



December 13, 2022

Linda Vacon, Chairperson
City Council Ordinance Committee
C/o Assistant to the City Council

RE: Small Wonders Cultivation LLC – 109 Lyman Street

(ZONE: IG, Industrial General)

Dear Councilor Vacon

Beginning on September 19, 2022, Planning staff had the opportunity to review materials received on September 9, 2022, from Small Wonders Cultivation LLC for a special permit for the redevelopment of +/- 23,652 square feet of the existing building located at 109 Lyman Street (Parcel 023-01-014). A revised submittal was received at the City Clerks office on November 17, 2022. Planning Staff began to review the revised material on November 21, 2022.

This facility will be for marijuana cultivation only. They will not be open to the general public. Per Section 7.10.4 the site is zoned appropriately, Industrial General (IG), and requires a Special Permit granted by the City Council to operate. **Please note that Special Permits are nontransferable and only valid for the specific applicant that applied for it.**

After reviewing the submittal materials from November 17, 2022 and based on the City of Holyoke Zoning Ordinance, Sec. 7.10, **MARIJUANA FACILITIES**, and other applicable Sections (10.1.6.1 & 10.1.6.2), Planning staff offers the following review:

Per Holyoke Zoning Ordinance:

Section 7.10.6.1 Pre-Application Meeting: A pre-application meeting was held on April 8, 2022

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Section 7.10.6.2(a): Two (2) original application forms have been included in the submittal.

Section 7.10.6.2(b): Copies of plans have been received and have been prepared by a registered engineer, including their signature and seals.

Section 7.10.6.2(c): A digital (pdf.) file of the plans and all other required submittal materials have been included.

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Section 7.10.6.3(a): The Applicant has submitted the name and address of each owner as part of the November 17, 2022 submittal.

Section 7.10.6.3(b): Copies of all required registrations, licenses, and permits issued by the Commonwealth have not been provided within the submittal as the Commonwealth has **NOT** issued them to date within the process.

- Copies of all CCC approvals should be provided upon receipt by the applicant.

Section 7.10.6.3(c): The Applicant has submitted evidence of site control by way of a Deed and Lease Agreement for the use of the property located at 109 Lyman Street.

Section 7.10.6.3(d): The Applicant has submitted a copy of a notarized statement of representatives dated October 11, 2022 from the organization’s Sole Owner/Manager as part of the November 17, 2022 submittal.

Section 7.10.6.3(e): The Applicant has submitted a description of activities to occur on premises which are in line with the proposed MME use as part of the November 17, 2022 submittal.

Section 7.10.6.3(f): A letter signed by the Holyoke Police Chief dated November 11, 2022 approving of the security plan was included as part of the November 17, 2022 submittal to the City Clerk's Office.

Section 7.10.6.3(g): The Applicant has submitted a Development Impact Statement per Section 10.1.6.1 of the Holyoke Zoning Ordinance.

Section 7.10.6.3(h): The Applicant has submitted a Traffic Impact Statement per Section 10.1.6.2 of the Holyoke Zoning Ordinance.

Section 7.10.6.3(i): The Special Permit fee was paid to the City Clerk's Office at the time of submittal.

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Section 7.10.6.4 (a) Locus Plan: The Applicant has submitted a **Locus Plan**.

Section 7.10.6.4 (b) Survey Plan: The Applicant has submitted a **Survey Plan**.

Section 7.10.6.4 (c) Improvements Plan: The Applicant has submitted an **Improvements Plan**.

Section 7.10.6.4 (d) Photometric Plan: The Applicant has submitted a **Photometric Plan**.

Section 7.10.6.4 (e) Building Plan: The Applicant has submitted **Building/Floor Plans**.

Section 7.10.6.4 (f) Elevation Plan: The Applicant has submitted an **Elevation Plan**.

Section 7.10.6.4 (g) Details: The Applicant has **Not** included a **Details** sheet.

- Detail sheets (i.e. illustrations) including, but not limited to, catch basins, signage (temporary and permanent), stormwater management structures, retaining walls, pavement markings, lighting fixtures, fencing, dumpster enclosures, curbing, any site improvements included in the plan. Please provide physical illustrations of the proposed fencing, lighting fixtures, dumpster enclosures, bollards, and any pavement markings.

Applicant Response 12/12/22:

- Details for paving and granite curbing are shown on the Site Plan, Sheet G1.
- No storm water management structures or catch basins are contemplated at the time. The City Engineer and the DPW will be consulted during the actual civil engineering design phase.
- No temporary or permanent signage is contemplated at this stage. Any permanent signage for the occupancy will be submitted to the Planning Department and the Building Commissioner.
- Pavement markings for the four 9'x18' parking spaces will be 3" wide white traffic paint. See Sheet G1 for locations.
- Proposed exterior lighting fixtures are shown on Sheet L1 along with a Lighting Plan and Lighting Control description.
- Fencing and dumpster enclosure are located and described on Sheet A1. Mechanical equipment area to receive a 6' high solid vinyl fence. The dumpster enclosure will be a 6' high chain link with vinyl inserts.

Planning Board Response: Response Accepted

Section 7/10.6.4 (h) Revision List: Will be required for all revisions to plans and/or narrative

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1. The plans submitted on November 17, 2022 are presumed to be final.

2. Section 7.10.6.3(e) **Description of Activities to Occur on Premises**

- Approval of the proposed project from the Holyoke Fire Department should be sought prior to the granting of a special permit given the use of CO2 site.

Applicant Response 12/12/22:

CO2 usage: Lt. Ortiz was contacted on 12/8 and, when designed, a complete system will be submitted to the Holyoke Fire Department for approval. Description of the CO2 systems is as follows:

- Incoming full tanks and outgoing empty tanks will be stored in locked, chained area in the Sally Port/ Receiving Area out of the traffic flow. It is currently believed that 330 CF tanks will be used. Tanks will be stored on their flat base. The quantity of tanks has not yet been determined, pending system design engineering.
- Tanks will be transported to the Grow Rooms using a wheeled dolly with a restraint strap.
- Active tanks will be located inside the Grow Rooms, secured with Unistrut and chain restraint and actuated by a solenoid valve responding to internal sensors.
- Alarm annunciators will be located in the hallways outside of each room indication the PPM and warning light restricting access.
- From the Control panel, alarm wires will be run to the Fire Alarm Panel notifier and then to the Holyoke Fire Department. Alarms will have a two-stage high and low setting. The low setting is 5,000 PPM (parts per million) and the higher setting is 12,500 PPM. The low setting warrants an advisory call and the high setting will receive an apparatus response.

Planning Board Response: Response Accepted

- The City Engineer should be consulted to ensure compliance with stormwater and parking/traffic regulations.

Applicant Response 12/12/22:

City Engineer advisory: Kris Baker was contacted on 12/8 and he forwarded to us his letter to the Committee.

- At Present, there is no plan for a full-depth pavement reclamation exceeding 2,000 SF which would trigger the Holyoke Stormwater Regulations. If the civil engineering design determines that the best design will exceed that threshold, then we will follow all Regulations.
- The existing sanitary sewer will be found, marked, and examined to determine the conditions for connection of the fixtures to the sewer system prior to design.

Planning Board Response: Response Accepted

- There is no indication of how marijuana odor will be managed on the site. A description of the odor mitigation plan for the site should be provided prior to the issuance of a Special Permit.

Applicant Response 12/12/22:

- Odor Mitigation Plan:
 - Small Wonder Cultivation will take extreme measures to eliminate all odors emanating from the facility during operations. These include redundant carbon filtration located throughout the facility, negative air pressure in the cultivation rooms, and employee standard operating procedures and training.
 - Activated carbon filters will be utilized to absorb terpene compounds. Applied correctly, these filters can achieve an efficiency of 99.9%. As shown in the drawings, ceiling-suspended activated charcoal filter/fan units shall be installed in all odor-emitting areas of activity, including the following:
 - Mother/ Clone Rooms
 - Vegetative and Flower Rooms
 - Drying Rooms
 - Trimming and Packaging Rooms
 - The System utilized will be Max-Pro 10", 1052 CFM Can-Fan (or equal) and activated charcoal filter bag.
 - Small Wonder Cultivation will maintain an extensive training program specifically for odor mitigation. The importance of keeping doors shut and changing carbon filters along with maintaining a filter replacement log will be emphasized. Every odor emitting room will be continuously monitored with daily inspections for odor by staff.
 - Finally, Small Wonder will maintain a web-based community outreach connection for receiving complaints and addressing odor-related events.

Planning Board Response: Response Accepted

3. Section 7.10.6.3(g) Development Impact Statement

- A tentative/preliminary development schedule should be provided given that once a special permit is granted, it expires after two (2) years if not substantially acted upon by the permit holder.

Applicant Response 12/12/22:

- Preliminary Development Schedule: We recognize the two-year expiration of the Special Permit, and are putting forward this tentative schedule:
 1. January 2023: Begin Design Services and City Consultation
 2. April 2023: Submission for a Building Permit
 3. May 2023: Begin Construction
 4. November 2023: Certificate of Occupancy and Application to CCC
 5. December 2023: Beginning of Operation.

Planning Board Response: Response Accepted

4. Section 6.4 Signs.

- Should there be any temporary pre-development signage proposed for the project (i.e. contractors, builders, designers, "coming soon")? (7.10.6.2.d), its location(s) must be illustrated in the plans. Details will need to be provided and referenced and include size, location, and materials and they must conform to all requirements of the City of Holyoke Zoning Ordinance. The City Council may request color samples of the materials. A copy must be submitted to the Building Commissioner for review/approval in order to erect any temporary signage (Section 6.4.3.7). Multiple signs on a wall or signs greater in area (s.f.) than what is allowed on a wall require a Special Permit reviewed/granted by the Planning Board (6.4.6.4).
- Any permanent signage proposed for the site will require a building permit granted by the Building Commissioner. In order to erect wall signs or any other pole-mounted signage or monument signage, details will need to be provided and include size, location, and materials and they must conform to all requirements of the City of Holyoke Zoning Ordinance. The City Council may request color samples of the materials. Multiple signs on a wall or sign(s) area (s.f.) greater than what is allowed on a wall will require a Special Permit reviewed/granted by the Planning Board (6.4.6.4).

5. Sidewalks, walkways, and ramps must all comply with Massachusetts accessibility codes (521 CMR).

6. In the event there are any proposed changes to the approved Plan(s), prior to their implementation, the Applicant will be required to come back to the City Council for review and approval and file as an amendment to the Special Permit.

**Please consider that revised materials submitted beyond the original application received date of November 17, 2022 may result in additional Department review and additional information and/or details may be requested in subsequent letters to the Applicant as the plans are revised. In the event that there are any proposed changes to the approved Plan(s), prior to their implementation, the Applicant will be required to come back to the City Council for review and approval and file as an amendment to the Special Permit.*