

Board of Selectmen – Minutes of Meeting

BOARD OF SELECTMEN
MINUTES OF MEETING – Dec. 17, 2019

Present: Thomas Wickham, Chairman, Patty Carlino and David Consolati, Chairman, Board of Selectmen and Christopher Ketchen, Chief Administrative Officer (CAO).

Thomas Wickham called the meeting to order at 6:00 PM.

Upon a motion duly made and seconded and unanimously approved, the members voted to adjourn to Executive Session to for the purpose of discussing strategy with respect to ongoing litigation and mediation relative to Environmental Appeals Board proceedings between G.E. and EPA (Housatonic Rest of River cleanup), because an open meeting discussion would have a detrimental effect on the town's litigation strategy. The roll call was as follows:

AYES

NAYS

*Thomas Wickham
Patty Carlino
David Consolati*

none

The Chair announced that the members expected to return to open Session at 7:00 PM and they did.

1. **Approval of Minutes:** Upon a motion duly made and seconded, the Board members voted unanimously to approve the Open Session Minutes of November 19, 2019.

2. **Public Hearings:** a. Columbia Growth, Inc. – Jeff Shapiro from Columbia Growth, Inc. came before the Board and stated that since the last meeting, their site plan has been approved by the Planning Board and they are looking forward to moving forward. When asked what their plans were regarding the buildings on the site, he stated that they plan to re-stain and re-roof the building with a barn red color using new compostable sustainable materials. Initially they plan to provide 40 – 50 jobs and hope to ramp up to about 150 jobs. Member, Patty Carlino asked if they are still looking and providing a lab at some point and Mr. Shapiro responded that they are. Chairman Wickham asked if they had had their Community Outreach and he stated that regarding Host Community Agreements the State is mostly looking at retail. David asked if they were ready to go ahead with their plans and Mr. Shapiro stated that they are. David asked if the Town has asked anything of them extra above and beyond what they asked of others and Mr. Shapiro responded that everything the town has done is fair and they are happy to enter into a Host Community Agreement with the Town. He also stated that Police Chief Roosa has

approved their security plan and the Planning Board recommends the Select Board's approval of the Special Permit. *Upon a motion duly made and seconded, the Board members voted unanimously to approve the Special Permit for a Marijuana Product Manufacturer from the Town of Lee Zoning Bylaws to locate a Marijuana Establishment for the cultivation and manufacturing of cannabis. The cannabis will be sold to licensed marijuana establishments in Massachusetts. This Special Permit is conditional on the following four findings:*

- a. Is in compliance with all provisions and requirements of this chapter and inharmony with its general intent and purpose: Yes, because it is located in the zoning district that meets the requirements.*
- b. Is essential or desirable to the public convenience or welfare at the proposed location: Yes, because the public approved this use and our town meeting.*
- c. Will not be detrimental to adjacent uses or to the established or future character of the neighborhood: It was an industrial use, then abandoned and is now back to an industrial use.*
- d. Will not create undue traffic congestion or unduly impair pedestrian safety: The traffic this generates is substantially less than when it was a working mill.*
- e. 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 will be no overload of the system as they will be using very little water.*

Therefore, based on the above motion and the reading and acceptance of the five findings, and upon a motion duly made and seconded, the Board members voted unanimously to approve and grant the Special Permit to Columbia Growth, Inc. for a Marijuana Product Manufacturer and to locate a Marijuana Establishment for the cultivation and manufacturing of cannabis at 157 Columbia Street, Lee, MA in the Industrial Zoning District (Assessor's Map 13, Lot 1).

b. Green Theory Cultivation - Harsh Patel and James McMahon came before the Board and requested a continuation of their hearing for a Special Permit under Section 199-9.11 (Marijuana Establishments) Section 13.3 (Site Plan) and 13.4 (Special Permit) from the town of lee Zoning Bylaws for the construction of a marijuana cultivation and Marijuana Product Manufacturer facility, to be located at 845 Pleasant Street (located in the OPLI (Office Park Light Industrial) Zoning District (Assessors' Map 80, Lot 84). The reason for the request of a continuance is that their Community Outreach Meeting isn't scheduled until Jan. 7th, at 5:30 PM at Mint Restaurant. They offered that they plan to have about 12-15 employees in the 3,000 square foot head house, with 8 grow rings. Patty Carlino sked if they would be tearing down any buildings and Mr. McMahon explained that while they were setting up the buildings would remain for storage, but once they completed their build, all old buildings would be torn down. The Board explained that one year from the first operation, they would come to them with any complaints from neighbors and/or townspeople. Mr. McMahon offered that Police Chief Jeff Roosa has approved their security plan and they want to be good neighbors. *Upon a motion duly made and seconded the Board members agreed to continue their Special Permit Hearing until the next Select Board meeting on January 7, 2019.*

3. **General Business:** a) One Day Beer & Wine License -*Upon a motion duly made and seconded the Board members voted unanimously to grant a One Day Beer & Wine License to*

Lucia's Latin Kitchen at 109 Railroad Street on Tuesday, December 31, 2019 (New Year's Eve) from 4:30 PM to 9:00 PM for the dinner food service.

b) One Day Beer & Wine License – Upon a motion duly made and seconded the Board members voted unanimously to grant a One Day Beer & Wine License to the Lee Fire Company at the firehouse January 4, 2019 from 8:00 AM – Midnight for their annual Christmas Party.

4. Pending Business:

a. Zoning Board of Appeals - public hearing on Application of Carr Hardware for a variance from Section 199 Section 7.5(A)(B) and Section 718(D) 2 of the Town of Lee Zoning Bylaws - Hearing continued to December 18, 2019 at 7:00 PM in the Planning Board Office.

b. Zoning Board of Appeals - Appeal of the Decision of the Building Inspector by Harold Sherman. Public hearing continued to December 18, 2019 at 7:15 PM.

5. Chief Administrative Officer: CAO, Christopher Ketchen spoke about the Department of Public Works (DPW) and their discussions on the design for the repaving of Main Street and replacing the water line. We will receive bids on January 9th which is contingent upon approval from town meeting and Christopher Ketchen is hoping to request a Special Town Meeting taking place in January (30th) or early February (6th or 23rd).

6. Public Comments: Kathy Hall came before the Board to announce that the skating rink is in. She thanked all the volunteers who came to help on Sunday (12/17/19), namely; Mike Kelly, Bill Hall, Sr., Shawn Hall, Chris Hayden, Glenn Wilcox, Peter Brown, Bryan Brown, Mike Kline, Brianne Kelly Ariana Hall and Owen Brown.

The Board extended their condolences to the family of Beverly Trombley and to the family of Dan Sullivan.

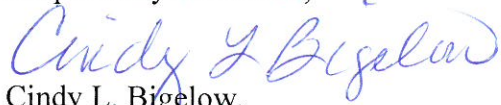
The Board wished everyone a Merry Christmas and Happy New Year!

David reminded everyone to be patient during the snowstorms. Our DPW is out there working and trying to make the roads. Everyone needs to take their time driving during inclement weather.

7. Next Regular Meeting: Our next regular meeting is scheduled for January 7, 2020 at 7:00 PM.

8. Motion to Adjourn: *By a motion duly made and seconded, the Board members voted unanimously to adjourn the meeting at 8:00 PM.*

Respectfully submitted,



Cindy L. Bigelow,
Administrative Assistant

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 Chair
Superintendent of Schools
Town Accountant