

Approved: 1/11/2021

**TOWN OF WINCHENDON  
BOARD OF SELECTMEN MEETING MINUTES  
MONDAY, DECEMBER 21, 2020  
Conducted by Remote Zoom Meeting**

Present:

Michael Barbaro, Chairman  
Rick Ward, Vice-Chairman  
Barbara Anderson  
Audrey LaBrie  
Amy Salter

Keith R. Hickey, Town Manager  
Linda Daigle, Executive Assistant  
Taylor Tower, Administrative Assistant

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List of Documents Presented at Meeting:

- Introduction to Remote Meeting (filed)
- Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §20 (filed)
- December 3, 2020 Legal Notice of Community Outreach Meeting (filed)
- CNA Stores, Inc. Presentation of Proposed Winchendon Cultivation and Manufacturing Location (filed)
- Draft Host Community Agreement between the Town of Winchendon and CNA Stores, Inc. (filed)
- Excerpt from Town of Winchendon Zoning Bylaw re: Cannabis Zoning (filed)

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*Due to Governor Baker's recent Executive Order and state of emergency declaration with the outbreak of the Coronavirus (COVID-19), this meeting was conducted remotely through Zoom Meeting. The public was notified how to join the meeting through instructions noted on the agenda.*

Chairman Michael Barbaro called the meeting to order at 6:30 p.m.

Barbaro confirmed members present and persons anticipating to speak by calling their name and asking for a response in the affirmative: Ward, yes, LaBrie, yes, Salter, yes, Anderson, yes and Barbaro, yes. Staff members present and responding in the affirmative were Keith Hickey, Town Manager, Linda Daigle, Executive Assistant, and Taylor Tower, Administrative Assistant.

Barbaro read the "Introduction for Remotely Conducted Open Meetings" which noted Governor Baker's Executive order of March 12, 2020 and outlined the guidelines and ground rules for the meeting this evening.

Barbaro advised all participants that the meeting was being recorded and cautioned screen sharing. When asked if anyone besides the Town was video or audio recording the meeting, there was no response.

All rose for the Pledge of Allegiance.

- 1. SELECTMEN'S COMMENTS AND ANNOUNCEMENTS:** Anderson wished everyone a happy holiday, and thanked the Winchendon Fire Department for their work in saving a horse that had fallen through the ice.

LaBrie also wished everyone a Merry Christmas, a happy New Year and happy holidays.

Ward thanked the DPW for keeping the roads clear in the recent snowstorm.

Barbaro said Merry Christmas and a happy New Year to everyone. He noted it has been a strange and odd year, but we are getting through it and hopefully next year is better. He also thanked the DPW for their hard work during Thursday's snowstorm.

*Board of Selectmen – Community Outreach Hearing Minutes  
December 21, 2020*

LaBrie noted a correction to last week's holiday announcement, and said that Town Hall will be open Wednesday, December 23<sup>rd</sup> until noontime, rather than closed entirely as stated at the last Selectmen's meeting.

**2. PUBLIC COMMENTS AND ANNOUNCEMENTS:** No public comments were heard.

**3. PUBLIC HEARINGS:**

3.1. Community Outreach Meeting for Proposed Marijuana Cultivation and Manufacturing Facility – CNA Stores, Inc., West St. – Representatives from CNA Stores, Inc. were before the Board this evening to present their proposal to operate a Marijuana Cultivation and Manufacturing Facility on West St. The property owner is seeking the Board's support to enter into a Host Community Agreement with the Town.

Barbaro read aloud the legal notice of public hearing that was advertised on the website and in the newspaper.

**LaBrie moved to open the public hearing, seconded by Ward. With a roll call of Anderson, aye, Salter, aye, LaBrie, aye, Ward, aye and Barbaro, aye, the public hearing began at 6:37 p.m.**

Hickey introduced Robert DiFazio, Chief Operations Officer, to the Board to present his request. The property is properly zoned for this particular use, with the acreage requirement being five acres – this property far exceeds those requirements. The setbacks are double what they normally are for other types of development. Mr. DiFazio and his team are well aware of the requirements and have a proposed location that far exceed the required setbacks. DiFazio thanked Mr. Hickey and the Board for their time tonight, and began screen sharing his presentation. DiFazio is one of the owners, and noted the veteran-owned status of the business. He introduced Michele Whitley, Chief Operations Officer. Whitley listed the Community Outreach Meeting Objectives, including the type of Marijuana Establishment to be located at the proposed address, information adequate to demonstrate that the location will be maintained securely, steps to be taken by the Marijuana Establishment to prevent diversion to minors, a plan by the Marijuana Establishment to positively impact the community; and information adequate to demonstrate that the location will not constitute a nuisance as defined by law. She highlighted the disabled veteran-led status of the company, saying that they bring expertise and a unique background in business management, law enforcement, cultivation and operational excellence. They are licensed in terms of marijuana cultivation and manufacturing. They wish to help better the community, and their mission is to cultivate quality, integrity and commitment. Their products promote better quality of life and they are committed to employing veterans. They currently have a store open in Haverhill, and they are hoping to open a store in Amesbury in 2021 – they have their final license and are waiting on their post final inspection by the Cannabis Control Commission (CCC).

DiFazio said that his company has been in the industry now for over two years, and he believes them to have a good plan and approach as far as retail stores; prompting them to need to expand cultivation facilities. He explained that this location in Winchendon is a perfect location for them as far as acreage and setbacks. The site is over 145 acres, and after striking a deal with the current property owner, they plan to carve out about 20 acres to devote to their manufacturing and cultivation. They are committed to hiring at least 50% of their staff as veterans, and they want to hire people from the local community. They employ sustainable practices, including vertical farming. They have worked with UMass Lowell to recycle cannabis stems to make hemp-based containers to ship their products, and they would like to have solar arrays on this property. DiFazio said there will be odor control on the property and they will utilize a phased approach during construction. Currently, they are surveying the property and they have established a preliminary layout, identifying wetlands so that they could potentially shrink the footprint slightly and avoid encroaching on wetlands. Phase 1 includes the construction of the office, ten grow areas and a manufacturing area. Phase 2 will see the construction of six additional grow rooms and additional manufacturing. Employees and delivery drivers will access the facility from West Street.

DiFazio then detailed his vertical farming plan, explaining that it maximizes their footprint and allows for the most efficiency, which in turn will spur revenue in regards to the 3% Impact Fee charged by the Town. He said that in terms of physical security, there will be crime prevention through environmental design. Closed-circuit

*Board of Selectmen – Community Outreach Hearing Minutes  
December 21, 2020*



video surveillance, alarm systems monitored 24 hours a day, 7 days a week and 365 days a year, biometric electronic access control, safe transportation procedures, minimal signage, communication with Police, and seed-to-sale software to limit diversion to minors are all part of the plans presented to the Town. Delivery vehicles will have two employees at all times and have GPS and cameras installed. No persons under twenty years of age will be allowed on the facilities.

DiFazio said that positive community impact is the goal, and noted that his business had received a Veteran-Owned Business award from the Haverhill Chamber of Commerce. He said that his 3% Impact Fee in terms of gross wholesale contribution has the potential to exceed \$1 million in revenue for the Town of Winchendon and that his company donates \$25,000 a year to local charities. He detailed positive impact to communities of his other locations, including cancer research nonprofit, meal distribution and veteran support. His new location will provide jobs for locals, especially veterans. He has hired a team of qualified staff with military, law enforcement and security background.

Anderson asked Mr. DiFazio why he chose this location. He answered that one of his lobbyists was working on a project for veterans, and she began speaking with the owners of this location regarding tiny homes for veterans on their 145-acre lot. They spoke with Mr. DiFazio to get an understanding of tiny homes, and after hearing what Mr. DiFazio does for a living, they informed him that it could be done at their property. From there, they came up with the concept of potentially doing a whole tiny home veteran community, which could provide a symbiotic relationship with jobs and housing.

Salter asked if Police Chief David Walsh has seen these plans, and if so, what he thinks about that location as far as security for the Town. DiFazio said he has not yet, but absolutely will during the permit process. Mike Allen, the Chief of Security, will be meeting with him as well to go over the intent and the approach.

LaBrie said looking at the plan, she sees that they will be working on 20 acres of land. She asked if there will be lighting on the exterior of the property and said she is concerned about light pollution. DiFazio answered that they plan to use a “zero dark lighting” plan, the driveway will be lit but the cameras work in the dark. There will be some lighting but their goal is to not impact the surrounding area.

Ward said after visiting the site a couple times and driving around Brown Street and West Street, he was curious if more trees are coming down or if the space has been completely cleared. DiFazio said that the clearing was done before they came up with their layout. Ward said there is currently a nice, natural buffer. DiFazio explained that his goal is to keep it minimally invasive and established in such a manner that one would not even know the facility is there. Ward asked what the operational hours are; to which DiFazio explained that there are two day shifts, spanning from 7:00 a.m. to 11:00 p.m. with a little overlap, and then a night shift for security and general maintenance. Ward noted that when a facility like this is placed in a residential area, there is a big concern in regards to nuisance caused to abutters. He asked if there would be any odor released into the area. DiFazio answered that there could be a small amount released when doors are opened to enter and exit the facility, but the layout of the building and a deodorization system are designed to prevent that issue as much as possible. Ward asked if there will be any noise emanating from the building. DiFazio said that the only thing that might create noise is air conditioning units that will be placed outside, but that they will try to minimize the noise with fencing and insulation. Ward wondered when the facility would be geared to open. DiFazio said probably 2023 with a partial opening, and then the facility would be at full capacity in 2024.

Barbaro asked what DiFazio anticipates the 3% Impact Fee to the community to be once fully operational. DiFazio explained that he started with a \$1 million estimate because he doesn't want the Board to get too excited. He further elaborated by saying that there will be roughly 50,000 pounds of marijuana leaving the facility a year, at \$838 a pound. Once it becomes legal federally, the wholesale price will drop. Barbaro informed DiFazio that the Town is currently working with the Montachusett Veteran's organization, who is renovating two schools into veteran housing, giving CNA Stores, Inc. a good source of veterans to employ.



Margaret and Harry Latrall of 207 Pearl Street wanted to confirm their understanding that this location is just manufacturing, there will be no sales and no retail establishment, to which DiFazio said yes. Ms. Latrall said they are not against it but they do not want to smell it.

Sarah Monfreda of 424 School Street said that she owns property across from the entrance. She voiced support for having a new business in Town but said she just had a few questions. On the presentation, she noted that it was stated that all lots will be serviced by municipal water and sewer, and she asked how big an impact that will be. DiFazio said that a typical grower will consume 800 gallons of water a day, but with their sustainable humidity practices, they reclaim about 85% of that water, coming to roughly 120 gallons per room on a daily basis. In terms of sewer, he said that there are roughly twenty to thirty employees and he is not sure if it will create a big impact. He said that is what the impact fee is for, so if needed, it can be improved. Monfreda noticed much of the presentation highlighted a commitment to the environment, with many plans to reuse as much material as possible. She said she has concerns looking at the initial layout on page 10 and 11 of the presentation, she believes it looks like they are planning to build right up to the wetlands and potentially filling it in. She is concerned about the impact and asked how they plan to mitigate that. DiFazio said they are currently having the wetlands marked by the State, and that the layout presented is a very preliminary one. The design will change to prevent encroachment on the wetlands.

Kathy Johnson of 278 West Street said that her property abuts right where the driveway is intended to be, and she is concerned about the impact on her house. When the land was cleared, it was cut right up to her property and she has a clear view of the proposed facility from her backyard. DiFazio said they are willing to work with her, and they could put a recovery in there to help minimize the impact in the form of shrubbery. Johnson asked if the lighting will affect her house, to which DiFazio answered that they will try to minimize the impact of the lights as much as possible, and that they could put the lights lower to the ground. Johnson said she doesn't mind the facility but doesn't want to have to see it. DiFazio agreed with her, saying he chose to move to a more rural town himself and that the last thing he wants to do is to negatively impact their abutters.

David Watkins of 235 Mellen Road said that he had heard a couple issues when conversing with folks around Town. The main issue, he said, is the potential of odor. He told DiFazio he knows he tried to address that, but he feels that some people are very concerned that it will be a detectable odor within the neighborhood, especially with so many trees having been removed. He also asked how the delivery route will impact the local roadways, saying that they are very residential and he is concerned about wear and tear on the infrastructure. DiFazio said that in terms of odor control, the Cannabis Control Commission (CCC) does not allow the odor to escape the building and impact surrounding properties, so they have to have an odor mitigation plan in place in order to receive their license. He shared an experience with another one of their cultivation facilities, in which an abutter did not even know there was a facility there after having been there since 2016. They do everything they can to mitigate the smell. There are deliveries once a month for product to grow the plants, but as far as traveling it is mostly just cars. They hope to employ 20-30 people who live in Town, with the goal of very minimal impact. Wear and tear from additional traffic is why the Impact Fee is charged to the facility, generating revenue for the Town to address this wear and tear. Watkins thanked Mr. DiFazio and said this is a great opportunity for employment for veterans.

Eric Ducharme of 399 Front Street asked if this facility will produce recreational or medicinal marijuana; DiFazio answered recreational. Ducharme asked if this is their first facility, to which DiFazio answered they already have a cultivation and manufacturing facility in Amesbury. Ducharme wondered what DiFazio foresees for the hiring process; to which DiFazio explained that they will put out a notice with the Town and come before the Board again to let them know of his intent to begin hiring.

John LaPlante of 2 Royalston Road North asked why this particular parcel. He abuts this property and believes there are much better places in Town, and that there are available commercial/industrial properties that he believes to be much better locations. He said he is adamantly against this project at this location, and that he has spoken to many of his neighbors who feel the same way. He feels that the road cannot handle the impact

already, and that the solar farm was already a nuisance to all the residents on this road. He would like to see this project placed on route 140 and warned DiFazio that he will be rallying all his neighbors to protest this facility.

**Ward moved to close the public hearing, seconded by LaBrie. With a roll call of LaBrie, aye, Anderson, aye, Salter, aye, Ward, aye and Barbaro, aye, the public hearing concluded at 7:42 p.m.**

LaBrie said that they had received a lot of information with this presentation. She thinks it is a wonderful thing for Winchendon, however, she is concerned about the location. She recalled speaking out at the 2018 Town Meeting during which the proposed zoning for this location was addressed. She did not want to see R80 as part of the approved zoning in this area and she voted against it.

Anderson said she is looking for some assurances and that she has a problem with the impact on the environment. The preliminary layout shows the facility close to the wetlands, and she is uncomfortable with the location. She asked how we can guarantee that the impact to the environment will be minimal. Tracy Murphy, Director of Planning & Community Development, said that this development would still have to go through the local permitting stage, the first step is the notice of intent with the Conservation Commission. If they receive approval from the Conservation Commission, they then have to present their plans to the Planning Board to receive a special site plan review. Anderson asked how the Board of Selectmen can guarantee that the impact will be minimal. Murphy explained that the Conservation Commission is charged with enforcing the Massachusetts Wetlands Protection Act and that there are laws and procedures in place for this. Anderson said they have been known to give waivers on certain occasions and she would like the Board to have strict structure in place before the Community Host Agreement is approved. Barbaro informed Anderson that is the purview of the Conservation Commission, not the Board of Selectmen and that DiFazio still must appear in front of multiple boards before moving forward with construction. Anderson said she is looking for firm commitment.

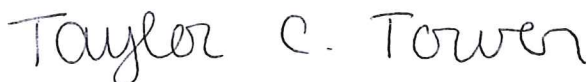
**Ward moved the Board authorize the Town Manager to negotiate and enter into a Host Community Agreement between the Town of Winchendon and CNA Stores, Inc., for a proposed Marijuana Cultivation and Manufacturing Facility on West St., seconded by Barbaro. With a roll call of LaBrie, no, Anderson, no, Ward, yes, Salter, yes, and Barbaro, yes, the motion carried 3-2.**

Hickey said that he had provided DiFazio with a standard host agreement presented to all marijuana manufacturers in Town, and that DiFazio had agreed to all terms.

4. **NEW BUSINESS:** There was no new business.
5. **OLD BUSINESS:** There was no old business.
6. **ADJOURNMENT:** Barbaro asked if the Board members were available on January 6<sup>th</sup> to interview candidates for the Interim Town Manager position, and said he'd like to conduct these interviews in person. LaBrie noted that the Board will be presented with the recommended candidates from Community Paradigm Associates on December 28<sup>th</sup>, and that would like to move along quickly with scheduling an interview. She suggested December 30<sup>th</sup>, to which all Board members confirmed they were available.

**LaBrie moved to adjourn, seconded by Ward. With a roll call vote of LaBrie, aye, Anderson, aye, Salter, aye, Ward, aye and Barbaro, aye, the meeting adjourned at 7:52 p.m.**

Respectfully submitted,



Taylor Tower  
Administrative Assistant