

Planning Board Meeting Minutes

Benjamin Eddy Bldg., 6 South Killingly Road
Wednesday, April 20, 2022

A. Call to Order

Anthony Renzi, Chair, called the meeting to order at 7:05 PM.

B. Roll Call

Planning Board Members: Michael Carpenter; George Sackal; Warren Ducharme; David Paolissi; Anthony Renzi; Susan Joyce; Secretary, Hilary Downes-Fortune.

Staff present: Michael Antonellis, Planner, and Joanna Achille, Solicitor.

Public present:

Joseph Casali – Engineer

Julie Barlett – Architect

Joshua Butera – Attorney

Marc Gertsacov – Attorney / Partner

Raymond Lamont – Director of Security

Richard Comolli – Board Member / Head Cultivator

Christopher Sands – Board Member / President

Gordon Rogers

C. Approval of Minutes

Mr. Renzi asked for a motion to approve the February 17, 2022 minutes. Mr. Carpenter made a motion; Mr. Ducharme seconded. Motion passed 7-0.

D. Minor Subdivision Application – 80 Howard Hill Road, Plat 5 Lot 67

Applicants: Kevin H. Wood and Thomas M. Ponte [Two-lot Minor Subdivision]

Postponed to 5/18/22

E. Use Variance – Recommendation to the Zoning Board of Review – 80 Howard Hill Road, Plat 5, Lot 67

Applicants: Kevin H. Wood and Thomas M. Ponte

Postponed to 5/18/22

F. Public Hearing – Commercial Site Review –190-191 Danielson Pike; AP 10, Lot 21 – Proposed Compassion Center

Applicant: Green Wave

Joe Casali, engineer for Green Wave, presented the following:

- Site is entirely in Mixed Commercial Use zone
- Since the plan submittal they had the freshwater wetlands delineated
- The 1400 sf dwelling will be repurposed for accessory use (will not be rented out)
- The existing garage will be razed
- Architect's rendering shows steel roof and barnboard siding
- Floor plan: patient enters through single entry—"man-trap"—to the sales floor; there is one public restroom in this area
- Plan showed potential future Drive-thru but that is not part of this application
- Separate employee area has its own restroom
- Based on building size 16 parking spaces are required; however, they show 40 on the plan
- If necessary to meet wetlands requirements, they could shift the building southward
- The existing curb cut will be closed
- Plan shows a proposed security shack, secure dumpster location, and a delivery/storage area
- The sign out front will be an externally lit monument sign, not internally lit
- For now there will be no edibles manufacturing on site; therefore only a sand filter OWT is needed
- In the future they will apply to RIDOH for a public water supply well
- Stormwater runoff from the parking lot will go to a vegetated swale; Diane Soule is the landscape architect
- They still have to obtain approvals from DEM for septic, DOT for curb cuts and DOH for supply well

Mr. Antonellis stated that all public notifications have been made, including Providence Water Supply Board.

Mr. Sackal asked several questions regarding:

1. On-site lighting plan? Mr. Casali said that they currently show wall packs on the plan but may need to add a light stanchion or two; these would be dark sky, LED lights—they will supply a plan.
2. Security Plan? Mr. Lamont, head of security for Green Wave, stated that the building will be alarmed 24/7, with a video surveillance system tied to state and town police. Mr. Sackal asked if they will need extra law enforcement from the town. Mr. Lamont replied that just foresee normal business patrols; they will not have an on-site security

- person after hours. He also stated that they have never had any security issues at their Hopkinton cultivation facility. Mr. Sands said they use American Alarms and will have a security person on-site until all staff leave. He noted that the business has to meet state-imposed video surveillance requirements.
3. Manufacture of edibles? Mr. Casali said this will not happen at this time; the septic system is not designed for cooking, etc. and fulfillment is currently packaging only. Mr. Sackal stated he does not want them to make/sell gummies, to which Ms. Achille replied that we can't tell them what they can/cannot sell. Mr. Sands stated that they are working on a patented product that would not be attractive or accessible to children. He also said that his background is in the health/medicinal field but in the future they will likely sell recreational products as well.
 4. Wetlands setbacks? Mr. Sackal said we'd like to see the building outside of the 50-foot setback shown on the plan.

Mr. Ducharme also asked some questions:

1. Has the police department reviewed the plans yet? Mr. Casali said that they have then plans but have made no comments thus far.
2. Is the on-site pond deep enough to pump water from a dry hydrant for fire purposes? Mr. Rogers said yes, it is, and they should add an access road to the pond.
3. Have they consulted the Rural Design Manual? Mr. Casali said not, but they want the building design to be attractive and hopefully spur economic development nearby.
4. Since there are outstanding approvals is this plan preliminary? Ms. Achille said that its not, we just need to add conditions to the approval.

Mr. Carpenter remarked that 39-40 parking spaces is a lot for Foster; he asked how many people will be on-site daily. Mr. Casali stated that there will be 9-10 employees, with potential shift overlap. The plan includes 2 ADA spots, and 28 customer parking spaces, with a total of 40 (vs. 16 required based on building size). He added that there will be pick-ups of online orders in addition to the in-store customers; they estimate a maximum of 30-40 people during peak business hours. Mr. Carpenter asked if there are enough security exits; Ms. Barlett stated that the 3 exits meet code.

Ms. Downes-Fortune stated that they mentioned the possibility of shifting the building south; how would this impact parking? Mr. Casali said they would move employee parking to behind the building and it would be non-bituminous if necessary.

Mr. Carpenter asked if they will have back-up power on-site. Mr. Casali said the generator will cover 80% of their power needs—for security and lighting. Mr. Carpenter asked if it will be diesel or propane powered (either) and will it have an automatic

transfer switch (yes). Mr. Sands stated that American Alarms has an 8-hour back-up battery. Mr. Carpenter noted that the own often has only one police officer on duty late in the day; Mr. Sands replied that if the power goes out they will have a second security person on duty. Mr. Carpenter also asked about traffic circulation; he stated that the site is along a dangerous stretch of Route 6 and they may need a police detail at times.

Ms. Joyce asked about the existing dwelling. Mr. Casali stated that is would be used for ancillary uses—office, security—and it would not be rented or used for retail purposes, nor would product be stored there, etc.

Mr. Renzi asked about the new public well is installed and Mr. Casali stated that if/when it is installed they would close the existing irrigation well. Mr. Renzi also suggested they add signage for safety purposes (ex. No Left Turn, etc.). He also suggested they raze the house which would give them more room to shift the building and parking away from the wetlands. Mr. Casali stated that the house is in decent shape and it will be connected to the new septic system and well. Mr. Casali and Mr. Sands said that they need a CO by June 29, 2022 or they will lose their DBR permit for the business. They also said that they need to keep the house on the property for financing purposes.

Mr. Renzi asked if members of the public wish to state if they are for/against the approval and Mr. Rogers replied he is For. No one stated they are Against.

Mr. Antonellis asked if there will be curbing where the existing curbcut is removed from; Mr. Casali said it will mimic what is there (no curb) but the entrances and exits will be defined by landscaping.

Mr. Ducharme asked if their DBR permit allows for extraction (of THC) and Mr. Casali replied no, it is for purely retail uses (which could include baking/cooking of edibles).

Mr. Renzi expressed concern about keeping the house, asking if it could be used for the baking/cooking of edibles, and Mr. Sands replied that they don't know if/how it will be used in the future. Mr. Sackal and Mr. Renzi stated they would like to restrictions imposed on future use of the house. Mr. Ducharme noted that the current use is residential and they would have to come back for a change of use.

Ms. Achille stated that compassion centers are allowed to do certain manufacturing activities (anything but grow), but these activities are highly regulated and would trigger a new site plan. Mr. Casali noted that the building is too small and isn't large enough to manufacture 1/10 of the amount of product they need.

Mr. Antonellis proposed the following list of conditions for approval:

1. The applicant will provide a soil and erosion control plan prior to the issuing of a building permit.
2. The applicant will provide a stormwater runoff plan with stormwater calculation pursuant to RIDEM standards to the Building and Planning Office for administrative approval prior to the issuance of a Certificate of Occupancy.
3. The applicant will remove the proposed drive-through lane in revised plans submitted to the Planning Office prior to the issuance of a building permit.
4. The applicant will provide a lighting plan showing light spillover of no more than 1 candle-foot beyond property lines prior to the issuance of a Certificate of Occupancy.
5. The applicant will provide a report by the state department of environmental management as to the suitability of the soil and design of individual sewage disposal.
6. The use of the house will be limited to ancillary use and any change triggers a change of use application; rental of the house will not be allowed (site is in GBM Zone).
7. Hours of Operation will be limited to 8-8 Monday through Friday and 8-6 Saturday and Sunday.
8. The building will be moved out of the 50-foot wetland buffer to be compliant with RIDEM regulations, and employee parking will be moved to behind the building.
9. Access to the pond will be provided for fire equipment access.
10. A generator will be provided for back-up power.
11. The existing Limit of Disturbance will be added to the Site Plans.

Mr. Antonellis also requested that Green Wave submit new Site Plans showing all proposed changes.

Mr. Renzi asked for a motion. Mr. Ducharme a motion to approve the Commercial Site Plan for the Proposed Compassion Center as presented, subject to the listed conditions; Mr. Paolissi seconded. Motion passed 7-0.

G. Adjournment

Mr. Renzi asked for a motion to adjourn. Ms. Downes-Fortune made a motion to adjourn. Motion passed 7-0. Meeting adjourned at 8:37 PM.

Respectfully submitted,

Hilary Downes-Fortune, Secretary