolati stated that he realizes change is difficult.

Franz Chan came before the Board and stated that he has owned a factory in California and has had no problems. His first priority is to have a good relationship with the neighborhood based on mutual respect and if problems should arise, to work together to figure out a solution. He stated that he will conduct a job fair and/or newspaper advertisement for community outreach.

Verna Houff came before the Board and asked Mr. Chan if they would be open for tours, to which he replied that because they are highly regulated by the State it is not allowed.

Upon a motion duly made and seconded the Board members voted unanimously to grant the Special Permit upon a motion by the Special Permit Granting Authority after making the following findings that the proposed use:

- 1. Is in compliance with all provisions and requirements of this chapter and in harmony with its general intent and purpose; by meeting all requirements of the Marijuana Establishment bylaw adopted at Town Meeting, with no exemptions sought by the applicant under the marijuana bylaw. The property is built for retail and will continue in that fashion.*
- 2. Is essential or desirable to the public convenience or welfare at the proposed location; the Town voted in favor of a marijuana bylaw and the location of the facility is in an appropriately zoned area.*
- 3. Will not be detrimental to adjacent uses or to the established or future character of the neighborhood; because the facility is located amongst other retail uses in a commercial corridor. The mill was a manufacturing plant and the property use will be staying within those boundaries and creating no detriment to others.*
- 4. Will not create undue traffic congestion or unduly impair pedestrian safety; as Zipbox, Inc. has offered the town \$30,000.00 toward the installation of a sidewalk to enhance pedestrian safety. Also, there will be significantly less traffic than there was during the time of the prior mill. The applicant has satisfactorily addressed concerns with a Host Community Agreement for the siting of a retail marijuana establishment in the Town of Lee.*

5. *Will not overload any public water, drainage or sewer system or any other municipal facility to such an extent that the proposed use or any existing use in the immediate area or in any other area of the town will be unduly subjected to the hazards affecting public health, safety or general welfare. There has never been an issue in that area with water or sewer therefore, it does not create a hazard.*

This Special Permit is granted with the following conditions:

- i. *Deliveries will be done between the hours of 8:00 AM – 4:00 PM.*
- ii. *As a condition of this Special Permit, Zipbox, Inc., shall abide by all requirements of the Host Community Agreement executed with the Town of Lee on April 16, 2019.*

3. **General Business:** a. Temporary Sign Permits – LMHS Volleyball Booster Club and Lee Lions Club - *Upon a motion duly made and seconded, the Board Members voted unanimously to grant a Temporary Sign Permit for their yearly toll stops and to waive the temporary sign permit fee..*

b. Fountain Restoration Committee – Re-dedication Program - Saturday, May 25, 2019 at 10:00 AM.

c. Discuss topics related to upcoming Annual Town Meeting (if needed) - David Consolati stated that he will ask that they separate the \$30,000.00 (feasibility study) from the \$5,000.00 (playground) requested by the Lee Youth Commission.

Upon a motion duly made and seconded, the Board members voted unanimously to grant a recurring one-day beer & wine license to Salmon Run for their outdoor seating addition pending their receipt of their full liquor license being extended to accommodate the outdoor seating.

4. **Pending Business:**

- a. Zoning Board of Appeals (ZBA) – McDonald’s USA LLC for a special permit under section 3.2 (Floodplain) and 13.4 (Special Permits) of the Lee Zoning Bylaws. Public Hearing in the ZBA office on the second floor of Lee Town Hall, 32 Main St., Lee, MA on Wednesday, May 8, 2019 at 7:00 PM. The application is for replacing sidewalks around the building to ensure ADA compliance, installing an ADA accessible sidewalk to the Right of Way, landscaping and asphalt repaving.
- b. Zoning Board of Appeals – Oak N’ Spruce Resort for a special permit under section 3.2 (Floodplain) and 13.4 (Special Permits) of the Lee Zoning Bylaws. Public Hearing in the ZBA office on the second floor of Lee Town Hall, 32 Main St., Lee, MA on

Wednesday, May 8, 2019 at 7:00 PM. The application is for the installation of a carport and shed on an existing paved area.

5. **Chief Administrative Officer:** The Revenue and Expense reports for the period ended April 30, 2019 are available in the Selectmen's office for their review.
6. **Public Comments:** The Board reminded everyone that the Town Meeting will be held on Thursday, May 9th and the elections will be held on Monday, May 13th.
7. **Next Regular Meeting:** The next regular meeting is scheduled for Tuesday, May 21, 2019 at 7:00 PM.
8. **Motion to Adjourn:** *Upon a motion duly made and seconded, the Board members voted unanimously to adjourn the meeting at 8:00 PM.*

Respectfully submitted,



Cindy L. Bigelow,
Secretary to the Board of Selectmen

Notice of Website Posting Sent to:

Board of Selectmen
Town Administrator
Town Clerk
Town Collector
Planning Board

Board of Assessors
Board of Health
Conservation Commission
Police Chief
Building Inspector

Dept. of Public Works
Town Treasurer
Town Reps. District Chairmen
Superintendent of Schools
Town Accountant