

SHARON ZONING BOARD OF APPEALS MINUTES OF December 14, 2016

A regular meeting of the Sharon Zoning Board of Appeals was held on Wednesday, December 14, 2016 at 7:00 P.M. in the Second Floor conference room at the Sharon Community Center, 219 Massapoag Avenue. The following members were present: John Lee, Seth Ruskin, Joe Garber, Abe Brahmachari, Barry Barth, and Steve Cohen.

7:00 P.M. Four Daughters Compassionate Care Inc, Case No. 1797, New Hearing:

Mr. Lee read the legal notice, a letter from Jim Andrews, Health Agent for Engineering, a letter from Greg Meister, Conservation Administrator, a letter from Tilden Kaufmann, Chief of Police, a letter from Joseph Kent, Building Inspector, and a letter from James Wright, Fire Chief.

Mr. Joel Fishman, attorney for the Applicant, began with introducing various attendees: Brian Striar, President of Four Daughters Compassionate Care Inc., Stan Rosen, Chief Operating Officer of Four Daughters Compassionate Care Inc., Bill Buckley, Engineer with Bay Colony Group, Inc., David Siebert, with BKA Architects, Sam Schofield, Project Manager with Douglas A. King Builders, Inc. (owner of property), Zev Ilovitz, President and Cultivation Consultant from Envirotech Solutions, and Charles Smith, Compliance Consultant for the Applicant.

Mr. Fishman stated the property is located at 1200 General Edwards Highway and is owned by Douglas King Builders. The proposal is to demolish the current building and build a new structure where the Applicant would be the tenant at that property renting from Douglas King and operate a proposed registered marijuana dispensary.

Mr. Fishman further stated that the board was provided with a copy of the Marijuana By-Law for a registered marijuana dispensary, which is medical marijuana which was approved by Town Meeting on May 5, 2014. Mr. Fishman also provided a memo in support of the application along with other supporting documents.

Mr. Fishman explained that this Special Permit is different in that it is not transferable and not assignable. Also, construction has to start within one year from issuance as opposed to two years and the Special Permit is only good for two years.

Mr. Fishman also stated that even though the Applicant is a non-profit entity and could seek an exception from property taxes, it is committed not to do so.

Mr. Fishman stated that the Applicant received provisional approval in June 2016 to operate a marijuana dispensary.

Mr. Fishman stated that in a recent ballot recreational marijuana was approved by the state. The Department of Public Health has not passed any regulations with respect to recreational marijuana. It is likely that legislation will be passed to amend the initial provisions in the ballot. Town Council will be discussing with the Town of Sharon how to regulate recreational marijuana in terms of by-laws and Board of Health regulations and anticipates doing so in May Town Meeting.

Mr. Fishman stated the application strictly relates to medical marijuana and not recreational marijuana. Given that the location is not in a residential area the hours of operation would be requested to be 8:00 am to 11:00 pm.

Mr. Buckley, engineer with Bay Colony Group, continued to explain the civil engineering aspects of the project. It should be noted that the waste from the dispensary is considered medical waste and would go into a separate tank from the septic system.

Discussion ensued about Four Daughters Compassionate Care origination, employees on premises during hours of operation and off hours, why Sharon as a location, various financial contributions to the Town, and the financing of the project.

Mr. Siebert from BKA Architects continued the discussion as related to his aspect.

A discussion ensued about differences between recreational marijuana and medical marijuana. Recreational marijuana would be taxed and medical marijuana is not taxed. Also, medical marijuana is a stronger product. At the dispensary medical marijuana edible products and dry flower would be sold.

A street sign was discussed and it was stated that it would have information about the address and the name of Four Daughters Compassionate Care on the sign.

Consumption of the product was also discussed and it was stated that it is illegal to consume the product in or around the dispensary. The product is intended for medical home use.

The cultivation system was presented next by the president of Envirotech Solutions, Zev Ilovitz. Envirotech designs and builds mostly greenhouses as well as indoor cultivation facilities for all crops around North America and is active in the cannabis industry. The cultivation system would be a perpetual system and at 100% at all times.

A conversation ensued about edible products and that they would be made in a commercial kitchen on the premises by way of an extraction process and used for products such as baked goods, chocolate bars and lozenges.

Mr. Thomas Walsh of Netwatch spoke about the security of the premises. There would be external and internal cameras, a detection system, and a live audio warning system. Local authorities would be notified as needed. There would also be onsite security presence.

John Lee stated that the board would need Chief Kaufmann's sign off on the security design, Board of Health sign off, and Conservation approval.

Mr. Lee also confirmed that 41% impervious coverage would remain at 41% after new build.

It was stated that every plant is tracked from seed to sale.

The applicant asked to continue the hearing on January 11, 2017.

Other Business:

Mr. Ruskin moved to approve the minutes of October 26, 2016. Mr. Garber seconded the motion. The board voted 4-0-2 to approve it.

Mr. Garber moved to approve the continuance of Case No. 1794, Sharon Park South. Mr. Ruskin seconded the motion. The board voted 4-0-0 to approve it.

It was moved, seconded, and voted to adjourn. The meeting adjourned at 8:44 pm.

Respectfully submitted,

Approved January 11, 2017