

**CITY OF GARDNER**

**DEVELOPMENT REVIEW COMMITTEE**

**M I N U T E S**

**MARCH 1, 2018 at 10:30 a.m.**

*115 Pleasant Street, 2<sup>nd</sup> Floor Meeting Room  
Gardner, Massachusetts 01440*

**Members present:** Trevor Beauregard-DCDP, Deputy Chief John Bernard-Police Dept., Roland Jean-Building Dept., Dane Arnold-DPW, Jennifer Susen-Roy--Health Dept., and Chris Coughlin-Engineering Dept.

**Members absent:** *Raymond LaFond-ZBA, Richard Ares-Fire Chief, and Jeffrey Legros-Conservation.*

**Others Present:** Greg LaGoy-Fire Dept., Maribel Cruz-EDC, Christine Fucile-DCDP, Rob Oliva-DPW, Representatives for Gardner Spirits, Wes Flis for Colonial Bank, and Representatives from Sanctuary Medicinals, also Andrew Mansfield of The Gardner News.

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***T. Beauregard opened the meeting at 10:30 a.m.***

**1. New Business:**

**Applicant: Shawn R. Foster** Started at 10:30 a.m.

... ***Re: 5,000 sf construction of single-story retail/commercial building located at 5 East Broadway.***

... ***Attendees for Shawn: Christopher Doonan of Doonan Architects, Andrew Colameta of Sterling Construction, and Wes Flis of Whitman & Bingham.***

Mr. Foster introduced himself and expressed his intent to construct a single-story building including a basement to be located at 5 East Broadway. Mr. Foster added there were some small modifications made to the plan that was recently presented which now includes a loading dock and handicap parking area.

T. Beauregard inquired if engineered plans will be presented also. Mr. Doonan stated with the snow on the ground, their engineer was not able to get the survey done.

T. Beauregard stated since the engineer is here, will be able to direct any needs to him.

**G. Lagoy:**

Confirmed if there will be sprinklers in the building, and the reply was yes.

**J. Bernard:**

Expressed his concerns with the parking lot in and out of Union Street, and noted this street is a major cut through from East Broadway to Route 68 which will create a major impact. Also expressed concern with pedestrian traffic having to walk around to the building from E. Broadway since there is no access to the front of the building.

Wondered why no front entry. Mr. Foster said an entry on West Broadway is pretty close to the intersection, and it is a very busy area. Mr. Doonan added that the other reason was thought given to handicap accessibility and having to go from the parking lot all the way around to the front on West Broadway.

Inquired what type of security, and Mr. Foster replied it will be a DVR system with three to four months storage and is all digital and have access to the cameras from remote sites through his cell phone. J. Bernard added that the police department will have an intern documenting all cameras in the City.

J. Bernard brought attention to the signage and asked if the signs will be lighted, and the reply was yes.

C. Coughlin:

All set until he sees a drainage plan, and water/sewer plan. Mr. Flis commented that there will be a small increase to impervious surface, but will sheet flow it off with a rain garden. Also, will tie-in the water/sewer from the existing house.

D. Arnold:

Recommended putting a sidewalk in where the wheelchair access is in order to get up to the City's sidewalk. Mr. Flis said this was talked about.

R. Oliva:

Pointed out when demolishing the building, and the time comes to cut off the services from the street, emphasized the services will need to be cut off from the main.

J. Susen-Roy:

Stated that permits will be required when demolishing the building which includes pest control, and asbestos. Also, stated to keep the entire site wet during demolition to control dust.

*Mr. Foster pointed out that his intention is to meet all City regulations, with the exception of the male and female restrooms. The restrooms will not be open to the public, and proposes to have a unisex restroom. J. Susen-Roy said to start with the plumbing department who gives permission to move forward, and next to the Board of Health to get a variance which will then go to the State to finalize the approval that there will be one restroom and handicap accessible.*

T. Beauregard:

Questioned lighting and landscaping, and Mr. Flis replied as follows:

... Lighting: There will be one wall mounted on the building, and one in the parking lot which has five (5) spaces, and meet the requirements of 50 feet high maximum with downward lighting. There may be another light in the front, but still trying to figure out what will be done with the front area.

... Landscaping: The amount of landscaping needed is very small according to the calculations, but have enough for landscaping and snow removal. T. Beauregard asked that the calculations be noted.

Asked what type of landscaping for the area between the building and property line. The reply was depends on the calculations, but would like to make this low maintenance, and obviously will provide screening for property lines.

T. Beauregard inquired about the signage, and Mr. Doonan pointed out the rendering on the plans which shows signage on the E. Broadway Street, and Union Street. Mr. Foster added that since the E. Broadway Street really is not the front of the building, due to the entrance being on the Union Street side, would like to have a faux front so it does not look like a side of a building.

T. Beauregard asked that consideration be made to a put sign on the side where the entrance is.

T. Beauregard observed that the faux front looks very plain, and asked that thought be given to improve that side of the building.

T. Beauregard noticed the dumpster was moved, and asked if it will have a concrete pad. Mr. Flis said it now has better access, and will have a concrete pad with a vinyl stockade fence.

T. Beauregard pointed out the curb cut on Union Street is 24 feet, and noted it is not the existing one. Also remarked the sidewalks along Union Street are not in good shape, and the reply was they will be replaced.

T. Beauregard asked if a trip generator has been completed, and noted this was important since the Deputy Chief spoke about the impact on the traffic there. Mr. Flis replied the calculations have not been done yet, but will have ready for the definitive plan.

***Ended at 10:55 a.m.***

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**Applicant: Sanctuary Medicinals, Inc.      *Started at 10:58 a.m.***

... ***Re: Proposed use for a state-approved, registered medicinal marijuana dispensary facility located at 16 Pearson Boulevard.***

... ***Attendees for Sanctuary: Mike Allen, James Alex, Jason Sidman, Joshua Weaver, Nicholas Satmary, and William Murray of Places Associates.***

- Mr. Murray reiterated that this facility is simply a medicinal marijuana dispensary, not recreational. Anyone using the facility will have a prescription to do so. What is being proposed is extremely minor changes to the building and the site.
- From the building prospective, the color of the awnings will be changed to match the Sanctuary logo which is green, will add two handicap spaces van accessible to be ADA compliant, and tear up all the plantings in the front and will add new low growing shrubs.
- Mr. Murray noted that the existing sign post will remain, but propose to extend it a little higher and include a 5 x 5 sign that is allowed in the commercial district.
- Mr. Murray further explained that the building itself will be renovated. Also, will install a new, locked dumpster to the rear of the property, and will clean up the back of the property which currently has a lot of debris. The parking lot will be re-stripped in its existing configuration, but will change the exterior of the building and the site are very minor. There are three high pressure sodium lights on posts at 16-18 feet high, and the awning is currently backlit with fluorescent strip lights under the awning. The high pressure sodium lights will be replaced with LED fixtures in the future. The strip lighting under the awnings will be replaced as part of this project to provide awning lights, and increase security lighting around the building.
- Mr. Murray added that the new floor plan matches the existing building closely, and will not be changing location of any doors, but may change the actual physical door to a more heavy duty type, with new hardware, and will not be changing the windows or window locations.
- Mr. Murray included that the building does not have sprinklers, and they are not planning on installing any sprinkler, and noted that there is a fire hydrant in front of the site. The site was

approved for a mixed retail personal facility, in addition, included a complete traffic study. The anticipated traffic for this facility is 200 trips per day spread out through the day, and the mixed facility was approved by the Zoning Board of Appeals and Planning Board at 1200 trips per day. Mr. Murray added they will be asking for a waiver on the traffic study since the trips per day are considerably reduced.

- Mr. Murray explained that if recreational regulations proceed, there would be a potential Phase Two for this project, but in the meantime, the goal is to get into the building, and have the dispensary up and operated.

C. Coughlin:

- Asked if the high pressure sodium lights will remain. Mr. Murray said yes, and the goal is to leave everything as it is today to the extent that it can, and then plan for the future.

J. Bernard:

- Commented that he is not too concerned with the traffic since there has always been a retail business there throughout the years.
- Stated there was a security system that was approved by the Chief, but requested the right to take a good look at this before the final process is made. Mr. Murray established the Chief's approval was provisional. Asked how many people make the delivery, and Mr. Murray replied two per delivery, with one staying in the van at all times. Also inquired if the van is secured when making the delivery. The van is secured and is not marked, which includes video surveillance and a locked storage box
- Indicated the need to further understand the operation. It was explained that a patient must provide a medical card, which is usually good for one year. Doctors cannot prescribe, but can only certify a patient has a qualifying condition that is mandated legal by the state. There are no appointments, just walk-ins, and a process is followed when entering the building. The patients cannot go into the dispensing room, yet are checked in through security from the State's systems, and then allowed to the dispensing room. At the dispensary, there are certified physicians on site at certain times, and at times, can make appointments. A patient can sit and talk free of charge to a doctor, but the doctor cannot certify their condition since it would be a conflict.
- Inquired where the next closest facility is. There is one in Littleton, MA and also one in Plymouth, NH, both cultivation facilities. A retail facility is opening soon in Danvers, as well as a lot of site control with municipalities on the North Shore.
- Asked if there are any issues at the facilities. Mr. Allen, Chief of Security made note of his time as Chief of Police in Rochester, NH which has a population of about 30,000. Mr. Allen stated he had his concerns because he did not know a lot about the industry, and fears like any Police Chief would with regard to crime, quality of life issues that a facility like this would impact the community and the neighborhood. Mr. Allen further stated that none of these fears came to fruition, in addition had zero issues with the cultivation at the site in Rochester. Acknowledged the Plymouth, NH facility has been open for about four years now, again zero issues. J. Bernard added he has two concerns, one regarding theft to the building overnight, and the other is the safety and security of the people coming and going to the facility, and stressed the importance of lighting. Mr. Allen acknowledged that lighting is a top concern. It was also

noted that all the medicine is stored in vaults at night, and there is very little cash handled at these facilities as debit and credit cards are able to be used.

D. Arnold:

- Inquired if there will be much pedestrian traffic. Mr. Murray replied there may be some, but the majority will be medicinal card holders driving to the site.

T. Beauregard:

- Noted the parking lot is in bad shape, and asked if any resurfacing will be completed. Mr. Murray answered not at this time, but may be in the future.
- Commented on the landscaping that is basically going to remain the same, however questioned any additional landscaping along the property lines in between neighboring properties and parking spaces. Mr. Murray said the property lines are asphalt slopes on both sides, and further said the Massachusetts regulations for a medical marijuana facility cannot have any landscaping where someone could hide behind.
- Questioned the sheet flow, and Mr. Murray answered it flows to the back.
- Asked if Sanctuary plans to purchase the property, or will lease it. The answer back was leasing it.
- Inquired if there is a plan to re-vegetate the area as far as taking out invasive species and replacing with local, native plants. Mr. Murray said not at this time since it looks like a conservation jurisdiction and also just trying to streamline at this point.
- Asked if a photometric plan will be provided with the Definitive Plan submission showing the disbursement of light on the site itself. Mr. Murray said they are mimicking what exists today, but just showing the downlights interior to the awning, so there will virtually be no light spill. T. Beauregard asked that this is an important factor for the site plan process, and asked that consideration be given to this since the hours of operation are from 8 a.m. to 8 p.m. Mr. Murray said he could possibly get night pictures taken.
- Possibly consider removing the existing fire hydrant since it sits fairly close to the middle of the sidewalk. Mr. Murray thought possibly with Phase Two since there will be a need for sprinklers.
- Questioned if the dumpster will be placed on a concrete pad. Mr. Murray said no since there is all asphalt on the back of the site. T. Beauregard stated a concrete pad should be considered, in addition to enclosing the dumpster. J. Susen-Roy stressed the importance of an enclosure since this is a huge dumping ground, and will have some issues.
- Spoke about the sign and wondered if it will be a stand-alone structure in front of the building. Mr. Murray stated that there is an existing 6 x 6 steel post that goes up about 7 ½ feet and allowed 50 square feet. Will have a detail that is 5 x 5, and 25 square feet on each side that is supposed to be lit internally. The City's regulations were referred to so they can be installed, and in compliance with a Commercial II district. Mr. Murray added that the post exists today so it will be painted and renovated to be re-used. There will be no sign on the building at this time, and if it is pursued, it may be the Sanctuary logo on the awning. Also added that there might possibly be a sign on the awning that says enter/exit, and will replace the Bank of America enter/exit signs with similar two foot by two foot enter/exits. The intent is one way circulation around the building. T. Beauregard asked if they will have arrows around the parking lot showing this, and Mr. Murray said yes.

- Mentioned where the snow storage will be, and Mr. Murray replied at it exists today, to the rear and to the sides. T. Beauregard asked if it will be shown on the plan, and Mr. Murray said no. T. Beauregard stated he would like the snow storage shown on the plan.
- Asked if there will be any large delivery trucks on the site. Mr. Murray understood there will be a small van, and have the option of delivering in the front or back of the building.
- T. Beauregard inquired if there is any open space on the site. Mr. Murray said to the rear, and everything else is 89% impervious. Mr. Murray further stated the parking calculations were used for a medical office and said there should be seven parking spaces, and have four to eight employees, but have 45 spaces on the site including the handicap spaces.
- T. Beauregard commented that even though this site is being re-used, however would prefer some additional landscaping on the site. Also need to provide calculations of the total required landscaped open space on the plan.
- Brought attention to future expansion, and mentioned to think forward with regard to lighting to develop a sufficient plan. Also, think about improvements to drainage on the site for flow off the site with either rain gardens, or possibly trenches around the perimeter.

**R. Jean:**

- Inquired about the possibility of raising the height of the existing sign, and if the sign will be lighted. Mr. Murray said it will meet the seven feet six inch clearance to the bottom of the sign, and it will have an internal light.
- Recognized the accessibility concerns were addressed on the inside, however, would like to know about the outside. Mr. Murray said there will be two accessible parking spaces, and a ramp will be created to coincide with the sidewalk to be completely ADA.

***Ended at 11:32 a.m.***

**Applicant: Colonial Cooperative Bank \_\_\_\_\_ *Started at 11:32 a.m.***

***... Re: Expansion & improvements of the drive-through services at existing bank located on 6 City Hall Avenue.***  
***... Attendees for Colonial Cooperative Bank: Wes Flis of Whitman & Bingham***

- Mr. Flis began by confirming Fidelity Bank merged with Colonial Co-Operative Bank and have purchased the property adjacent to them at 80 Pleasant Street.
- Mr. Flis explained that the house will be removed, and the intent is to dress up the site and improve the drive-through services. In order to service the customers better, the bank proposes to add an ATM drive-through lane. Currently there are two drive-through lanes one at the window, and one with a drive-up chute. The bank proposes to put two additional chute drive-through lanes in and close the window off for an ATM.
- Mr. Flis further explained the intent is to create an access point off Pleasant Street, and noted the two parking spaces on Pleasant Street in front of the bank will be eliminated. The handicap spaces will be moved and ADA compliant. A sidewalk is proposed to connect the Pleasant Street entrance with the City Hall Avenue entrance.
- Currently the parking in the lot includes 25-26 spaces depending where the dumpster is located, and proposing to do 25 spaces. The access driveway is within the 24 foot requirement. The entrance going on to Main Street will remain.

- Improvement will be made for the off-set to the pavement to the property line to meet the requirement the City has for the ten foot off-set to the property line for the parking, as well as create a little more green space at the top of the retaining wall.
- The landscaping will include more trees, along the residence side and along Pleasant Street.
- Drainage currently exists on the site, however will replace the catch basin that is in the parking lot with a water quality unit to improve the water quality there.
- On the top, the way it grades off, the sheet flow will exit into a rain garden landscaped island with a sub drain to tie into the water quality unit, and then tie back into the City drainage.
- Mr. Flis noted that as part of the improvements, there is in fact, a small decrease of about 200 square foot reduction of impervious surface.
- Mr. Flis made note of the current dumpster on the site which does not have any screening, therefore a white vinyl solid fence will be added around the dumpster. Also, a new concrete dumpster pad will be installed.
- The snow storage will be the area around the exterior of the parking lot.
- The bank plans to start construction in June.

J. Susen-Roy:

- Recapped demolition regarding obtaining the required permits, such as pest control and asbestos, and to keep the entire site wet in order to control dust.

G. Lagoy:

- Questioned if the main entrance on Pleasant Street is going to be widened from how it exits currently, since there is a fire hydrant right there next to the telephone pole. Mr. Flis replied yes, and propose to install bollards to protect the fire hydrant.
- Spoke of the other two hydrants on the site, and if there are any plans to redo the stone retaining wall on the Main Street side. Mr. Flis answered no, nothing will change there.

R. Oliva:

- Commented that he is opposed to bollards being installed on a sidewalk, and would prefer the telephone pole and fire hydrant relocated. Also brought attention to the front of the building on Pleasant Street which is all driveway and no curb, furthermore would mean the whole sidewalk on Pleasant Street will need to be completed, including new granite.
- Pointed out since the catch basin is being removed, to note on the plans to inspect and verify the existing condition, because if you dig it up and it's an eight inch line, this could be an issue.

J. Bernard:

- Remarked that since the customer base will be doubling, asked if there will be any signs for the drive-through. Mr. Flis recognized there is an existing sign that will be used, and the exit only sign will remain for the Main Street side. Also, asked if there will be signs when leaving the expanded parking lot not to go towards the post office. Mr. Flis said there will be a sign that says right turn only.
- Recommended plenty of good lighting, and cameras for the ATM, and possibly consider a sign that says be aware of your surroundings since there is a lot of foot traffic that use ATM's.

C. Coughlin:

- Suggested matching the curbing at the entrance on Pleasant Street for the new driveway.
- Regarding the crosswalk from the parking lot to the bank, has concern that it is too close to the sidewalk and suggested shifting it down five or ten more feet. Mr. Flis said there are AC pads there now, so it is restricted right now, but will check with the bank to see about possibly moving them.
- Noted the Main Street side, and suggested installing a guard rail over the stone retaining wall, for safety.
- Asked where the existing catch basin ties into, and questioned if it goes into a structure down on Main Street. Mr. Flis said he could not find the records on line, but thinks if there is enough water, it works its way around.
- Added that the rain garden include a high water level as he is concerned that the amount of storage for the improvements to the existing drainage system will clog up and create a small pond. Mr. Flis stated it will end up overflowing into the catch basin.

D. Arnold:

- Suggesting utilizing the city sidewalk to make it more visible for wheel chair use.

R. Jean:

- Stated as long as the new sidewalk complies with the accessibility he has no issue.

T. Beauregard:

- Inquired what the plan is for the barrier along the property line south of the site, as well as if there will be some type of barrier in the parking area blocking car lights from the neighboring property. Mr. Flis answered landscaping and trees for the property line. T. Beauregard said there should be some type of barrier, and if not, will need to seek relief. Mr. Flis said he will check with the bank and mention low shrubs, or a guard rail as a barrier.
- Suggested moving the dumpster location, possibly along the southern side.
- Recommended a yield sign on the rain garden island to bring awareness there will be car traffic coming out of that ramp.
- Asked what the distance is between both of the Pleasant Street entrances. Mr. Flis responded 100 feet, and T. Beauregard responded that 100 feet does not meet the requirements, therefore will need to seek relief.
- Should consider some type of cross hatch along the parking area past the drive-through area as a safety issue for pedestrians crossing.

***Ended at 12:08 p.m.***

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**2. Other Business.**

*None at this time.*

**Meeting adjourned at 12:08 p.m.**