



March 6, 2024

Town of Hubbardston  
Planning Board  
7 Main Street, Unit #7  
Hubbardston, MA 01452

**RE: Special Permit Application  
Paper Crane Provisions, LLC.  
56 Gardner Road  
Hubbardston, Massachusetts**

Dear Board Members,

On May 20, 2021 the Planning Board voted unanimously to grant a Special Permit to Paper Crane Provisions, LLC for a Commercial Marijuana Facility at 56 Gardner Road in Hubbardston, Massachusetts. The Special Permit decision was recorded in the Worcester Registry of Deeds in Book 65,376, Page 339 on June 14, 2021.

Paper Crane Provisions has operated the Commercial Marijuana Facility at 56 Gardner Road since June of 2021. According to Special Condition 7.19.1 of the Special Permit, the Special Permit is valid for a term of three years. Special Condition 7.19.1 provides the Applicant with an opportunity to continue the use granted by this permit after the three-year period by petitioning the Board for an extension of the permit.

In speaking with Bill Murray of Places Associates, the Board's Peer Review Consultant, the Town's Bylaws are not clear on granting extensions. Mr. Murray suggested that we file a new Special Permit Application on behalf of Paper Crane. The Application materials attached are as they were submitted in 2021 with any changes noted. A new Application Form is attached as is an updated Certified List of Abutters. Paper Crane is also paying a new Special Permit Filing Fee.

Our request is for the Board to review and act on this Special Permit request and vote to issue the Special Permit that was granted in 2021. The one change that we are requesting is to remove the three-year period from the new Special Permit.

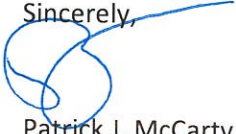
We look forward to working with the Board on the review of this Application. Please feel free to contact me with any questions or should additional copies of the information provided be required.

Paper Crane Provisions  
March 6, 2024

Page 2

Thank you in advance for your consideration of this application.

Sincerely,

A handwritten signature in blue ink, consisting of a large, stylized 'P' followed by a horizontal line extending to the right.

Patrick J. McCarty, PE  
President

CC: Project File  
Boey Bertold – Paper Crane Provisions

**Special Permit Application  
Paper Crane Provisions, LLC.  
56 Gardner Road  
Hubbardston, Massachusetts**

**March 6, 2024**

**Submitted to:**

**Hubbardston Planning Board  
Mr. Kristofer Munroe, Chair  
7 Main Street  
Hubbardston, MA 01452**

**Applicant:**

**Paper Crane Provisions, LLC  
56 Gardner Road  
Hubbardston, MA 01452**

**Prepared By:**

**McCarty Engineering, Inc.  
42 Tucker Drive  
Leominster, MA 01453**



**Table of Contents:**

- 1. Special Permit Application Form**
- 2. Certified Abutters List**
- 3. Copy of Original Special Permit Application with mark-ups**
- 4. Copy of Original Special Permit Application Exhibit 4.2**
- 5. Copy of Original Special Permit Application Exhibit 5**
- 6. Copy of Recorded Special Permit**



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**Special Permit Application Form**



Office of  
**The Planning Board**  
 7 Main Street, Unit #7  
 Hubbardston, MA 01452

**Application for Special Permit**

APPLICANT'S NAME:	Paper Crane Provisions, LLC	
APPLICANT'S ADDRESS & PHONE NUMBER:	56 GAROUER ROAD, HUBBARDSTON, MA 01452	Boey Buroo 617 767 9167
LOCATION:	56 GAROUER ROAD, HUBBARDSTON, MA 01452	
ADDRESS OF ABOVE:	56 GAROUER ROAD, HUBBARDSTON, MA 01452	
DEED DULY RECORDED IN WORCESTER COUNTY REGISTRY OF DEEDS:	BOOK # _____ PAGE # _____ BOOK 63561, PAGE 177	
ASSESSOR'S	MAP # <u>5</u> PARCEL(S) # <u>80</u>	
ZONING DISTRICT WHERE PROPERTY IS LOCATED:	Commercial	

I hereby request a hearing before the Planning Board, the Special Permit Granting Authority of Hubbardston, Massachusetts, with reference to the above application. In the event that a Special Permit is granted, I will record same with the Worcester County Registry of Deeds or Land Court.

[Signature] 3-6-24  
 Signature of Applicant Date

[Signature] 3-6-24  
 Signature of Owner of Record Date

Pursuant to the provisions of M.G.L. Chapter 40, Section 57, certification that no debt is owed to the Town of Hubbardston by the applicant or owner of record must be obtained from the Tax Collector **before** this form is submitted to the Planning Board.

No Debt is Owed:  \_\_\_\_\_

DEBT IS OWED: \_\_\_\_\_

R. Thibault 3-6-24  
 Signature of Tax Collector Date

Date Application Received by Planning Board: \_\_\_\_\_

**Fee:** \$225.00 payable to the Town of Hubbardston.

**Submittals:** Three printed copies of all application materials, list of abutters certified by the Assessor's Department, PDF digital copy of all application materials submitted to [plan@hubbardstonma.us](mailto:plan@hubbardstonma.us), pre-addressed/pre-paid envelopes for abutter notifications (see Special Permit Application instructions).









# 300 feet Abutters List Report

Hubbardston, MA  
February 27, 2024

## Subject Property:

Parcel Number: 05-080  
CAMA Number: 05-080  
Property Address: 56 GARDNER RD

Mailing Address: PAPER CRANE PROVISIONS LLC  
42 TUCKER DR  
LEOMINSTER, MA 01453

## Abutters:

Parcel Number: 05-043  
CAMA Number: 05-043  
Property Address: 49 GARDNER RD

Mailing Address: WERME KEVIN WERME KENNETH  
GREER KAREN  
49 GARDNER RD  
HUBBARDSTON, MA 01452

Parcel Number: 05-046  
CAMA Number: 05-046  
Property Address: 53 GARDNER RD

Mailing Address: FRANGOS STAMATIA  
22 BLAKER STREET  
AUBURN, MA 01501

Parcel Number: 05-047  
CAMA Number: 05-047  
Property Address: 57 GARDNER RD

Mailing Address: MCCARTHY JOHN P  
4 WEST BROOKFIELD ROAD  
BROOKFIELD, MA 01506

Parcel Number: 05-048  
CAMA Number: 05-048  
Property Address: 10 RAGGED HILL RD

Mailing Address: BRISEBOIS LINDA  
10 RAGGED HILL RD  
HUBBARDSTON, MA 01452

Parcel Number: 05-050  
CAMA Number: 05-050  
Property Address: 63 GARDNER RD

Mailing Address: MATTHEW PEASLEE AARON SANDRA  
POLCARO  
63 GARDNER RD  
HUBBARDSTON, MA 01452

Parcel Number: 05-078  
CAMA Number: 05-078  
Property Address: 46 HIGH ST

Mailing Address: BRATKO THOMAS W & JASSY M  
TRUSTEES HUBBARDSTON ORCHARD  
REALTY TRUST  
28 HIGH ST  
HUBBARDSTON, MA 01452

Parcel Number: 05-079  
CAMA Number: 05-079  
Property Address: 52 GARDNER RD

Mailing Address: BRATKO THOMAS W & JASSY M  
TRUSTEES HUBBARDSTON ORCHARD  
REALTY TRUST  
28 HIGH ST  
HUBBARDSTON, MA 01452

Parcel Number: 05-081  
CAMA Number: 05-081  
Property Address: 60 GARDNER RD

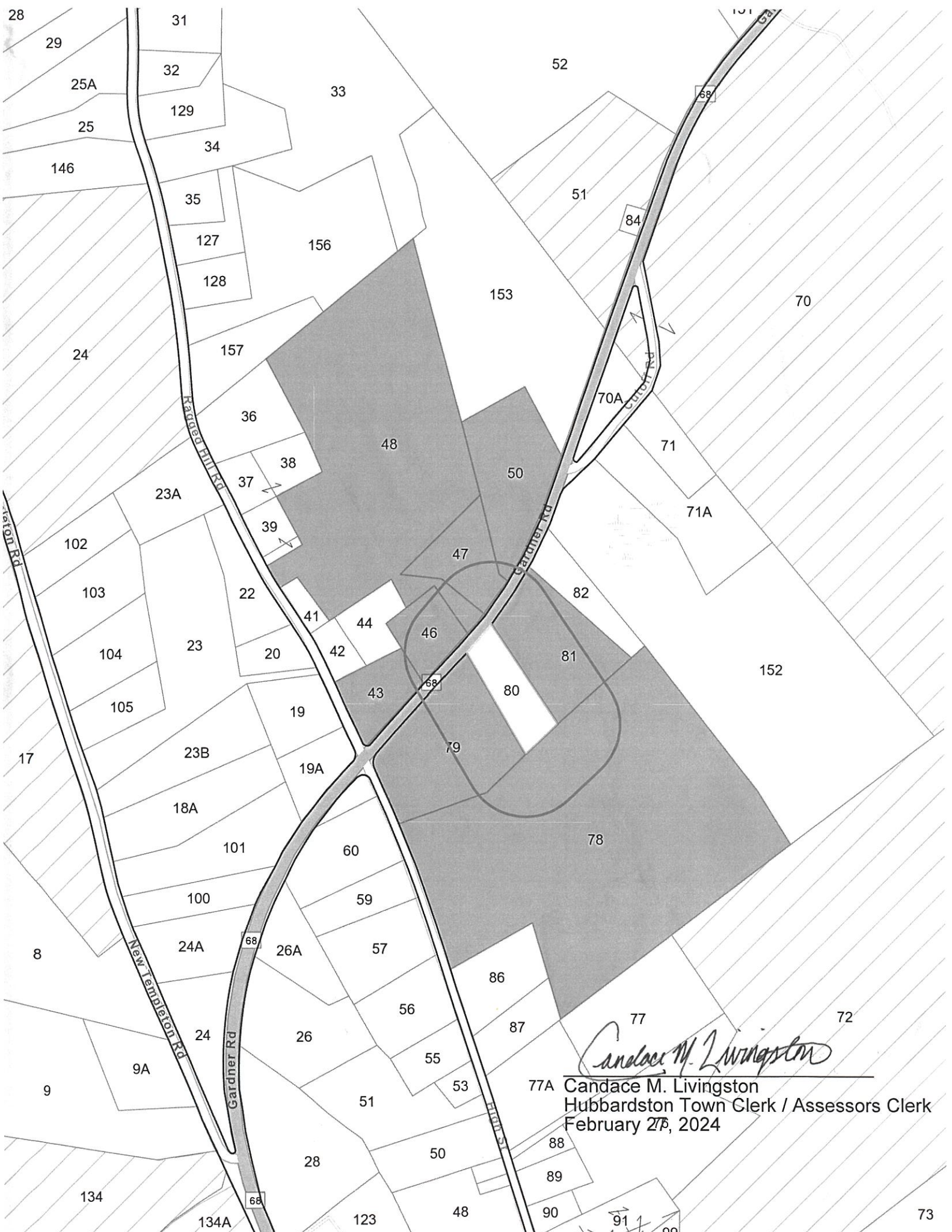
Mailing Address: JONSSON JON ARNI & LINDA DIS  
TRUSTEES  
60 GARDNER RD  
HUBBARDSTON, MA 01452

Candace M. Livingston  
Hubbardston Town Clerk /Assessors Clerk  
February 27, 2024



www.cai-tech.com

Data shown on this report is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this report.



*Candace M. Livingston*

77A Candace M. Livingston  
Hubbardston Town Clerk / Assessors Clerk  
February 27, 2024



**Copy of Original Special Permit Application with mark-ups**

# Special Permit Plan Review Letter

## Article 7

2-26-21

RESUBMITTED MARCH 6, 2024

**Submitted To:**

Hubbardston Planning Board  
7 Main Street, Unit #7 Hubbardston, MA 01452

**Submitted by:**

Paper Crane Provisions, LLC  
Thomas Wirth Associates Inc. 133 Western Ave Sherborn MA 01770 Thomaswirthassociates.com

Bobrek Engineering PO BOX 2185 DANVERS MA 01923 GOBOBREK.COM

MCCARTY ENGINEERING, INC. 42 TUCKER DR, LEOMINSTER, MA 01453

**Regarding:**

56 Gardner Road, Phase 1 - Outdoor Marijuana Grow Facility

Dear Board Members;

On behalf of Paper Crane Provisions we are submitting materials for a Special Permit Plan Review pursuant to Article 7 of the Hubbardston Zoning Bylaws and related other sections and regulations.

**COPIES OF DRAWINGS REQUIRED FOR SPECIAL PERMIT SUBMISSION:**

- a. Three (3) copies of Application Form 1, a fee set by the Planning Board, and
- B. six (6) copies of a written description of the proposed use (THIS SET)

THE FOLLOWING MATERIALS ARE IN THIS APPLICATION PACKAGE:

1. SPECIAL PERMIT LETTER - ARTICLE 7, by Thomas Wirth Associates & Bobrek Engineering, 8 pages, dated Feb 26, 2021
2. SITE PLAN REVIEW LETTER - ARTICLE 9, by Thomas Wirth Associates & Bobrek Engineering, 7 pages, dated Feb 26, 2021
3. SITE PLAN REVIEW APPLICATION, and SPECIAL PERMIT APPLICATION, from Paper Crane Provisions”, dated Feb 18, 2010, 2 pages
4. SITE PLANS FOR PAPER CRANE PROVISIONS, 56 Gardner Road, Hubbardston, Ma February 2021. By Thomas Wirth Associates & Bobrek Engineering, dated 2/26/2021, 6 pages
5. COMMUNITY IMPACT ANALYSIS, by Thomas Wirth Associates & Bobrek Engineering , 9 pages, dated Feb 26, 2021
6. LETTER TO DCR, Division of Water Supply Protection Attn: Environmental Planning Re: Watershed Protection Act – Request for Advisory Ruling, by Goddard Consulting, dated Feb 11 2021, 12 pages.
7. HOST COMMUNITY AGREEMENT: Town Hubbardston and Paper Crane Provisions, LLC Host Community Agreement For The Siting of an Adult Use Marijuana Outdoor Cultivation Establishment May 17, 2020, 17 Pages
8. List of Abutters

**ARTICLE 7 – SPECIAL PERMITS:**

**7.I PURPOSE.**

*a. Shall not have vehicular and pedestrian traffic of a type and quantity so as to cause significant adverse effect to the neighborhood;*

- Response – The scale and proposed use will not have adverse impact on the pedestrian traffic or the neighborhood because of the limited number of employees, and agricultural use, which is self-contained and does not create any negative impact on the community.



b. Shall not have a number of residents, employees, customers, or visitors so as to cause significant adverse effect to the neighborhood;

- Response – There will be <sup>6-8</sup> employees related to the outdoor grow facility. A small number will not cause adverse effect to the neighborhood.

c. Shall not have a greater lot coverage than allowed in the zoning district in which the premises are located;

- Response – There is no proposed change to the buildings in this Special Permit Application.

d. Shall not be dangerous to the immediate neighborhood or the premises through fire, explosion, emission of wastes, or other causes;

- Response – There will be no immediate danger related to fire explosion, <sup>of</sup> emissions, or wastes.

e. Shall not create such noise, vibration, dust, heat, smoke, fumes, odor, glare, adverse visual effects, or other nuisance or serious hazard so as to adversely affect the immediate neighborhood;

- Response – The proposed agricultural use will not create noise, vibration, dust, heat, smoke, fumes, glare, adverse visual effects, or other nuisance or serious hazard. We understand that both the growing, harvesting and curing of marijuana may create odors that affect the local area, during a very brief period of time. Depending on prevailing winds these odors can travel distances and affect abutters with brief and intermittent scent of cannabis oil. The odor only emanates in a noticeable degree, from mature plants for approximately 3 weeks per year, just prior to harvest (when the oil levels are at their highest). We believe the odors will be dispersed, and will not be significantly more potent than the odors of a natural meadow of goldenrod, or the odor of a fungal/leaf compost layer of a forest, orchard, or other natural growing ecosystem. There will be little to no noticeable odor during all other periods of the plants' development. We also believe the odors will be significantly less than most farm uses supporting livestock. The odors are also 100% natural, and non-toxic, and cause no harm of any sort. <sup>SEE ATTACHED ADDENDUM #2</sup>

f. Shall not cause degradation of the environment.

- Response – No structural changes will be made to the 2 existing metal buildings in the front of the site. The high tunnel in the middle of the site will be renovated.
- Response – NO CHANGE TO SITE CONDITION AND HYDROLOGY: Because the driveway, parking, buildings, and systems will not be changed, there will be no change in the hydrology (storm water condition) condition. Other than the tillage required to plant the outdoor crop in the proposed fenced area, there will be no grading, no moving of soils, and no change in hydrology. The gentle gradient of 2-4%, of the grow area will make erosion non-existent or negligible. The buildings will otherwise be kept in 'as is' condition for the purpose of this application.
- FENCE INSTALLATION: There will be a brief period of time where the proposed fence is installed on site, enclosing and securing approximately 58,000 sf outdoor grow area. This is the most significant and singular construction component of this Special Permit request.

## **7.2.A SUMMARY DESCRIPTION OF THE PROPOSED USE, ITS LOCATION, PURPOSE, AND ZONING DISTRICT.**

***Attached please find three (3) copies of application form 1, a fee set by the planning board, and six (6) copies of a written description of the proposed use.***

### **SITE DESCRIPTION: LAND:**

- The site of the proposed project consists of one land parcel (Map: 5, Parcel: 80), totaling +/- 113,106 SF, (2.66 acres) located in a Commercial District. A portion of the back of the lot extends into the WsPA Secondary Protection Zone (between 200' and 400'). The site was historically agricultural land, (orchard use – see photos) A portion of the site outside the WsPA area is improved with two metal industrial buildings (1,800sf, and 3,200sf). There is an agricultural structure / High tunnel partially in the WSPA area (2,160sf). The site contains an existing gravel driveway and parking areas, and functioning existing septic system. The site also contains open meadow, invasive vegetation, hedgerows, and remnants of the old apple orchard.

### **PROPOSED USE FOR THIS SPECIAL PERMIT:**

- Paper Crane Provisions is proposing an outdoor recreational cannabis cultivation farm contained within a secure fenced area, (tier 6 outdoor grow 40,000-50,000 sq ft). The fence construction is the only significant material intervention requested and required for this use. The proposed use is a restoration to an agricultural activity.

### **ADDRESSING THE WSPA ISSUES :**

- A request to install a fence, and use land within the 200-400' watershed for agricultural use, as depicted in the plan set, has been sent to: DCR, Environmental Planning, Division of Water Supply Protection (485 Ware Road Belchertown, MA 01007) see attached: Plan set, and Goddard Consulting, requesting an Advisory Ruling regarding the Watershed Protection Act.

### **OUTLINE DESCRIPTION OF THE PROPOSED SITE WORK RELATED TO THIS SPECIAL PERMIT APPLICATION:**

#### **FENCE:**

- 8' height chain link metal fence and gates - Proposed total Fenced Area is 57,747sf: of which:
- 18,606 sf is outside the WsPA Secondary Protection Area,
- 37,008 sf total, of land and structure, including a 2,160 sf agricultural structure / high tunnel, sit within the WsPA Secondary Protection Area.

#### **BUILDINGS:**

- There are two existing metal-frame buildings of (1,800sf and 3,200sf) which Paper Crane Provisions will utilize in 'as-is condition', for the purpose of drying, curing and storing the cannabis, prior to its bulk sale. No structural alteration of the buildings is being proposed.
- The pre-existing 72 x 30' (2160 sf) agricultural structure / high tunnel, will be utilized by the company. The renovation will consist of replacing the outer plastic skin and securing the doors.

#### LANDSCAPE PLANTING:

- At least 6 mature apple trees will be transplanted from the lower site to the upper street edge of the site. The trees are 15-20' height and decades old: we anticipate using a bareroot transplant technique to ensure the healthy transplant of the material. Additionally, we are proposing a hedgerow of sugar sap maples, and establishing 20,000sf wildflower meadow. SEE ABOVE #2

#### AGRICULTURAL USE RESTORATION:

- The proposed agricultural activity will be a restoration or a change to new / agricultural uses (from orchard to cannabis cultivation) and will require only minor changes to the site Installation of the fence, and tillage of the soil.
- The Agricultural use in in-keeping with Hubbardston Master Plan and Open space guidelines.
- A request has been sent to DIVISION OF WATER SUPPLY PROTECTION regarding a - LAND USE EXEMPTION: 313 CMR 11.05(7) Conversion of Land for Agricultural Use. Or 313 CMR 11.05(9) Maintenance or Improvement – Agricultural. The proposed project appears to qualify for either of the two aforementioned exemptions. (see page 2 of the Request for Advisory Ruling) DCR application included with this submission. A portion of the proposed project – grow area (and fence) is in the WSPA area, a portion is outside their jurisdiction.
- The grow will require top-soil tillage, the addition of soil amendments, pruning an existing hedgerow, transplanting apple trees / orchard. All agricultural work will be undertaken using organic practices, and no use of chemicals or toxic additions. Research strongly suggests that growing cannabis can be beneficial to the ecological integrity of the site and provides a sustainable, productive low-impact agricultural alternative to traditional farming.

#### PHASE II DEVELOPMENT – INTENT – (NOT PART OF THIS PERMIT)

The company intends to amend this special permit (The outdoor grow requested herein) in order to implement a more elaborate Special Permit Application for mixed facility, as outlined below, we believe this will also require filing for specific ZBA Zoning relief. The second phase of development, if approved, will be constructed after the conclusion of the outdoor cultivation season. This will consist of an amendment to the special permit/site plan, with a proposed expansion of the proposed uses to include:

- Renovations to the existing metal structures for the purpose of retail and product manufacturing,
- New construction of approx 9,275 sq ft of mixed-use manufacturing and dry/cure space,
- Complete site development of parking, garden areas, storm water management, and more robust landscaping improvements.
- 14,000 sq ft of greenhouse cultivation, and
- Retention of a portion of a significant portion of the outdoor cultivation area, developed in Phase I.

#### 7.2.B: CITATION TO SECTIONS OF THESE ZONING BYLAWS WHICH APPLY TO THE SPECIAL PERMIT.

- 4.4(a) All uses allowed by right under Section 4.1.
- 4.1(e) Agriculture, horticulture, floriculture and viticulture
- 4.1(g) Sale of farm, nursery, or orchard products which have been produced on the premises
- 4.1(h) Accessory uses on the same lot such as garages, stables, barns, tool sheds, farm buildings and enclosures, tennis courts, swimming pools
- 4.5(g) All Marijuana Establishments as defined by MGL 94G are allowed by special permit (subject to Article 22

**7.2.C: LIST OF ALL STATE, FEDERAL, AND LOCAL PERMITS, LICENSES, AND AUTHORIZATIONS WHICH ARE REQUIRED FOR DEVELOPMENT, USE, OPERATION, AND MAINTENANCE OF THE PROPOSED USE.**

- A site plan submission, special permit application (with supporting documentation) conservation commission submission / WSPA application, Board of Health approval of existing septic system, assessor's office tax status, building department and any other applicable town requirements will be satisfied. All plans must be approved before planting cannabis/marijuana. DCR approval for fencing and tillage within the WSPA has also been requested. State approval and continued oversight will come from the Cannabis Control Commission.

**7.2.D: A LIST OF ALL ABUTTERS IS REQUIRED FOR ALL ABUTTERS WITHIN 300' PER MGL CHPT 40A.**

- Attached is the certified list of abutters. (updated for 2024)

**TOWN OF HUBBARDSTON ZONING REVIEW NOTES:**

**OVERALL PERMITTING:**

- The site is fully located in the Commercial Zoning district.
- Article 4, Use Regulations, §4.5.g, allows this use (Marijuana Facility) by Special Permit, subject to the provisions of Article 22.
- Article 4, §4.5. notes that the uses listed, 4.5 a to g, are: "subject to conditions and limitations contain in an approved site plan (Article 9), Environmental & Community Impact Analysis (article 8) and a Special Permit (Article 7) issued by the Planning Board".
- This use is allowed by Special Permit pursuant to Article 22, subsection 22.4.
- Pre-Existing, Non-Conforming: Zoning § 4.9 Existing Uses Continued (Grandfathering), addresses the criteria for permitting for alterations and extensions to pre-existing structures and uses. It requires that, "Any...substantial alteration, or extension of a non-conforming use must be authorized by special permit issued by the Planning Board."
  - As noted on the Site Plan, one of the existing buildings is located within the front offset of 100' (at 93.2'), making the structure a pre-existing, non-conforming structure. No proposed changes to this structure are being proposed with this submission. We request that the Planning Board allow the building to remain as is.

- We acknowledge that there are two existing buildings, and one agricultural accessory structure on the lot currently. Zoning, §5.6 permits only one building per lot. We request that this pre-existing, non-conforming condition of two buildings, be deemed appropriate as a pre-existing condition, as seen fit by the planning board.

**ZONING, ARTICLE 5, DEVELOPMENT REGULATIONS:**

- A zoning compliance chart is provided on Sheet C-400, Zoning Plan, all dimensional criteria are met, except the existing building at the front of the site, is located 93.2' off the street line. The minimum offset is 100'. Making the structure a pre-existing, non-conforming structure.
- 5.3.d.7 requires that the parking be paved and drained adequately. The proposed gravel drive area of 8700 sf is to be created within the bounds of, and in keeping with the topography of the existing gravel drive (11,142 sf area). There will be no change in the material or porosity of the driveway surface, nor will there be any earthwork - therefore there will be change in site hydrology.
- 5.3.12 we have adjusted the proposed parking to maintain a set back of five (5') feet from building walls.

**ARTICLE 7 SPECIAL PERMIT REQUIREMENTS ARE ADDRESSED ABOVE**


**ARTICLE 8 ENVIRONMENTAL AND COMMUNITY IMPACT ANALYSIS:**


- The applicant has submitted an Impact Statement addressing the criteria outlined in Zoning Article 8. Please refer to this document (attached to this package).

**ARTICLE 9 SITE PLAN APPROVAL:**

- The applicant has submitted a Site Plan Approval Application and set of plans consistent with the intent of the Special Permit Set of plans.

**SIGNED:**


 \_\_\_\_\_ Boey Bertold Paper Crane Provisions LLC Date: 2/26/21


 \_\_\_\_\_ Date: 3/6/24


 \_\_\_\_\_ Brendan Pyburn (Bobrek Engineering) Date: 2/26/21

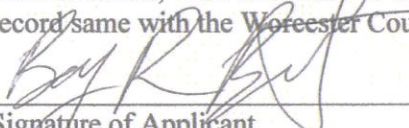

 \_\_\_\_\_ Wesley Wirth (Thomas Wirth Associates) Date: 2/26/21

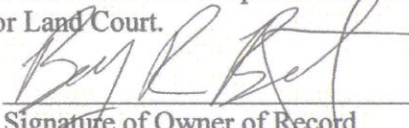


Office of  
**The Planning Board**  
7 Main Street, Unit #7  
Hubbardston, MA 01452  
**Application for Special Permit**

APPLICANT'S NAME:	Boey Bertold, Paper Crane Provisions, LLC
APPLICANT'S ADDRESS & PHONE NUMBER:	2 Pine Street Bedford, MA 01730 617-767-9167
LOCATION:	56 Gardner Road Hubbardston, MA 01452
ADDRESS OF ABOVE:	56 Gardner Road Hubbardston, MA 01452
DEED DULY RECORDED IN WORCESTER COUNTY REGISTRY OF DEEDS:	BOOK # 63561 PAGE# 177
ASSESSOR'S	MAP # <u>05</u> PARCEL(S) <u>080</u>
ZONING DISTRICT WHERE PROPERTY IS LOCATED:	COMMERCIAL

I hereby request a hearing before the Planning Board, the Special Permit Granting Authority of Hubbardston, Massachusetts, with reference to the above application. In the event that a Special Permit is granted, I will record same with the Worcester County Registry of Deeds or Land Court.

  
Signature of Applicant                      2-18-21  
Date

  
Signature of Owner of Record                      2-18-21  
Date

Pursuant to the provisions of M.G.L. Chapter 40, Section 57, certification that no debt is owed to the Town of Hubbardston by the applicant or owner of record must be obtained from the Tax Collector **before** this form is submitted to the Planning Board.

No Debt is Owed:  \_\_\_\_\_

DEBT IS OWED: \_\_\_\_\_

  
Signature of Tax Collector                      2/16/21  
Date

Date Application Received by Planning Board: \_\_\_\_\_

**Fee:** \$150.00 payable to the Town of Hubbardston. Along with the application, please submit the permit fee, list of abutters certified by the Assessor's Department and drawn plan detailing your proposal.

( See updated Application Form under TAB 1.0 )

# Site Plan Approval Letter / Application

## Article 9

2-26-21

RESUBMITTED MARCH 6, 2021

**Submitted To:**

Hubbardston Planning Board  
7 Main Street, Unit #7 Hubbardston, MA 01452

**Submitted by:**

Paper Crane Provisions, LLC  
c/o Thomas Wirth Associates Inc.  
133 Western Ave Sherborn MA 01770 617-640-2412 weswirth@yahoo.com

**Regarding:**

56 Gardner Road, Phase 1 - Outdoor Marijuana Grow Facility

Dear Board Members;

On behalf of Paper Crane Provisions we are submitting materials for a SITE PLAN REVIEW pursuant to Article 9 of the Hubbardston Zoning Bylaws and related other sections and regulations.

**COPIES OF DRAWINGS REQUIRED FOR SITE PLAN SUBMISSION:**

- a. Two (2) original mylar drawings of the site plan and six (6) contact prints.
- b. Three (3) copies of the Planning Board's Site Plan Review Application Form.

THE FOLLOWING MATERIALS ARE IN THIS APPLICATION PACKAGE:

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2. SITE PLAN REVIEW LETTER - ARTICLE 9, by Thomas Wirth Associates & Bobrek Engineering, 7 pages, dated Feb 26, 2021
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7. Host Community Agreement: Town Hubbardston and Paper Crane Provisions, LLC Host Community Agreement For The Siting of an Adult Use Marijuana Outdoor Cultivation Establishment May 17, 2020, 17 Pages
8. List of Abutters

**9.1 Application and Purpose.**

*a.) A summary description of the proposed use, its location, purpose and zoning district.*

SITE DESCRIPTION: LAND:



- The site of the proposed project consists of one land parcel (Map: 5, Parcel: 80), totaling +/- 113,106 SF, (2.66 acres) located in a Commercial District. A portion of the back of the lot extends into the WsPA Secondary Protection Zone (between 200' and 400'). The site was historically agricultural land, (orchard use – see photos) A portion of the site outside the WsPA area is improved with two metal industrial buildings (1,800sf, and 3,200sf). There is an agricultural structure / High tunnel partially in the WSPA area (2,160sf). The site contains an existing gravel driveway and parking areas, and functioning existing septic system. The site also contains open meadow, invasive vegetation, hedgerows, and remnants of the old apple orchard.

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#### **DESCRIPTION OF THE PROPOSED SITE WORK RELATED TO THE SITE PLAN REVIEW APPLICATION:**

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##### BUILDINGS:

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- The pre-existing 72 x 30' (2160 sf) agricultural structure / high tunnel, will be utilized by the company. The renovation will consist of replacing the outer plastic skin and securing the doors.

##### LANDSCAPE PLANTING:

- At least 6 mature apple trees will be transplanted from the lower site to the upper street edge of the site. The trees are 15-20' height and decades old: we anticipate using a bareroot transplant

technique to ensure the healthy transplant of the material. Additionally, we are proposing a hedgerow of sugar sap maples, and establishing 20,000sf wildflower meadow. SEE ADDENDUM #2

#### AGRICULTURAL USE RESTORATION:

- The proposed agricultural activity will be a restoration or a change to new / agricultural uses (from orchard to cannabis cultivation) and will require only minor changes to the site Installation of the fence, and tillage of the soil.
- The Agricultural use in in-keeping with Hubbardston Master Plan and Open space guidelines.
- A request has been sent to DIVISION OF WATER SUPPLY PROTECTION regarding a - LAND USE EXEMPTION: 313 CMR 11.05(7) Conversion of Land for Agricultural Use. Or 313 CMR 11.05(9) Maintenance or Improvement – Agricultural. The proposed project appears to qualify for either of the two aforementioned exemptions. (see page 2 of the Request for Advisory Ruling) DCR application included with this submission. A portion of the proposed project – grow area (and fence) is in the WSPA area, a portion is outside their jurisdiction.
- The grow will require top-soil tillage, the addition of soil amendments, pruning an existing hedgerow, transplanting apple trees / orchard. All agricultural work will be undertaken using organic practices, and no use of chemicals or toxic additions. Research strongly suggests that growing cannabis can be beneficial to the ecological integrity of the site and provides a sustainable, productive low-impact agricultural alternative to traditional farming.

#### PHASE II DEVELOPMENT – INTENT – (NOT PART OF THIS PERMIT)

The company intends to amend this special permit (The outdoor grow requested herein) in order to implement a more elaborate Special Permit Application for mixed facility, as outlined below, we believe this will also require filing for specific ZBA Zoning relief. The second phase of development, if approved, will be constructed after the conclusion of the outdoor cultivation season. This will consist of an amendment to the special permit/site plan, with a proposed expansion of the proposed uses to include:

- Renovations to the existing metal structures for the purpose of retail and product manufacturing,
- New construction of approx 9,000 sq ft of mixed-use manufacturing and dry/cure space,
- Complete site development of parking, garden areas, storm water management, and more robust landscaping improvements.
- 14,000 sq ft of greenhouse cultivation, and
- Retention of a portion of a significant portion of the outdoor cultivation area, developed in Phase I.

*b.) A citation to sections of these zoning bylaws which apply to the site plan.*

- 4.4(a) All uses allowed by right under Section 4.1.
- 4.1(e) Agriculture, horticulture, floriculture and viticulture

- 4.1(g) Sale of farm, nursery, or orchard products which have been produced on the premises
- 4.1(h) Accessory uses on the same lot such as garages, stables, barns, tool sheds, farm buildings and enclosures, tennis courts, swimming pools
- 4.5(g) All Marijuana Establishments as defined by MGL 94G are allowed by special permit (subject to Article 22)

c.) *A list of abutters in accordance with MGL Chapter 40A Section 11 and the required cost to publish hearing notices and notify abutters.*<sup>52</sup>

- please see attached list (uploaded for 2021)

### **9.2 Site Plan Submission.**

*An applicant for site plan approval shall submit the following:*

- α) *Two (2) original mylar drawings of the site plan and six (6) contact prints.*
- β) *Three (3) copies of the Planning Board's Site Plan Review Application Form. -*
  - Proposed work related to this Site Plan Application will be completed in the Spring of 2021, to prepare for Outdoor Grow through the growing season of 2021.
- χ) *The required fee established by the Planning Board.*
  - Included w application

*Included with the Special Permit Application*

- δ) *A location plan of the site at a scale of 1 inch = 200 feet (1" = 200') showing all proposed uses, ways, driveways, buildings, parking and loading areas and their relation to one or more existing streets.*
  - Included within the Referenced Plan Set
- ε) *A sketch plan, acceptable to the Planning Board, showing a prospective layout for any adjacent land owned or controlled by the owner or application.*
  - Included within the Referenced Plan Set
- φ) *A community and environmental assessment report as required by Article 8.*
  - Please see Environmental Impact Analysis Document included with this application

### **9.3 Site Plan Form.**

- A six page Site Plan Set is included in the submission package.

### **9.4 Site Plan Content.**


- a) *Plan name, boundaries, true north point, date, scale, and zoning district(s). A site plan set is entitled:*

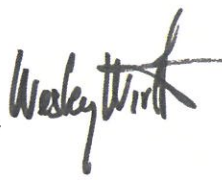
- Site Plans for Paper Crane Provisions, 56 Gardner Road, Hubbardston, MA February 2021. By Thomas Wirth Associates & Bobrek Engineering Dated 2/24/2021, 6 Pages
- b) *Plan name, boundaries, true north point, date, scale, and zoning district(s).*
  - included in Site Plan Set.
- c) *Names and addresses of present record owner(s) and applicant and name(s) of the engineer and surveyor who prepared the plan; certificates and seals of the engineer and surveyor; and a certificate that all surveying conforms to the requirements of the Massachusetts Land Court.*
  - Included in Site Plan Set.
- d) *Zoning district boundaries,*
  - Noted in Site Plan Set: L500 and in attached documentation
- e) *Suitable space to record the action of the Planning Board and the signatures of the Planning Board on each sheet of the site plan.*
  - Yes
- f) *Major site features, such as existing stone walls, fences, buildings, rock ridges, rock out-croppings, swamps, trees over twelve (12") inches in diameter, or the perimeter of heavily wooded areas.*
  - Depicted on Site Plan Set, and in the WsPA plan submission, and referenced in the Environmental Impact Assessment.
- g) *Location of natural waterways, water bodies and wetlands within and adjacent to the site.*
  - Depicted on Site Plan Set, and in the WsPA plan submission, and referenced in the Environmental Impact Assessment.
- h) *Existing and proposed topography of the land to be shown at five (5') foot intervals.*
  - Depicted in Site Plan Set, and referenced in the Environmental Impact Assessment.
- i) *Size, material, type, and location of existing and proposed storm drains, sewers, utility services, septic or sanitary disposal systems, hydrants.*
  - There are no proposed changes in topography or in hydrology, therefore there are not any new storm drains, sewer, or septic, improvements associated with this application, other than maintaining existing systems in working order. Regarding Sanitary disposal: the agricultural operation will only generate organic waste, all which will be composted in the bounds of the security fence, and or disposed of in a manner in accordance with CCC guidelines. Drying and Curing will not create any non organic waste or by product.
- j) *Existing and proposed layout of driveways, parking areas, storage and loading areas, buildings, structures, lighting, signs, fire alarm systems.*

- Included in Site Plan Set
- k) Profiles of all buildings, structures, signs.
  - There are not any new proposed buildings or signs with this submission
- l) Landscape and maintenance plan.
  - Landscape plans , Planting Plan is included in the Site Plan Set. Maintenance will require installing a temporary irrigation system to irrigate the transplanted and other proposed new trees. The proposed native wildflower meadow will require little maintenance other than a seasonal brush mow.

Signed:

  
 \_\_\_\_\_ Boey Bertold Paper Crane Provisions LLC Date: 2/26/21  
  
 \_\_\_\_\_ Date: 3/6/24

  
 \_\_\_\_\_ Brendan Pyburn (Bobrek Engineering) Date: 2/26/21

  
 \_\_\_\_\_ Wesley Wirth (Thomas Wirth Associates ) Date: 2/26/21



**Town of Hubbardston  
Office of the Planning Board**

**APPLICATION FOR SITE PLAN APPROVAL**

Applicant Boey Bertold, Paper Crane Provisions, LLC

Location 56 Gardner Rd Hubbardston, MA

Owner of Record Boey Bertold

Address of Owner 2 Pine St Bedford MA 01730

Deed duly recorded in Worcester County Registry of Deeds

Book 63561 Page 177

Assessors Map No. 05 Parcel No. 080

Zoning District where propert is located Commercial

Nature of Application Site plan approval for special permit

I hereby request a hearing before the Planning Board of Hubbardston, Massachusetts, with reference to the above application.

Boey Bertold 2-18-21  
Signature of Applicant

Boey Bertold 2-18-21  
Signature of Owner of Record

Date Application received by Planning Board \_\_\_\_\_

Fee: \$150.00 payable to Town of Hubbardston

Along with application please submit Site Plan, Fee, and a list of abutters certified by Assessor's Department.

Planning Board Signatures \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\*\* Proposed work related to this Site Plan Application will be completed in the Spring of 2021, to prepare for outdoor Grow through the growing season of 2021

SITE PLANS  
FOR  
**PAPER CRANE PROVISIONS**  
56 GARDNER ROAD, HUBBARDSTON, MA

FEBRUARY 2021



THOMAS WIRTH ASSOCIATES, INC.  
LANDSCAPE ARCHITECTURE  
133 WESTERN AVENUE, SUITE 201, HUBBARDSTON, MA 01770  
www.wirthga.com 817.660.2412



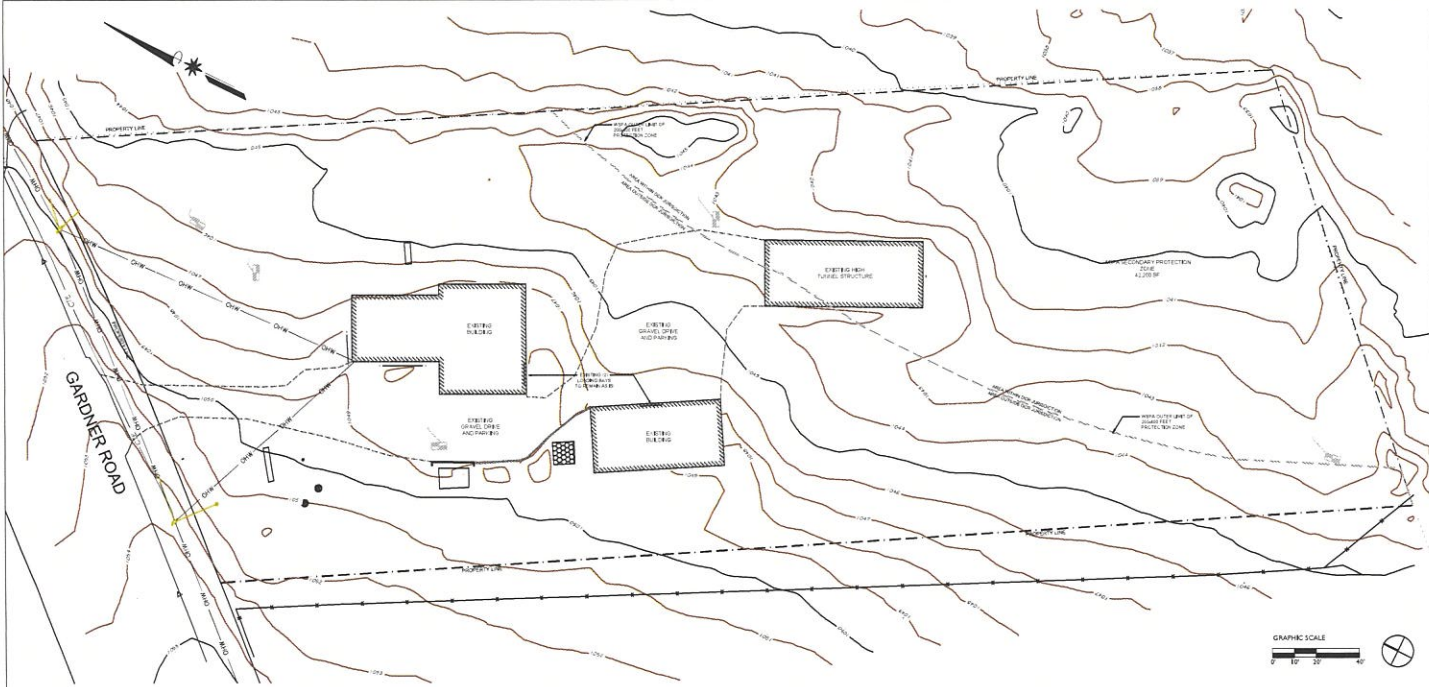
PAPER CRANE PROVISIONS  
56 GARDNER ROAD  
HUBBARDSTON, MA

COVER SHEET

DATE: 02/24/2021  
SCALE: AS NOTED

REV.	DATE	BY/LETT.

L000



**GENERAL NOTES**

1. BASE MAPPING OF THE PROJECT SITE SHOWN IS THE RESULT OF AN ON-THE-GROUND SURVEY PERFORMED BY ALFRED M. BERRY OF 129 SOUTH MAIN STREET, ATHOL, MA 01331.
2. ELEVATIONS DEPICTED ARE BASED ON NORTH AMERICAN VERTICAL DATUM 1988 (NAVD88).
3. CONTRACTOR IS TO NOTIFY ENGINEER IMMEDIATELY OF ANY DISCREPANCIES PRIOR TO PROCEEDING WITH PROPOSED WORK.
4. THIS PLAN DOES NOT NECESSARILY DEPICT THE EXACT LOCATION AND SIZE OF ALL UTILITIES WHICH MAY EXIST AT THIS TIME INSIDE OR OUTSIDE OF EXISTING OR PROPOSED BUILDINGS ON THE SUBJECT PROPERTY, WITHIN THE STREET RIGHT-OF-WAY, OR ON ADJUTING LOTS.
5. CONTRACTOR SHALL CONTACT THE TOWN OF HUBBARDSTON FOR THE MARKING OF HUBBARDSTON MUNICIPAL UTILITIES. IN ACCORDANCE WITH MGL, CH 81, SEC. 40 INCLUDING ALL AMENDMENTS, CONTRACTOR SHALL NOTIFY UTILITY COMPANIES AND ALL PERTINENT GOVERNMENT AGENCIES BY WRITING OF THE INTENT TO EXCAVATE, AND CONTACT DIG-SAFE AT 1-888-344-7233 OR 1-800-322-4844 AT LEAST 72 HOURS PRIOR TO EXCAVATION (EXCLUSIVE OF SATURDAYS, SUNDAYS, AND HOLIDAYS).
6. THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL PERMITS AND INSURANCE THAT MAY BE REQUIRED FOR THE PROJECT.
7. ADJACENT ABUTTERS SHALL BE NOTIFIED PRIOR TO THE START OF CONSTRUCTION.
8. NO WORK SHALL BE UNDERTAKEN UNTIL APPROVAL FROM THE CONSERVATION COMMISSION HAS BEEN RECEIVED.

**LEGEND**

----- WSPA OUTER LIMIT OF 200'-400' SECONDARY PROTECTION ZONE



THOMAS WIRTH ASSOCIATES, INC.  
LANDSCAPE ARCHITECTURE  
133 WESTERN AVENUE, SUITE 100, HUBBARDSTON, MA 01570  
Phone: 978/242-2412

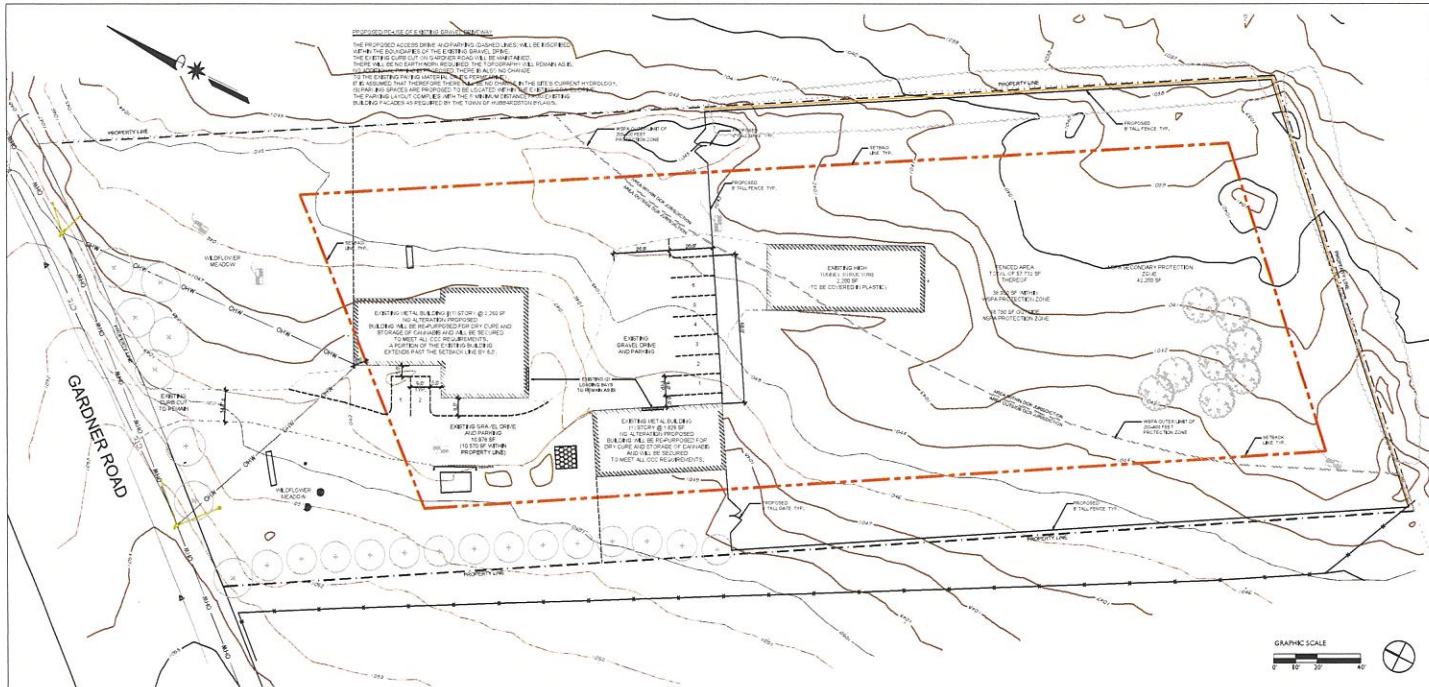
PAPER CRANE PROVISIONS  
56 GARDNER ROAD  
HUBBARDSTON, MA

**EXISTING CONDITIONS PLAN**

DATE	02.24.2020	
SCALE	1" = 25'-0"	
PROJECT		
REV#	DATE	REMARKS

**L100**





THOMAS WIRTH ASSOCIATES, INC.  
 LANDSCAPE ARCHITECTURE  
 133 WESTERN AVENUE, SUITE 100  
 HUBBARDSTON, MA 01870  
 WWW.TWA-MA.COM 978.242.2412

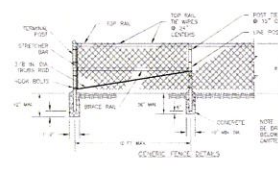
PAPER CRANE PROVISIONS  
 56 GARDNER ROAD  
 HUBBARDSTON, MA

LAYOUT & MATERIALS PLAN  
 DATE: 08.24.2023  
 SCALE: 1" = 20'-0"  
 PROJECT: [REDACTED]  
 REV# DATE SHEET

L200

- GENERAL NOTES**
1. BASE MAPPING OF THE PROJECT SITE SHOWN IS THE RESULT OF AN ON-THE-GROUND SURVEY PERFORMED BY ALFRED M. BERRY OF 129 SOUTH MAIN STREET, ATHOL, MA 01331.
  2. ELEVATIONS DEPICTED ARE BASED ON NORTH AMERICAN VERTICAL DATUM 1988 (NAVD88).
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 IN ACCORDANCE WITH MGL CH 82, SEC. 40 INCLUDING ALL AMENDMENTS, CONTRACTOR SHALL NOTIFY UTILITY COMPANIES AND ALL PERTINENT GOVERNMENT AGENCIES IN WRITING OF THE INTENT TO EXCAVATE, AND CONTACT DIG-SAFE AT 1-888-344-7233 OR 1-800-322-4844 AT LEAST 72 HOURS PRIOR TO EXCAVATION (EXCLUSIVE OF SATURDAYS, SUNDAYS, AND HOLIDAYS).
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  8. NO WORK SHALL BE UNDERTAKEN UNTIL APPROVAL FROM THE CONSERVATION COMMISSION HAS BEEN RECEIVED.

- FENCE INSTALLATION NOTES**
1. FENCE TO BE INSTALLED IN LOCATION INDICATED ON PLAN. MINOR REPOSITIONING MAY BE NECESSARY TO AVOID EXISTING TREES OR OTHER NATURAL FEATURES.
  2. FENCE TO BE INSTALLED 1' MIN. OFFSET FROM PROPERTY LINE TO ACCOMMODATE FOOTINGS.

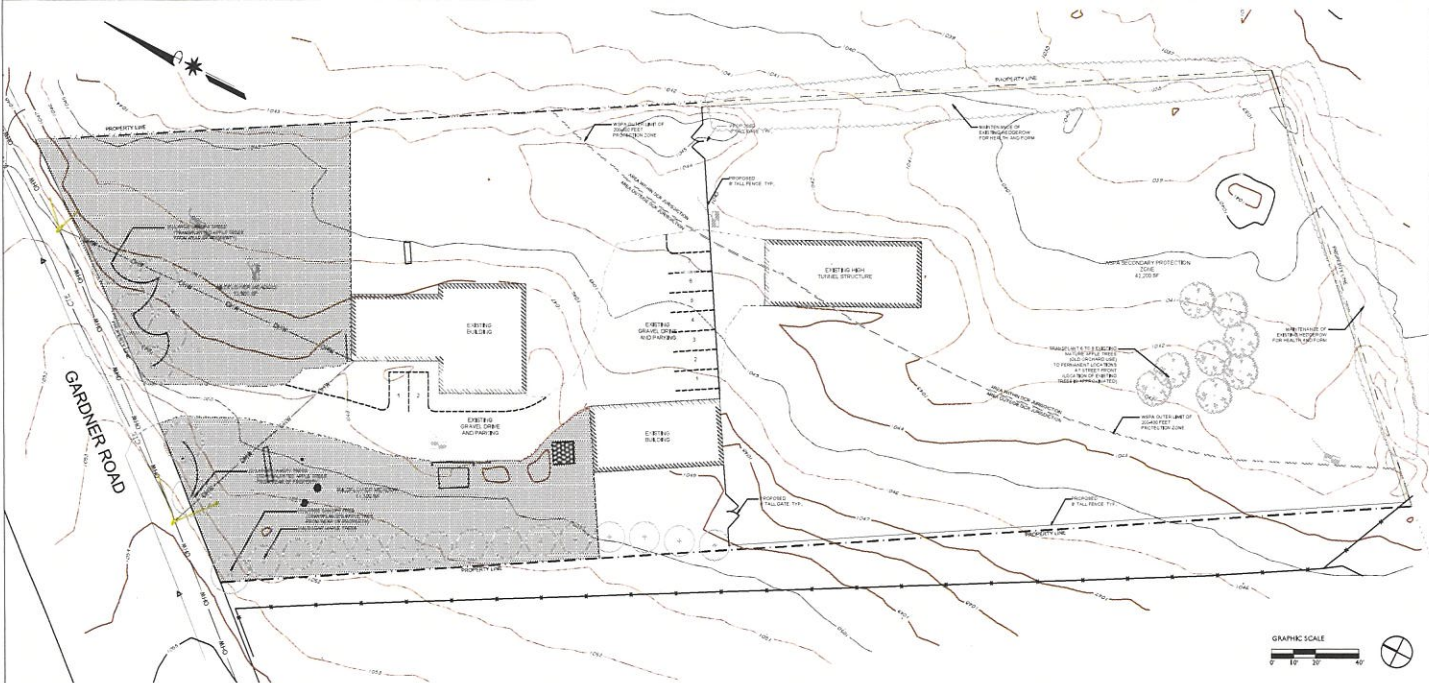


GAPE, SET AND HEIGHT REQUIREMENTS FOR POSTS, RAILS AND WIRE				GATE FRAME DIMENSIONS			
TYP.	SPACING	OUTSIDE DIMENSIONS	WEIGHT (LBS./LIN. FT.)	TOP AND BOTTOM	HEIGHT	DEPTH	WEIGHT (LBS./SQ. FT.)
POSTS	12' ON	1.75"	3.65	ROUND	4.00"	3.12"	2.27
POSTS	12' ON	2.125"	3.12	ROUND	4.00"	3.12"	2.27
POSTS	12' ON	1.50"	2.29	ROUND	4.00"	3.12"	2.27
TOP & BOTTOM RAILS	12' ON	1.50"	2.27	ROUND	4.00"	3.12"	2.27
RAILS	12' ON	1.50"	2.27	ROUND	4.00"	3.12"	2.27
WIRE	12' ON	1.50"	2.27	ROUND	4.00"	3.12"	2.27

**CONSTRUCTION NOTES**

1. MATERIALS AND DIMENSIONS NOT SHOWN ON THIS DRAWING SHALL conform to the manufacturer's specifications.
2. ALL POSTS SHALL BE INSTALLED VERTICALLY. WHERE POSTS ARE INSTALLED ON AN ANGLED SURFACE, TOP AND BOTTOM OF THE POST SHALL BE ADJUSTED SO THAT THE POST WILL BE VERTICAL.
3. THE FENCING SHALL BE #9 (LARGE FENCE FABRIC STANDARD) 2" RICH CHAIN LINK GALVANIZED METAL.

- LEGEND**
- WSPA OUTER LIMIT OF 200'-400' SECONDARY PROTECTION ZONE
  - PROPOSED CHAIN LINK FENCE
  - SILT FENCE AND WATTLES (AS PER DIRECTION OF THE CONSERVATION COMMISSION)



**PLANTING SCHEDULE**

QUANTITY	LATIN NAME	COMMON NAME	NOTES	SIZE	HEIGHT
6	<i>Pinus strobus</i>	White Pine	Transplanted	12" cal	20'
14	<i>Abies balsamea</i> , <i>Thuja occidentalis</i> , <i>Sequoia sempervirens</i>	White Pine, Blue Spruce, Fir	Transplanted	1" cal	4 - 5'
30000#	1/2 LB	Native Wildflower Seed Mix	10 lbs for 20,000# seed mix; 20 lbs/acre with 20 lbs/acre of a cover crop. For a cover crop use white grain sorghum (1 gal to 31 gal) or green rye (1 gal to 31 gal). 10 lbs for 20,000#.	As 1/2 acre	Install per Erosion Control Specifications
20,000#	1/2 LB	Grass seed cover crop (improved timothy)	20 lbs/acre of a cover crop.	As 1/2 acre	Install per Erosion Control Specifications

Dispersal of wildflowers: The native wildflowers and some grasses provide a generous display of color from spring to fall. Designed for silted sites with well-drained soils and full sun to semi-shaded areas. Ideal for improving waterfowl and butterfly habitat. Plant formulations are subject to change without notice depending on the availability of existing and new products. Whole site terms may change; for pricing philosophy and location of the mix, see note.

**PERENNIAL WILDFLOWERS | MIX COMPOSITION**

**NATIVE WILDFLOWER SEED MIX**

24% <i>Brickellia californica</i> (Black Cholla)	25% <i>Chrysanthemum leucanthemum</i> (White Flowering Aster)	26% <i>Coreopsis lanceolata</i> (Lanceolate Coreopsis)	27% <i>Erigeron phillyriaefolius</i> (Phillyria Erigeron)	28% <i>Helianthus scaberrimus</i> (Scaberrimus Sunflower)	29% <i>Ipomoea pes-caprae</i> (Cape Vine)	30% <i>Lespedeza bicolor</i> (Bicolor Lespedeza)	31% <i>Liatris scariosa</i> (Scarlet Gaiterflower)	32% <i>Monarda mollis</i> (Soft Monarda)	33% <i>Penstemon digitalis</i> (Blue Penstemon)	34% <i>Physalis peruviana</i> (Groundcherry)	35% <i>Rudbeckia hirta</i> (Black-eyed Susan)	36% <i>Solidago canadensis</i> (Canada Goldenrod)	37% <i>Thalictrum flavum</i> (Yellow Monkshood)	38% <i>Yucca filamentosa</i> (Foliaceous Yucca)
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**LEGEND**



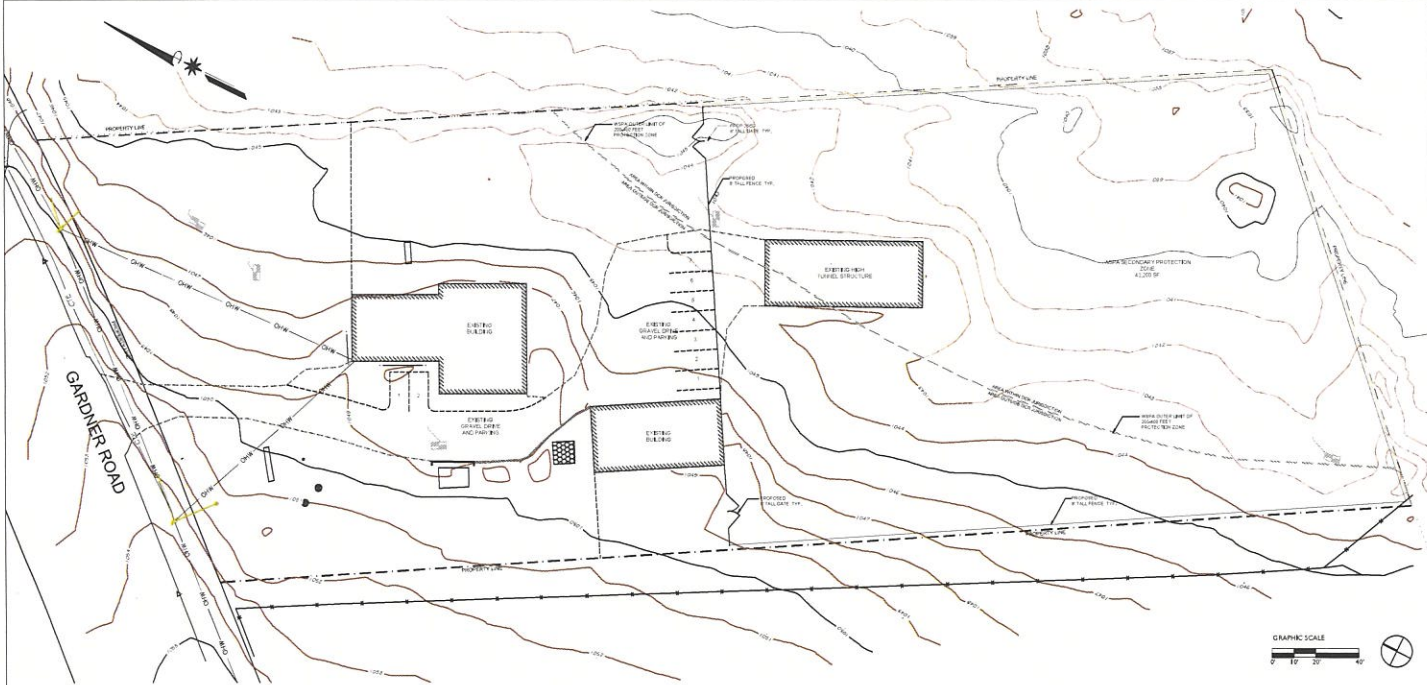
THOMAS WIRTH ASSOCIATES, INC.  
LANDSCAPE ARCHITECTURE  
137 WESTERN AVENUE, SUITE 100  
NEWTON, MASSACHUSETTS 01945

PAPER CRANE PROVISIONS  
56 GARDNER ROAD  
HUBBARDSTON, MA

**PLANTING PLAN**

DATE	03.31.2023	
SCALE	1" = 20'-0"	
PROJECT		
REV.	DATE	DESCRIPTION

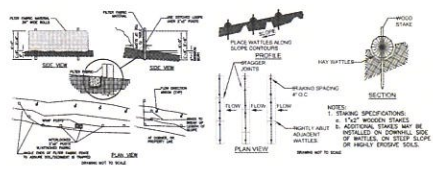
**L300**



- GENERAL NOTES**
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  5. CONTRACTOR SHALL CONTACT THE TOWN OF HUBBARDSTON FOR THE MARKING OF HUBBARDSTON MUNICIPAL UTILITIES. IN ACCORDANCE WITH MGL CH 80, SEC. 40 INCLUDING ALL AMENDMENTS, CONTRACTOR SHALL NOTIFY UTILITY COMPANIES AND ALL PERTINENT GOVERNMENT AGENCIES IN WRITING OF THE INTENT TO EXCAVATE, AND CONTACT DIG-SAFE AT 1-888-344-7233 OR 1-800-322-4844 AT LEAST 72 HOURS PRIOR TO EXCAVATION (EXCLUSIVE OF SATURDAYS, SUNDAYS, AND HOLIDAYS).
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  7. ADJACENT ABUTTERS SHALL BE NOTIFIED PRIOR TO THE START OF CONSTRUCTION.
  8. NO WORK SHALL BE UNDERTAKEN UNTIL APPROVAL FROM THE CONSERVATION COMMISSION HAS BEEN RECEIVED.

**EROSION CONTROL FENCE INSTALLATION NOTES**

WATTLES TO BE INSTALLED DOWN GRADIENT OF THE PROPOSED FENCE IF REQUESTED BY THE CONSERVATION COMMISSION. POTENTIAL FOR EROSION ALONG THE PROPOSED FENCE LINE IS VERY MINIMAL.



**SILT FENCE AND HAY WATTLE DETAILS**

WATTLE CAN BE INSTALLED DOWN GRADIENT OF THE FENCE INSTALLATION AT THE CONSERVATION COMMISSION REQUEST.

- LEGEND**
- WSPA OUTER LIMIT OF 200'-400' SECONDARY PROTECTION ZONE
  - PROPOSED CHAIN LINK FENCE
  - SILT FENCE AND WATTLES (AS PER DIRECTION OF THE CONSERVATION COMMISSION)



THOMAS WIRTH ASSOCIATES, INC.  
 LANDSCAPE ARCHITECTURE  
 133 WESTERN AVENUE, SPRINGFIELD, MA 01179  
 www.thomawirth.com 417.430.2112

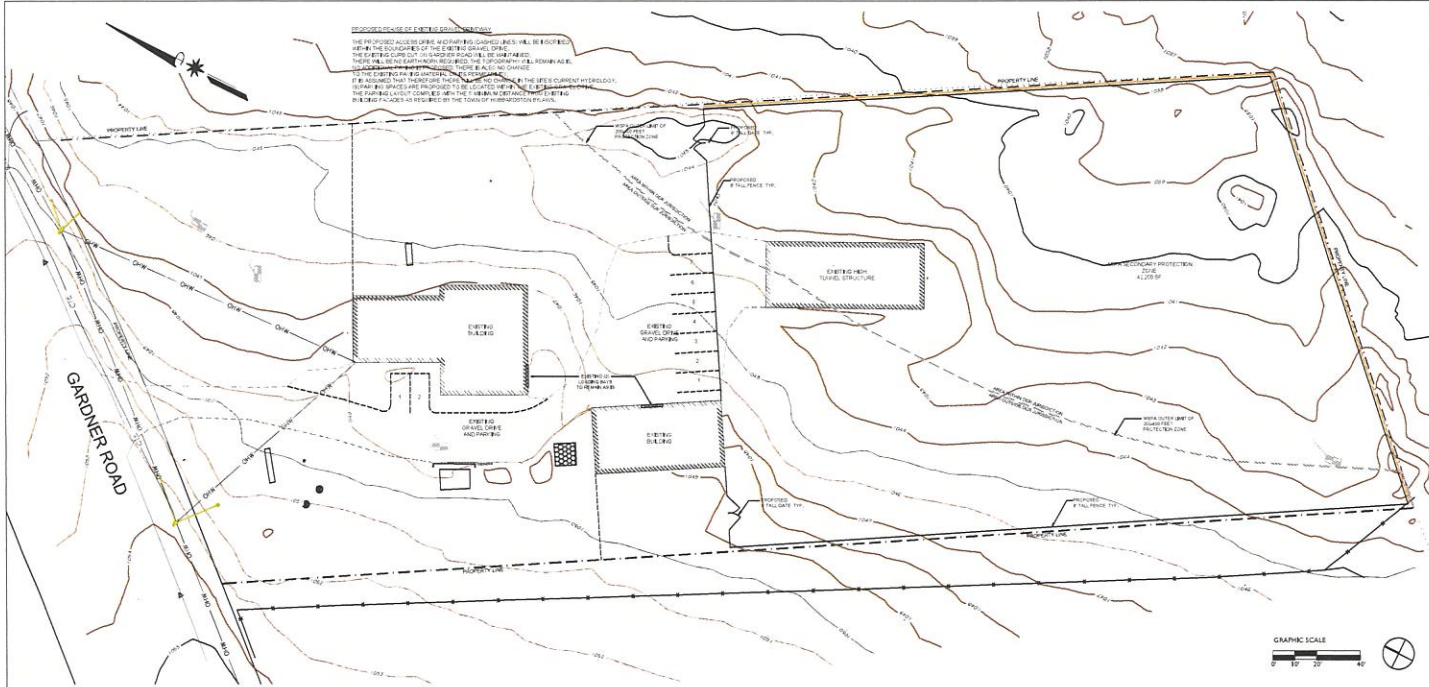
**BOBREK**  
 P.O. BOX 200  
 CHANDLER, MA 01020  
 800.668.0000

PAPER CRANE PROVISIONS  
 56 GARDNER ROAD  
 HUBBARDSTON, MA

EROSION CONTROL PLAN

DATE	02.26.2020	
SCALE	1" = 20'-0"	
PROJECT		
REV	DATE	DESCRIPTION

**L400**



- GENERAL NOTES**
1. BASE MAPPING OF THE PROJECT SITE SHOWN IS THE RESULT OF AN ON-THE-GROUND SURVEY PERFORMED BY ALFRED M. BERRY OF 129 SOUTH MAIN STREET, ATHOL, MA 01331.
  2. ELEVATIONS DEPICTED ARE BASED ON NORTH AMERICAN VERTICAL DATUM 1988 (NAVD88).

**ZONING TABLE**  
 THE FOLLOWING TABLE DESCRIBES THE MINIMUM LOT AREA REQUIREMENTS, MINIMUM FRONTAGE REQUIREMENTS, MINIMUM FRONT YARD REQUIREMENTS, MINIMUM REAR AND SIDE YARDS REQUIREMENTS, MAXIMUM LOT COVERAGE REQUIREMENTS AND MAXIMUM BUILDING HEIGHT REQUIREMENTS FOR A COMMERCIAL ZONING DISTRICT AND THE EXISTING AND PROPOSED SITE CONDITIONS:

	MIN LOT AREA (SF)	MIN LOT FRONTAGE (FT)	MIN FRONT YARD (FT)	MIN SIDE YARD (FT)	MIN REAR YARD (FT)	MAX BUILDING HEIGHT (FT)	MAX LOT COVERAGE (%)
AS PER BYLAWS	80,000	200	100	30	30	35	55
EXISTING CONDITIONS	113,056	220	93.30	30	30	NA	5
PROPOSED	113,056	220	93.30	30	30	NA	5

COMMENTS ON PROPOSED: EXISTING LOT AREA, EXISTING FRONTAGE, PRE-EXISTING NON-CONFORMING CONDITION. COMPRISES EXISTING METAL BUILDINGS (1838 SF AND 1348 SF)

**PARKING CALCULATION**

BUILDING AREA: 1838 SF + 1348 SF = 3,088 SF Total

MINIMUM REQUIREMENTS: 1 SPACE PER 1,000 SF

PARKING SPACES REQUIRED: 3

ASSUMED USE: Assumed Use is Agricultural, Wholesale and Distribution Business, Warehouse and Storage Business, Truck Terminal, and Other Excluded Non-Industrial Storage Uses

PARKING REQUIREMENT: 1 Space for Each 1,000 sq. ft. of Gross Floor Area OR One (1) Space Each for Each One and One Half Employees on the Maximum Work Shift (whichever is less)

**LEGEND**

- WSPA OUTER LIMIT OF 200'-400' SECONDARY PROTECTION ZONE
- PROPOSED CHAIN LINK FENCE
- SILT FENCE AND WATTLES (AS PER DIRECTION OF THE CONSERVATION COMMISSION)

**THOMAS WIRTH ASSOCIATES, INC.**  
 LANDSCAPE ARCHITECTURE  
 133 WESTERN AVENUE, SHERBORN, MA 01770  
 www.wirthassociates.com 978.249.2412

**BOBREK**  
 100 DOW CENTER, MA 01022  
 978.249.6666

**PAPER CRANE PROVISIONS**  
 56 GARDNER ROAD  
 HUBBARDSTON, MA

**ZONING PLAN**

DATE: 02.24.2020  
 SCALE: 1" = 20'-0"  
 PROJECT: \_\_\_\_\_  
 REV: \_\_\_\_\_ DATE: \_\_\_\_\_ SHEET: \_\_\_\_\_

**L500**

# Environmental and Community Impact Analysis

## Article 8

2-26-21

RESUBMITTED MARCH 6, 2024

**Submitted To:**

Hubbardston Planning Board  
7 Main Street, Unit #7 Hubbardston, MA 01452

**Submitted by:**

Paper Crane Provisions, LLC  
Thomas Wirth Associates Inc. 133 Western Ave Sherborn MA 01770 Thomaswirthassociates.com  
Bobrek Engineering PO BOX 2185 DANVERS MA 01923 GOBOBREK.COM  
MCCARTY ENGINEERING, INC 42 ROCKY DR, LEOMINSTER, MA 01453

**Regarding:**

56 Gardner Road, Phase 1 - Outdoor Marijuana Grow Facility

## INTRODUCTION:

The purpose of this report is to be a guide to the Hubbardston planning board in its deliberations RELATED TO ARTICLE 7. (SPECIAL PERMIT APPLICATION) AND SITE PLAN REVIEW SUBMISSION (ARTICLE 9) , and to make careful consideration of the environmental and community impacts of the proposed use and/or development. In this report Paper Crane Provisions will address the primary and secondary environmental and community impacts to the greatest extent possible, including both beneficial and adverse anticipated impacts as a result of the proposed use, suggest possible alternatives to the proposed use and/or development, and suggest measures to be used to minimize adverse environmental and community impacts. Paper Crane Provisions aims to assure the Planning Board that the proposed use will be conducted in a manner that is consistent with the Hubbardston Master Plan and land use objectives, meet all zoning and building requirements, have a net-positive impact on the community of Hubbardston's financial well-being, with direct contributions to the town (as noted in the Host Community Agreement), positively impact the cultural well-being (by providing jobs) and support the environmental well-being, by establishing a low-impact, natural, sustainable agricultural land use.

## PROPOSED USE SUMMARY:

Paper Crane Provisions is proposing a very light, sustainable, low-impact Special Permit proposal. The plan is to return the use of the site to agriculture, as an outdoor cannabis grow facility, contained within a secured fenced-in area. The site was once an apple orchard, and as homage to the orchard, and the historic character, we are planning on transplanting at least 6 large-caliper mature apple trees (growing in the lower site) to a prominent position along the street. The buildings and infrastructure, driveway, topography and site will remain largely as is, except for landscape improvements to the street-scape and the side lines of the site, as well as an installation of a ½ acre native wildflower meadow in the front street adjacent portion of the parcel, to improve the street character of the lot. SEE ADDENDUM # 3

## HISTORY AND ATTRIBUTES OF CANNABIS :

Cannabis is a remarkable plant with many positive attributes. Education is a critical element in understanding the positive potential the plant and the industry around the plants can promote. Cannabis has closely followed, and co-evolved with man for 6000 years, and has been an integrated part of nearly every culture, in countless ways. The history of cannabis as a companion plant for man is deep and storied. Cannabis was unfairly outlawed, using misinformation, scare tactics, and harsh legal and regulatory frameworks, in relatively recent history. Now, the tables are turning, and the benefits of the plant, and its medicinal usefulness are becoming widely recognized. Additionally, it is a sustainable crop, with net-positive environmental benefits, which have been shown to build soil quality, remediate toxins (heavy metals in particular), function as a cover/nurse crop, and sequester carbon, not to mention a multitude of non-toxic, and green sustainable secondary uses as fiber for cloth and paper, seed oil for health and plastic production, and more. Additionally, the plant is drought tolerant, and quite resistant to pests and disease, therefore water and pest management demands are low compared to other agricultural alternatives.

## SUSTAINABLE, SMALL SCALE, NON TOXIC AGRICULTURE IS THE FUTURE:

Because cannabis is heavily regulated by the CCC, and guidelines recently developed outside of the influence of large chemical manufacturers that promote use of herbicides and pesticides in conventional agriculture, the use of harmful herbicides, pesticides, and other toxins (all too often used in our normal food supply) are strictly prohibited when growing and processing Cannabis. Rigorous testing of the harvested materials ensures that harmful additives are not used at any point in the process. As a result, the environmental impact of the crop is net-positive, and beneficial: better soils, less erosion due to vigorous and fast growing root systems, carbon

sequestering of dense green canopy, minimal water requirement due to drought tolerance, and robust root systems.

#### THE SITE AND ITS BUILDINGS:

The buildings, topography, driveway, hydrology, will not be changed. The operation is estimated to have 6-8 employees, and will be difficult to see from the public way, therefore will have minor visual and structural impact on the town.

#### SUMMARY OF IMPACTS:

- **FENCE INSTALLATION:** There will be brief period of time where the proposed fence is installed on-site, enclosing and securing 58,000 sf outdoor grow area. This is the most significant and singular construction component of this Special Permit request.
- **NO PROPOSED STRUCTURAL CHANGES TO THE EXISTING BUILDINGS OR THE SITE:** No structural changes will be made to the 2 existing metal buildings in the front of the site. The high tunnel in the middle of the site will be renovated.
- **NO CHANGE TO SITE CONDITION AND HYDROLOGY:** Because the driveway, parking, buildings, and systems will not be changed, there will be no change in the hydrology (storm water condition) condition. Other than the tillage required to plant the outdoor crop in the proposed fenced area, there will be no grading, no moving of soils, and no change in hydrology. The gentle gradient of 2-4%, of the grow area will make erosion non-existent or negligible. The buildings will otherwise be kept in 'as is' condition for the purpose of this application.
- **SECURITY SYSTEMS ON THE EXISTING BUILDINGS:** Security systems consistent with the CCC regulations will be installed on the existing buildings AND SITE, with special attention given to shield abutters from unnecessary lighting and any other nuisance issues. The applicant also plans to avoid unnecessary lighting as it could be detrimental to health of the crop.
- **POSITIVE CHANGE TO THE STREET SCAPE AND LANDSCAPE VISIBLE TO THE PUBLIC:** At least 6 mature 16-20' height and 12" caliper apple trees will be bare root transplanted to a prominent position in the front of the site (see plan). Native wildflower meadows, planted in the front of the site, and along the visible edges of the fence will contribute to a healthy environment and the beauty of the town, and additional treed hedgerows will be planted to buffer the property line between the lot and the organic livestock farm to the South and West. *SEE APPENDIX #2*
- **EMPLOYEES AND TRAFFIC IMPACTS:** With an estimated *6-8* employees working through the Spring, Summer and Fall seasons, there shall not be vehicular and pedestrian traffic of type and quantity so as to cause any adverse effect to the neighborhood.
- **NO DANGER OF NEGATIVE IMPACT ON THE NEIGHBORHOOD:** The proposed outdoor grow shall not be dangerous to the immediate neighborhood or the premises through fire, explosion, emission of wastes, or other causes. On the contrary, there should be a positive environmental impact of overall stabilization and improvement in soil quality.
- **POSITIVE ENVIRONMENTAL IMPACTS:** The outdoor grow will not cause degradation of the environment. In fact, it will represent a sustainable soil building agricultural use that will have net-positive impact on the environment compared to almost all other agricultural uses.

- POSITIVE COMMUNITY BENEFIT: The Establishment may benefit the Town and its citizens through increased economic development, additional employment opportunities for residents, and a strengthened local tax base. Paper Crane Provisions shall pay an Annual Community Impact Fee in an amount equal to the greater of (a) three percent (3%) of the gross sales of Establishment which are not sold directly or transferred to Company-owned or operated marijuana retailer establishment(s) or product manufacturing establishment(s) located within the Town, but are distributed to other off-site marijuana establishments, or (b) one hundred fifty thousand dollars (\$150,000.00). SEE APPENDIX # 3

#### **8.4 Scope.**

The Environmental and Community Impact Analysis shall evaluate all of the following topics:

##### **a. Natural Environment.**

- i. *Air and Noise Pollution - The impact of local air quality and noise from the proposed development (including traffic generated from the development), both during and after construction, shall be evaluated. The Planning Board may require detailed technical reports of such impacts.*
  - Response - The proposed agricultural use will not create noise, vibration, dust, heat, smoke, fumes, glare, adverse visual effects, or other nuisance or serious hazard. We understand that both the growing, harvesting and curing of marijuana may create odors that affect the local area, during a very brief period of time. Depending on prevailing winds these odors can travel distances and affect abutters with brief and intermittent scent of cannabis oil. The odor only emanates in a noticeable degree, from mature plants for approximately 3 weeks per year, just prior to harvest (when the oil levels are at their highest). We believe the odors will be dispersed, and will not be significantly more potent than the odors of a natural meadow of goldenrod, or the odor of a fungal/leaf compost layer of a forest, orchard, or other natural growing ecosystem. There will be little to no noticeable odor during all other periods of the plants' development. We also believe the odors will be significantly less than most farm uses supporting livestock. The odors are also 100% natural, and non-toxic, and cause no harm of any sort. SEE APPENDIX # 1
- ii. *Water Pollution - The impact of storm water run-off on adjacent and downstream surface water bodies and sub-surface ground water shall be evaluated. Dangers of flooding as a result of increased downstream runoff, especially peak runoff. The impact of the proposed project on water table levels shall also be analyzed.*
  - Response - The buildings, topography, driveway, and parking areas will not be changed in a way that impacts the flow of storm water, therefore the hydrology, and therefore the water table or water pollution, will not be changed or impacted, due to any construction in the upper portion of the site. The cultivation area agricultural use will be 100% natural and not utilize any harmful herbicides, pesticides, or fungicides, and will have no impact on the water quality.
- iii. *Land - Compatibility of the proposed development with existing soils; the impact of any soils or other materials to be removed from the site; and the potential dangers and impacts of erosion and sedimentation caused by the proposed development.*
  - Response - The buildings, topography, driveway, and parking areas will not be changed in a way that impacts the flow of storm water, therefore soils will not be moved, and the hydrology will not be impacted or changed. There is no evidence of erosion on the existing site. Instead,



the proposed tree plantings, and the proposed wildflower meadow plantings will infiltrate water more effectively than the existing lawn with no trees. The fence installation will cause only a minor disturbance, will only require drilling fence post holes, and can be protected down gradient with silt fence and waddles upon request of the planning board. The cultivation area is a gradient of 2-4%, which is gentle and will not easily erode. The site is bound by mature hedgerow on the down gradient edges (East and South) which will act as a natural erosion barrier and control. We do not anticipate any erosion issues at all. Additionally, cover crops will be planted post-grow to further stabilize and nourish the soils.

- Response SOILS: The soil quality on site is considered high-quality farmland on Oliver USGS mapping. The high-grade agricultural soil is suitable for the growing of cannabis, as is the exposure and site gradient. RDSTON ZONING BYLAWS PAGE 22

*ιϞ. Plants & Wildlife - The impact that the proposed project may have on wildlife habitat and on any rare or endangered plant or animal species known to exist in the area.*

- Response - A portion of the back of the lot extends into the WsPA Secondary Protection Zone (between 200' and 400'). Because of this Paper Crane Provisions has submitted a Request for Advisory Ruling, per the Watershed Protection Act – to DCR, Division of Water Supply Protection. The application asks for guidance on the proposed agricultural use, as well as any other environmental concerns. We are aware of the watershed resource down gradient, and do not believe any of the proposed uses will negatively impact plants and/or wildlife in the watershed area. It should be noted that agriculture (maintenance or improvement of agricultural land, changes in crops, use of new technologies and the conversion of land to agricultural use) is a qualified exemption under the Watershed Protection Act. The company has consulted the DCR to ensure this work meets all regulations.
- Response - RARE OR ENDANGERED SPECIES: We do not believe there to be any rare or protected plants or species which will be impacted by the proposed uses.

*Ϟ. Water Supply - The average and peak daily demand and the impact of such demands on groundwater aquifers.*

- We estimate that the 2500 cannabis plants will require an average of approximately 2 gallons per day per plant (5000 gallons per day). We intend on installing a very efficient delivery system which drips each individual plant, maximizing water delivery. The flow rate of the well is estimated at 10 gallons per min, it will take approximately 8 hrs to cycle through watering at the estimated 2 gal per plant per day. Water delivery and demand is most critical for a short period, during the first three weeks of the seedling/clone stages (when the root system is forming). Once the plants are established and are in a strong vegetative state, the watering schedule is reduced to 3 times per week. Water needs continue to diminish over time and water needs during their flowering phase are reduced even further. Many of the popular modern-day strains of cannabis cultivated for recreational and medicinal use, originated from arid mountain regions of the world such as Southwest Asia, The Middle East, Africa and Siberia. It is an extremely hardy and robust plant in all environments. In the event of a drought, cannabis is drought-resistant, making it one of the most sustainable crops. SEE ADDENDUM # 4

*Ϟι. Sewage Disposal - The average and peak daily disposal and the impact of such disposal on groundwater aquifers.*

- With an estimates 6 employees to tent the outdoor grow, we anticipate that the existing septic system will be adequate. The Hubbardston Board of Health does not have any information on the existing system, we are in the process of having it assessed, and will share the data with the Planning Board as soon as it is available. The system is fully functioning at this time.

**b. Man-Made Environment.**

*i. Existing Neighborhood Land Use - Compatibility with adjacent or nearby existing land uses, or approved private development plans, if known, for adjacent or nearby land use changes to occur during the life of the proposed development. If not compatible, reasons therefor shall be detailed. Consultation with the Planning Board is strongly recommended.*

- The project site is located within the ‘Commercial Zone’ as outlined by the Hubbardston Zoning Map. The adjacent properties consist of an auto-shop (to the east), a multiuse building which has a pizza shop and a private insurance company and a school bus storage area (across the street to the north), and a cattle farm to the west and the south. The abutter to the west and south is the Bratko property which is an active organic farm that raises cattle and crops. This land is protected from development by an Agricultural Preservation Restriction obtained by the Mass. Dept of Agriculture. It is a significant land use directly adjacent to the property. Paper Crane is committed to protecting this abutting resource. We believe the outdoor cannabis grow (agricultural use) is compatible with the abutting organic (cattle) farm, as a compatible agricultural use. We will maintain the existing hedgerow separating the properties, and install a new hedgerow along the western edge (between the abutting pasture and the existing buildings, as well as street tree plantings). The outdoor grow will not degrade the environment of the surrounding lots in any way. Per order of the CCC, the outdoor grow area needs to be fenced. The fence will be a barrier off-set from the property line enclosing the back lot – It will be hard to see the fenced area from the street, and impossible to see through the fence to the cannabis plants. The fence will be installed adjacent to a mature hedgerow on the south and east sides of the site, and may have to be offset even more than the plan calls for, to avoid interference with the hedgerow. We are proposing planting along the base of the fence (between the fence line and the property line) on the western edge (adjacent to the open cattle pasture, of a native wildflower seed mix. The auto salvage yard on the east is a relatively passive use, because of the passive nature of the business we believe it to be compatible.

*ii. Zoning - Compatibility of proposed development with the purposes of the Zoning By-Law and the Zoning District.*

- 4.4(a) All uses allowed by right under Section 4.1.
- 4.1(e) Agriculture, horticulture, floriculture and viticulture
- 4.1(g) Sale of farm, nursery, or orchard products which have been produced on the premises
- 4.1(h) Accessory uses on the same lot such as garages, stables, barns, tool sheds, farm buildings and enclosures, tennis courts, swimming pools
- 4.5(g) All Marijuana Establishments as defined by MGL 94G are allowed by special permit (subject to Article 22)
- We are not proposing any change to the driveway or parking, all of which is a gravel driveway, and compliant with setback requirements. The number of cars is based on the square footage of the existing two buildings, (assuming 1 car per 1000 sf, 6 cars are required, and we are able

to provide space for 9 without changing anything. We also anticipate that we will have no more than 5-8 employees working in the field at any one time.

- Response - DIVISION OF WATER SUPPLY PROTECTION - LAND USE EXEMPTION: 313 CMR 11.05(7) Conversion of Land for Agricultural Use. Or 313 CMR 11.05(9) Maintenance or Improvement – Agricultural. The proposed project appears to qualify for either of the two aforementioned exemptions. (see page 2 of the Request for Advisory Ruling) DCR application included with this submission. A portion of the proposed project – grow area (and fence) is in the WSPA area, a portion is outside their jurisdiction.

iii. *Architecture - The style of architecture of the buildings shall be described; its relation to prevailing types of architecture for similar buildings; and its compatibility with the function of the building and to the architecture of adjacent buildings. Sketches, photos, elevations and renderings are encouraged to illustrate architectural appropriateness as well as innovation.*

- Response - There are no architectural changes being proposed with this special permit

#### **c. Public Service.**

i. *Schools - The expected impact on the school system both elementary and secondary levels, the number of students; projected school bus routing changes and projections of future school building needs resulting from the proposed project.*

- Response - The project will have no impact on the school system.

ii. *Police - The expected impact on police services, time and manpower needed to protect the proposed development and service improvements necessitated by the proposed development.*

- Response - The outdoor grow will not require any policing. The CCC requires a security system designed and installed by industry-specific specialists such as Sapphire Security, with cameras, motion detectors, and 24 hr video surveillance by two providers viewing the feed.

iii. *Fire - Expected fire protection needs; on-site fire-fighting capabilities; on-site alarm or other warning devices; fire-flow water needs, source and delivery system and other needs shall be presented. Fire department service improvements necessitated as a result of the proposed project shall also be discussed.*

- Response - The agricultural component of the outdoor grow has no fire risk or need, the drying and curing in the existing buildings will be renovated to meet all state and local fire related building codes.

iv. *Recreation - On-site recreation provisions shall be detailed and off-site recreation demands shall be estimated. Provision for public open space, either dedicated to the Town or available to its residents shall be described. Open space available primarily or exclusively for residents or employees shall also be described.*

- The project consists of an entirely commercial development. There will be no recreation areas designed or incorporated as a part of the project.

v. *Solid Waste Disposal - Analysis of the projected volume and type of solid waste to be generated by the proposed development and methods of removal.*

- Response -Regarding Sanitary disposal: the agricultural operation will only generate organic waste, all which will be composted in the bounds of the security fence, and or disposed of in a manner in accordance with CCC guidelines. Drying and Curing will not create any non organic waste or by product.
- vi. *Traffic - The expected impact of traffic generated by the proposed development on area roadways. Discussion shall include existing average and peak traffic volumes and composition, projected average and peak traffic generation and composition, intersection impacts and analysis of area roadway and intersection capacities. Methodologies used to make projection shall be described in detail.*
  - The proposed agricultural use, and small number of employees (estimated at 6) will not generate any significant change in existing traffic patterns.
- vii. *Highway - Projected need, responsibility and costs to the Town of roadway maintenance shall be analyzed. Impacts of construction equipment on area roadways shall also be discussed.*
  - The proposed agricultural use, and small number of employees will not generate on the adjacent roadways.

**d. Aesthetics.**

- i. *Lighting - The type, design, location, function and intensity of all exterior lighting facilities shall be described. Attention given to safety, privacy, security, and daytime and nighttime appearance shall be detailed.*
  - Response - Lighting will be minimal, and only as required by the CCC. No additional site lighting will be installed for the agricultural use.
- ii. *Landscaping - Provisions for landscaping shall be described including type, location and function of all plantings and materials.*
  - Response - We are planning on installing approximately 20 trees, 20,000 sf of native wildflower meadow in the front lot, at least 6 mature apple trees will be transplanted from the lower lot to the street line, per plan, and a hedgerow of new sugar maples will be installed along the Western edge of the property adjacent to the cattle pasture. SEE ADDENDUM # 2
- iii. *Visual - Attention given to views into the site and from the site shall be described. Included shall be long-distance views as well as views to and from adjacent properties.*
  - Response - The proposed street trees, hedgerows and wild flower meadow will contribute to the scenic and agricultural values consistent with the goals of the Hubbardston Growth Management Master Plan and the most recent Open Space Plan. SEE ADDENDUM # 2

**e. Planning.**

*Analyze the compatibility of the proposed development and its alternatives with the goals and objectives of the most recent Growth Management Master Plan and the most recent Open Space Plan.*

- Response - The Hubbardston growth management Master Plan And Open Space Plan identified the following issues as primary concerns of the residents, and goals for the Master and Open Space Plan : (Plan is from 1988, and is somewhat outdated, but remains the record copy of plan referenced in the Community Impact Analysis)


- Preservation of the towns rural character,
- Preservation of groundwater resources,
- Preservation of historic sites,
- Preservation of unique scenic areas, and
- Preservation of agricultural areas
- Town members (82% : 210 out of 259) overwhelmingly voted to encourage agriculture (1988 growth management master plan
- Finally the town members noted that loss of rural character was the single most serious problem to be faced in the next 5 years, and that loss of agricultural land, open space, protection of groundwater where other top ranking concerns.
- The Proposal from Paper Crane Provisions, for cannabis outdoor grow / agricultural use (using sustainable and natural growing practices) supports almost all of the towns desires for Agriculture, open space, and protection of groundwater, as voted by residents, and as stated as Goals in the Master Planning effort.


**f. Cost/Benefit Analysis.**

*This municipal benefit/cost analysis should follow standard and usual procedures for measuring both the benefits to be derived and costs to be incurred by the Town of Hubbardston as a result of the proposed development. This element should also estimate net benefits or costs of non-quantifiable environmental impacts*

- Response - Please reference the signed Host Community Agreement for Outdoor Cultivation. There are significant financial contributions from paper Crane Provisions to the town, linked to the proposed development of outdoor grow facility, which are, low-impact, safe, sustainable, clean, environmentally sound, and in-keeping with the master plan guidelines of the town (as an agricultural use) SEE AGREEMENT # 3

**SIGNED:**

  
 \_\_\_\_\_ Boey Bertold Paper Crane Provisions LLC      Date: 2/26/21  
3/6/24

  
 \_\_\_\_\_ Brendan Pyburn (Bobrek Engineering)      Date: 2/26/21

  
 \_\_\_\_\_ Wes Wirth (Thomas Wirth Associates )      Date: 2/26/21



# 300 foot Abutters List Report

Hubbardston, MA  
February 19, 2021

## Subject Property:

Parcel Number: 05-080  
CAMA Number: 05-080  
Property Address: 56 GARDNER RD

Mailing Address: PAPER CRANE PROVISIONS LLC  
2 PINE ST  
BEDFORD, MA 01730

---

## Abutters:

Parcel Number: 05-043  
CAMA Number: 05-043  
Property Address: 49 GARDNER RD

Mailing Address: WERME KEVIN WERME KENNETH  
GREER KAREN  
49 GARDNER RD  
HUBBARDSTON, MA 01452

Parcel Number: 05-046  
CAMA Number: 05-046  
Property Address: 53 GARDNER RD

Mailing Address: FRANGOS STAMATIA  
22 BLAKER STREET  
AUBURN, MA 01501

Parcel Number: 05-047  
CAMA Number: 05-047  
Property Address: 57 GARDNER RD

Mailing Address: MCCARTHY JOHN P  
4 WEST BROOKFIELD ROAD  
BROOKFIELD, MA 01506

Parcel Number: 05-048  
CAMA Number: 05-048  
Property Address: 10 RAGGED HILL RD

Mailing Address: BRISEBOIS LINDA  
10 RAGGED HILL RD  
HUBBARDSTON, MA 01452

Parcel Number: 05-050  
CAMA Number: 05-050  
Property Address: 63 GARDNER RD

Mailing Address: MATTHEW PEASLEE AARON SANDRA  
POLCARO  
63 GARDNER RD  
HUBBARDSTON, MA 01452

Parcel Number: 05-078  
CAMA Number: 05-078  
Property Address: 46 HIGH ST

Mailing Address: BRATKO THOMAS W & JASSY M  
TRUSTEES HUBBARDSTON ORCHARD  
REALTY TRUST  
28 HIGH ST  
HUBBARDSTON, MA 01452

Parcel Number: 05-079  
CAMA Number: 05-079  
Property Address: 52 GARDNER RD

Mailing Address: BRATKO THOMAS W & JASSY M  
TRUSTEES HUBBARDSTON ORCHARD  
REALTY TRUST  
28 HIGH ST  
HUBBARDSTON, MA 01452

Parcel Number: 05-081  
CAMA Number: 05-081  
Property Address: 60 GARDNER RD

Mailing Address: JONSSON JON ARNIE  
60 GARDNER RD  
HUBBARDSTON, MA 01452

*D. Daniels*

*(SEE UPDATED LIST UNDER TAB 2.0)*



www.cai-tech.com

February 11, 2021

DCR, Division of Water Supply Protection  
Attn: Environmental Planning  
485 Ware Road  
Belchertown, MA 01007

Re: Watershed Protection Act – Request for Advisory Ruling  
56 Gardner Road, Hubbardston, MA 01452  
Map: 5, Parcel: 80

Dear Department of Conservation and Recreation:

Goddard Consulting, LLC (Goddard) is pleased to submit this request for an Advisory Ruling on behalf of Boey Bertold of Paper Crane Provisions LLC for the property known as 56 Gardner Road in Hubbardston, MA (the property). Paper Crane Provisions LLC proposes work within the area between 200-400 feet of the Bank of a Tributary or Surface Water, commonly referred to as the WsPA Secondary Protection Zone (the WsPA Zone). This area falls under the jurisdiction of the Watershed Protection Act 313 CMR 11.00. The proposed work within the WsPA Zone involves the outdoor cultivation of cannabis. The agricultural activity will require top-soil tillage, the addition of soil amendments, growing cannabis, pruning an existing hedgerow, transplanting an apple orchard, and installing a chain link fence around the perimeter of the property boundary. Paper Crane Provisions LLC seeks an Advisory Ruling as to whether the proposed Structures, Uses and Activities on the property are permitted under 313 CMR 11.00 by virtue of the exemptions set forth in 313 CMR 11.05.

A list of enclosed documents is as follows:

- Topographic Map with Assessor's Data
- Copy of the deed showing ownership
- DCR Jurisdiction Map
- Web Soil Survey Map
- Prime Farmland Map
- *Site Plan with Proposed Chain Link Fence Installation (DRAFT)*, Thomas Wirth Associates Inc., 2/8/2021

### **Existing Conditions**

The site of the proposed project consists of one land parcel (Map: 5, Parcel: 80), totaling +/- 113,106 SF, with the back of the lot extending into the WsPA Zone. Within this WsPA Zone, there is an existing Quonset building, gravel driveway, an apple orchard, a hedgerow, and natural vegetation.

### **Project Summary and Regulatory Compliance**

The proposed project will involve the outdoor cultivation of cannabis within the WsPA Zone. The property will either be converted to land for agricultural use or be maintained as agricultural land (due to the presence of an apple orchard). The apple trees are proposed to be transplanted elsewhere on the property, outside of the WsPA Zone. The removal of an existing hedgerow

along the property boundaries will be pruned to increase light levels within a proposed outdoor cannabis cultivation area. The proposed outdoor cultivation area is estimated at +/- 23,000 SF. The cannabis cultivation will require top-soil tillage, the addition of soil amendments and growing cannabis plants. A chain-link fence with a gate is proposed along the property boundaries within the WsPA Zone.

The proposed project appears to be permissible under 313 CMR 11.00 by virtue of the exemptions set forth in 313 CMR 11.05, specifically 11.05(7) or 11.05(9). 313 CMR 11.05 states that the provisions of 313 CMR 11.04 [Jurisdiction] shall not apply to the following:

313 CMR 11.05(7)

Conversion of Land for Agricultural Use.

*Conversion of Land for Agricultural Use or preparation of Land for Agricultural Use; provided, however, that such conversion shall be made under a plan approved by the United States Department of Agriculture, Natural Resources Conservation Service and the Commissioner, in consultation with the Commonwealth's Department of Agricultural Resources, or have an approved Forest Cutting Plan;*

313 CMR 11.05(9)

Maintenance or Improvement – Agricultural.

*Activities relating to normal maintenance or improvement of Land in Agricultural Use; provided, however, that such activities do not impair the quality of the water or have an approved Forest Cutting Plan;*

The proposed project appears to qualify for either of the two aforementioned exemptions. If the apple orchard in the rear of the property qualifies as an existing agricultural use, then the project would be exempt under 313 CMR 11.05(9) *Maintenance or Improvement – Agricultural*. The proposed activities would be normal maintenance or improvement to Land in Agricultural Use because the outdoor cultivation of cannabis could be considered a conversion of crop or an improvement to existing crop yields on the property.

If the apple orchard is not considered an existing agricultural use on the property, then the project would appear to qualify for an exemption under 313 CMR 11.05(7) *Conversion of Land for Agricultural Use*. The conversion of the land for agricultural use (cannabis cultivation) would require the plan to be approved by the United States Department of Agriculture, Natural Resources Conservation Service and the Commissioner, in consultation with the Commonwealth's Department of Agricultural Resources. In anticipation that the project would potentially need to qualify for this specific exemption, the Commonwealth's Department of Agricultural Resources has been contacted for consultation. Due to Covid-19, the office closure of the Commonwealth's Department of Agricultural Resources has significantly hindered the consultation process. Efforts are being made to work through the consultation process in a timely manner and will continue concurrently with the filing of this request for an Advisory Ruling, unless DCR rules that the consultation is not necessary.



**Conclusion**

In summary, Paper Crane Provisions LLC seeks an Advisory Ruling as to whether the proposed Structures, Uses and Activities on the property are permitted under 313 CMR 11.00 by virtue of the exemptions set forth in 313 CMR 11.05.

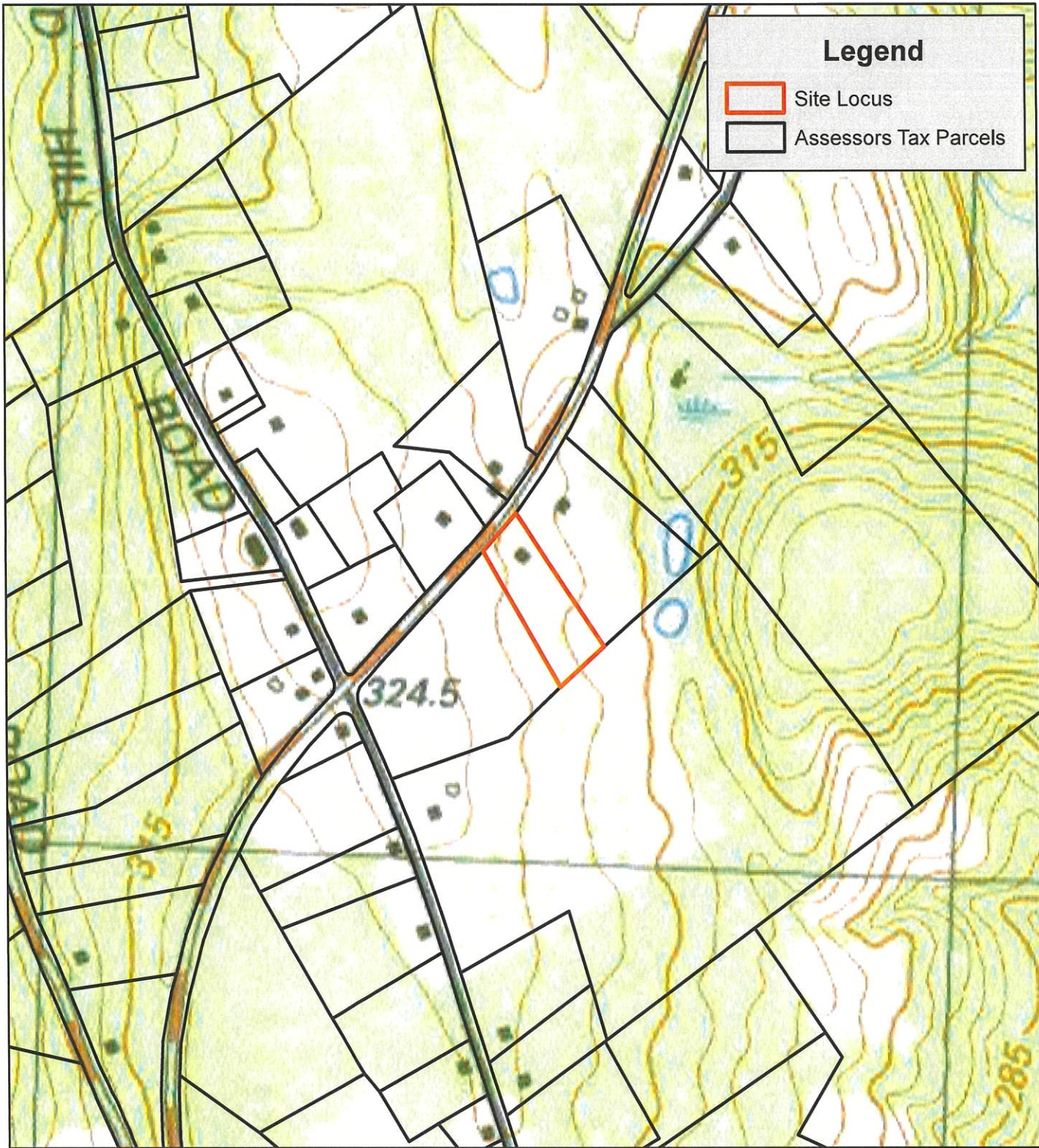
Please feel free to contact us if you have any questions.

Sincerely,  
**Goddard Consulting, LLC**



Mitch Maslanka  
Wetland Scientist

CC: Boey Bertold, Paper Crane Provisions LLC, 2 Pine Street, Bedford, MA 01730



# Topographic Map

56 Gardner Road - Hubbardston, MA  
(Map: 5, Lot: 80)

N Date: 2/5/2021

0 250 500 Feet  
1 inch = 500 feet

GIS Data Source: "Office of Geographic Information (MassGIS), Commonwealth of Massachusetts, MassIT"



# Worcester South District Registry of Deeds Electronically Recorded Document

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## Recording Information

Document Number : 126425  
Document Type : DEED  
Recorded Date : October 22, 2020  
Recorded Time : 11:13:53 AM  
  
Recorded Book and Page : 63561 / 177  
Number of Pages(including cover sheet) : 4  
Receipt Number : 1272616  
Recording Fee (including excise) : \$1,518.44

\*\*\*\*\*  
MASSACHUSETTS EXCISE TAX  
Worcester District ROD #20 001  
Date: 10/22/2020 11:13 AM  
Ctrl# 215560 24809 Doc# 00126425  
Fee: \$1,363.44 Cons: \$299,000.00  
\*\*\*\*\*

Worcester South District Registry of Deeds  
Kathryn A. Toomey, Register  
90 Front St  
Worcester, MA 01608  
(508) 798-7717

**QUITCLAIM DEED**

We, Kenneth L. Erickson and Pauline A. Erickson, husband and wife, of Webster, Massachusetts,

For consideration paid, and in full consideration of **TWO HUNDRED NINETY-NINE THOUSAND (\$299,000.00) DOLLARS and ZERO CENTS;**

Grant to Paper Crane Provisions LLC, a Massachusetts Limited Liability Company, of 2 Pine Street, Bedford, MA 01730

**with quitclaim covenants,**

A certain parcel of land with the buildings thereon located at 56 Gardner Road Hubbardston, Massachusetts, being more particularly described on "Exhibit A" attached hereto and incorporated herein.

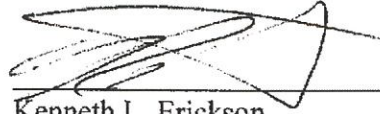
Being the same premises conveyed to the Grantor(s) by deed dated December 19, 1986 from EUGENE A. BRIER and recorded in Worcester District Registry of Deeds in Book -10094, Page 245.

The grantors hereby waive and release, any and all of their rights, title and interest in and to an Estate of Homestead, if any, which may have been created under provisions of Chapter 188, of the General Laws of Massachusetts, and further state under the pains and penalties of perjury, that no other individuals or entities are entitled to claim the benefit of any existing homestead in and to the property.

*Signature to follow on next page*

56 Gardner Road Hubbardston

Witness our hands and seals this 16<sup>th</sup> day of March, 2020.



Kenneth L. Erickson

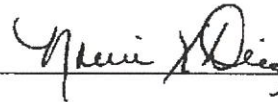


Pauline A. Erickson

**COMMONWEALTH OF MASSACHUSETTS**

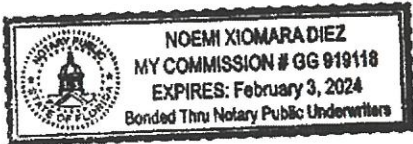
State of: Florida  
County of: Lee, SS

On this 16 day of March 2020, before me, the undersigned notary public, personally appeared Kenneth L. Erickson and Pauline A. Erickson, proved to me through satisfactory evidence of identification, which were Fla ID# - Ma ID#, to be the persons whose names are signed on the preceding document, and acknowledged to me that they signed it voluntarily for its stated purpose.



-Notary Public

My Commission Expires: February 3, 2024



**EXHIBIT A**

A certain parcel of land situated on the southeasterly side of Gardner Road, in Hubbardston, Worcester County, Massachusetts, bounded and described as follows:

BEGINNING at the most westerly corner thereof at an iron pipe in the southeasterly line of Gardner Road at land now or formerly of one Pultorak et als, said pipe being located about 588 feet northeasterly of the point of curvature of a curve which rounds the intersection of the southeasterly line of Gardner Road with the easterly line of High Street;

THENCE N. 42° 07' E. by the southeasterly line of Gardner Road, 70.0 feet to a Worcester County highway bound;

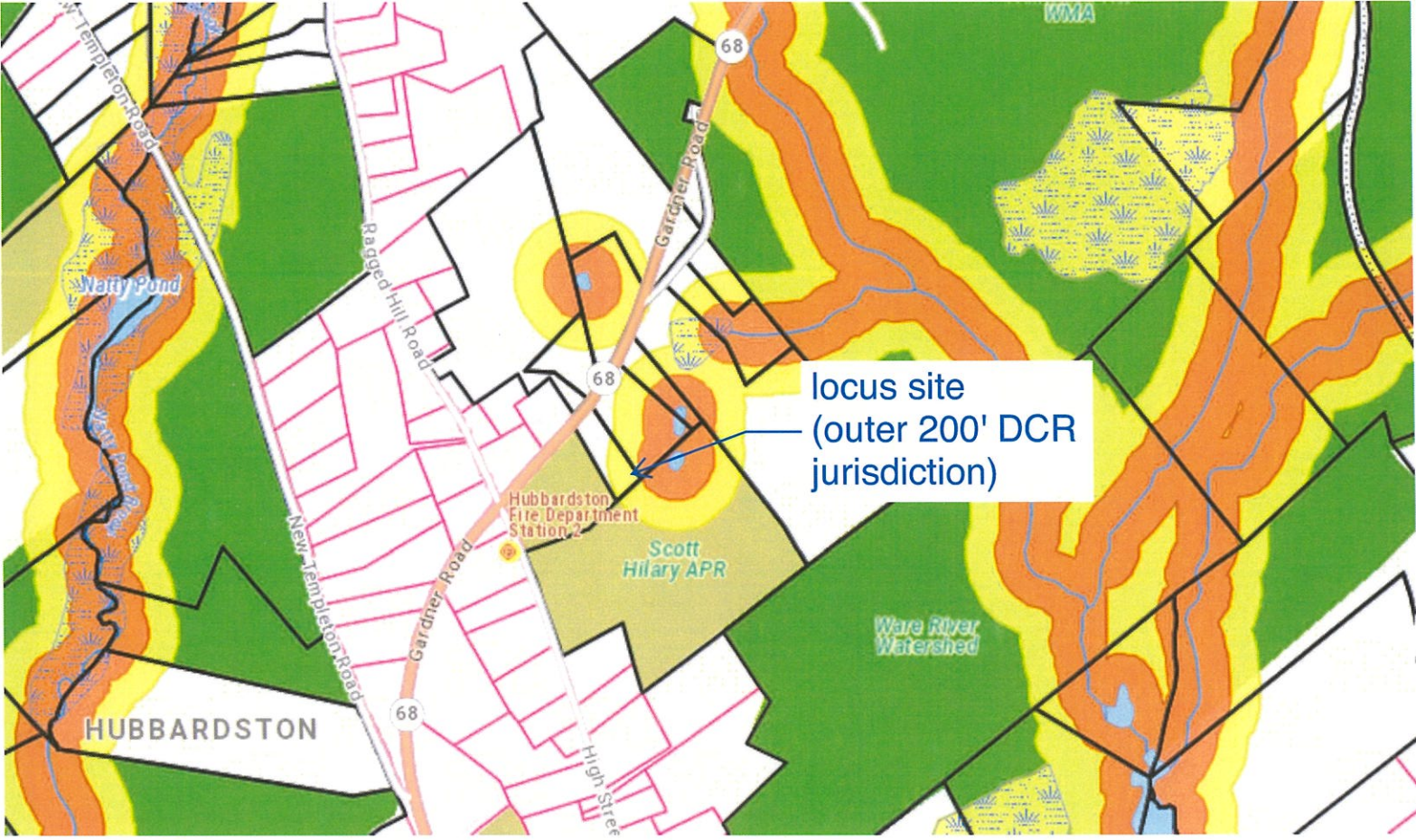
THENCE still northeasterly by a curve to the left having a radius of 2,040 feet, by the southeasterly line of Gardner Road, 150 feet to a stone wall;

THENCE S. 30° 30' E. by said stone wall, by land now or formerly of Chester E. Pultorak et als, 569 feet to an angle in said wall in line of land now or formerly of one Scott;

THENCE S. 45° 30' N. by a stone wall, by said Scott land, 210 feet to an iron pipe in said atone wall;

THENCE N. 31° W. by land now or formerly of Chester E. Pultorak et als, 550 feet to the southeasterly line of Gardner Road and the place of beginning.

CONTAINING 2 ⅔ acres.



locus site  
(outer 200' DCR  
jurisdiction)

HUBBARDSTON

Ware River  
Watershed

Scott  
Hilary APR

Hubbardston  
Fire Department  
Station 2

locus site  
(outer 200' DCR  
jurisdiction)

Warty Pond

68

68

68

WXA

Gardner Road

Ragged Hill Road

New Templeton Road

High Street

New Templeton Road

Ware River  
Watershed

Scott  
Hilary APR

Hubbardston  
Fire Department  
Station 2

locus site  
(outer 200' DCR  
jurisdiction)

Warty Pond

68

68

68

WXA

Gardner Road

Ragged Hill Road

New Templeton Road

High Street

New Templeton Road

Area of Interest (AOI)

**Soil Map**

Soil Data Explorer

Download Soils Data

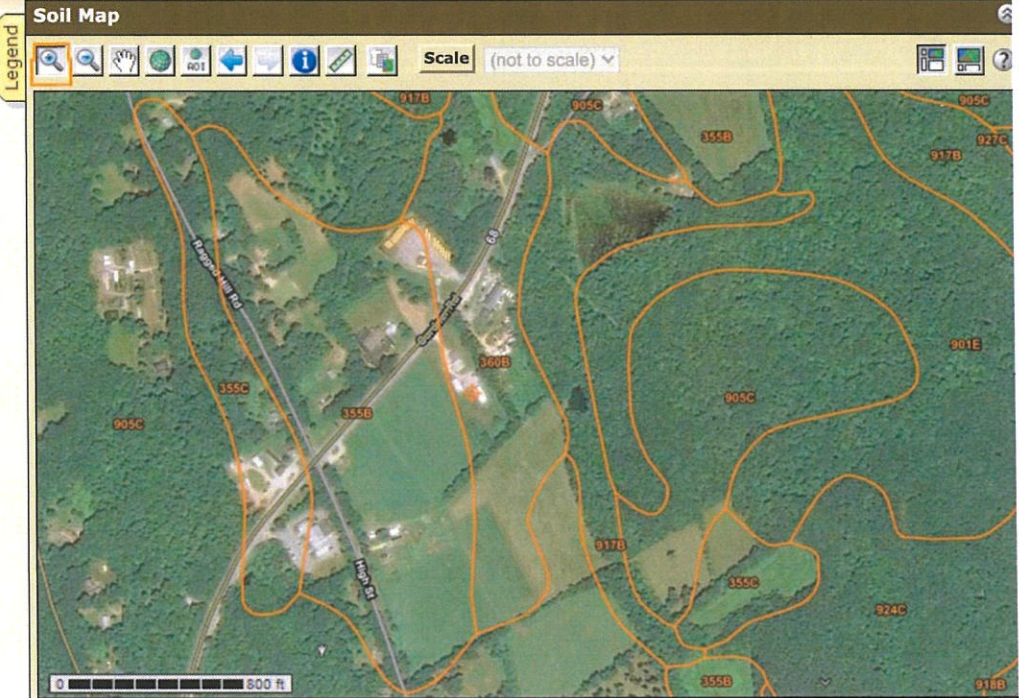
Shopping Cart (Free)

Printable Version | Add to Shopping Cart

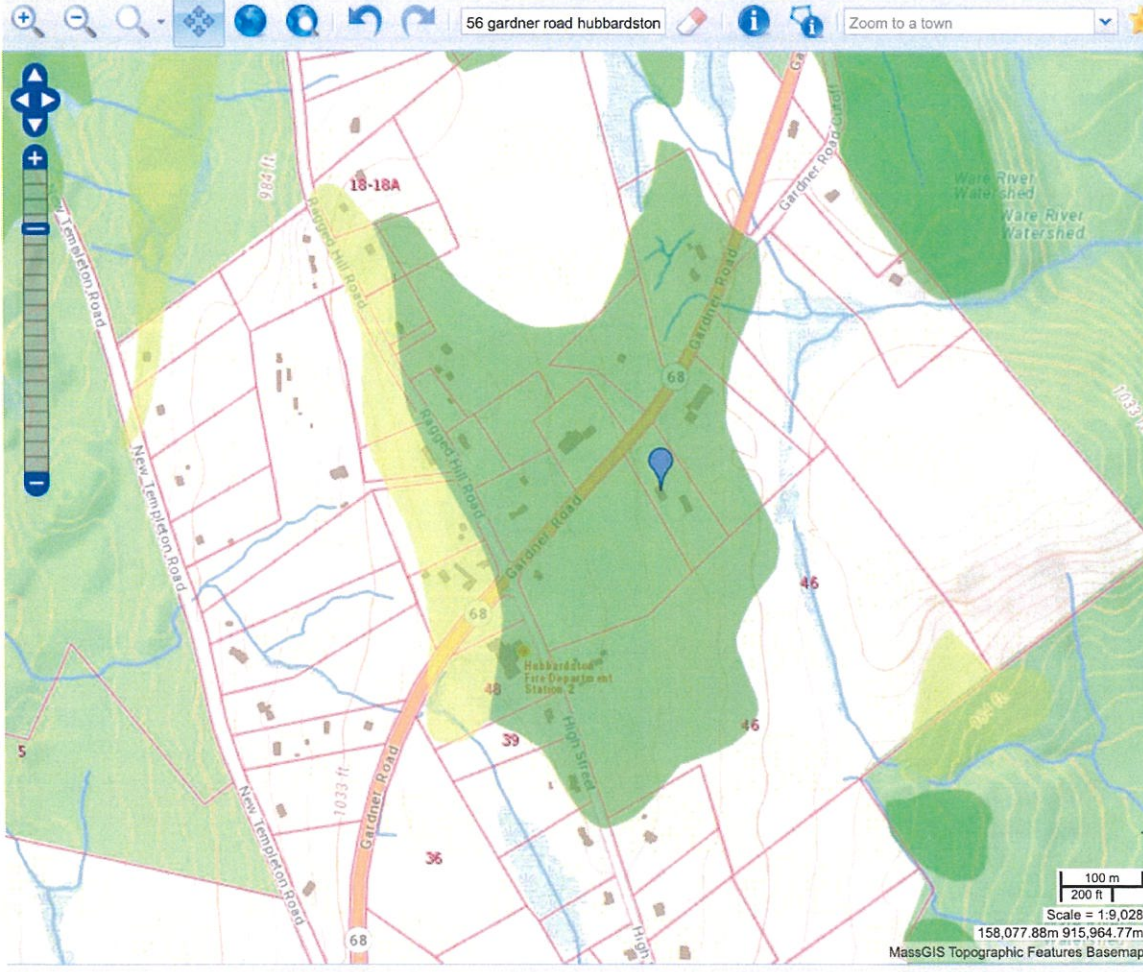
Search

Map Unit Legend

253D	Hinckley loamy sand, 15 to 25 percent slopes	4.4	1.2%
351B	Becket fine sandy loam, 3 to 8 percent slopes	0.1	0.0%
355B	Marlow fine sandy loam, 3 to 8 percent slopes	51.6	13.6%
355C	Marlow fine sandy loam, 8 to 15 percent slopes	18.1	4.8%
360B	Peru fine sandy loam, 3 to 8 percent slopes	22.9	6.0%
652	Udorthents, refuse substratum	0.9	0.2%
901F	Deshler-Madison	10.0	12.7%







**Available Data Layers**

Prime Farmland Soils

- Public Water Supply Service Territories
- Soils
  - Soils Polygons with Mapunit Names
  - Soil Spot Features Lines
  - Soil Spot Features Points
  - Soils by Slope
  - Prime Farmland Soils
  - Prime Farmland Soils Outlines
- Surficial Geology
- Topography Contours
- Watersheds
- Wind Power Density at 50m
- Political / Administrative Boundaries

**Active Data Layers**

Check all    Uncheck all    Remove all

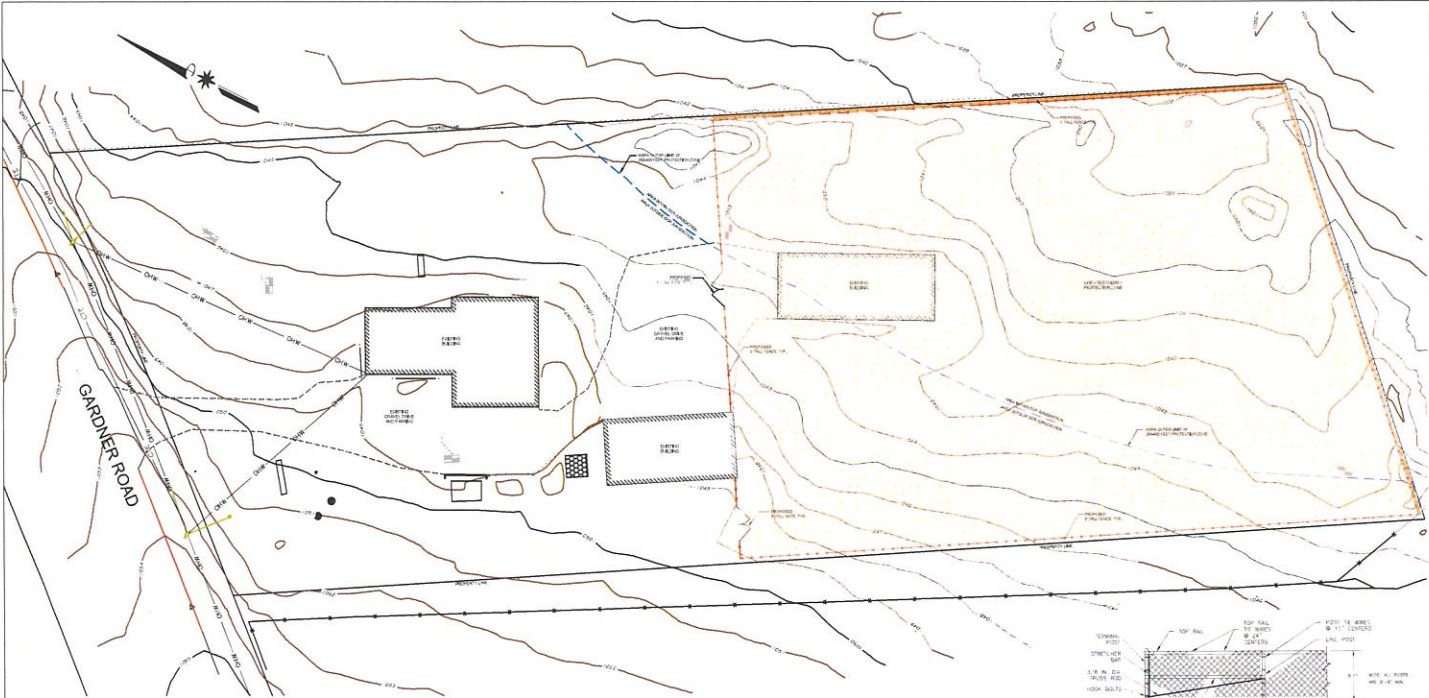
- Prime Farmland Soils
- Tax Parcels for Query
- Detailed Features
- Tax Parcels for Display
- Structures

**Legend**

Prime Farmland Soils

- All Areas Are Prime Farmland
- Farmland of Unique Importance
- Farmland of Statewide Importance

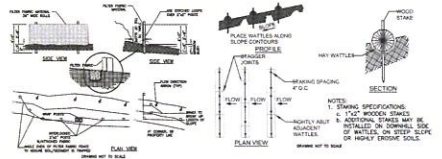
Tax Parcels for Query



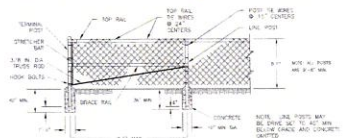
- LEGEND**
- WSPA OUTER LIMIT OF 200'-400' SECONDARY PROTECTION ZONE
  - PROPOSED CHAIN LINK FENCE
  - SILT FENCE AND WATTLES (AS PER DIRECTION OF THE CONSERVATION COMMISSION)

- GENERAL NOTES**
1. PROPERTY LINES SHOWN HEREON HAVE BEEN COMPILED BY OTHERS.
  2. IN ACCORDANCE WITH MGL CH 80, SEC. 40 INCLUDING ALL AMENDMENTS, ALL CONTRACTORS SHALL NOTIFY UTILITY COMPANIES AND GOVERNMENT AGENCIES IN WRITING, OF THE INTENT TO EXCAVATE NO LESS THAN 72 HOURS PRIOR TO SUCH EXCAVATION (EXCLUSIVE OF SATURDAYS, SUNDAYS, AND HOLIDAYS) OR CALL "DIG SAFE" AT 811.
  3. THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL PERMITS AND INSURANCE THAT MAY BE REQUIRED FOR THE PROJECT.
  4. NO WORK SHALL BE COMPLETED UNTIL APPROVAL FROM THE CONSERVATION COMMISSION HAS BEEN RECEIVED.

- FENCE INSTALLATION NOTES**
1. FENCE TO BE INSTALLED IN LOCATION INDICATED ON PLAN. MINOR REPOSITIONING MAY BE NECESSARY TO AVOID EXISTING TREES OR OTHER NATURAL FEATURES.
  2. FENCE TO BE INSTALLED 1" MIN. OFFSET FROM PROPERTY LINE TO ACCOMMODATE FOOTINGS.
  3. WATTLES TO BE INSTALLED DOWN GRADIENT OF THE FENCE ONLY IF REQUESTED BY THE CONSERVATION COMMISSION. POTENTIAL FOR EROSION IN THIS LOCATION IS VERY MINIMAL.



**SILT FENCE AND HAY WATTLE DETAILS**  
WATTLES CAN BE INSTALLED DOWN GRADIENT OF THE FENCE INSTALLATION AT THE CONSERVATION COMMISSIONS REQUEST



**CHAIN LINK FENCE INSTALLATION DETAILS**  
THE STANDARD FENCE MUST BE ADAPTED TO THE SITE

TYPE	SHAPE	GAUGE	HEIGHT	WEIGHT
		(INCHES)	(FEET)	(LBS./SQ. FT.)
EXTERNAL	ROUND	2.25	6.6	
POSTS	ROUND	2.25	3.0	
END	ROUND	1.50	2.75	
POSTS	ROUND	1.50	2.25	
TOP & BRACE	ROUND	1.50	2.25	
BRACE	ROUND	1.50	2.25	

TYPE	SHAPE	GAUGE	HEIGHT	WEIGHT
		(INCHES)	(FEET)	(LBS./SQ. FT.)
EXTERNAL	ROUND	2.25	6.6	
POSTS	ROUND	2.25	3.0	
END	ROUND	1.50	2.75	
POSTS	ROUND	1.50	2.25	
TOP & BRACE	ROUND	1.50	2.25	
BRACE	ROUND	1.50	2.25	

- CONSTRUCTION NOTES**
1. MATERIALS AND WORKMANSHIP NOT SHOWN ON THIS DRAWING SHALL CONFORM TO THE MANUFACTURERS SPECIFICATIONS.
  2. ALL POSTS SHALL BE INSTALLED VERTICALLY. WATTLE POSTS ARE TO BE INSTALLED IN AN ALIGNED MANNER. THE SPACING OF ALL POSTS SHALL BE ADJUSTED SO THAT THE RESULTING FENCING SHALL BE 80' LONG FENCE HAVING STANCHION 2" CHAIN LINK CHAIRS. SEE: 2018.



**THOMAS WIRTH ASSOCIATES, INC.**  
LANDSCAPE ARCHITECTURE  
113 WESTERN AVENUE, SUITE 200, WILMINGTON, MA 01897  
www.thomaswirth.com | 508.656.2412

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**PAPER CRANE PROVISIONS**  
56 GARDNER ROAD  
HUBBARDSTON, MA

---

FENCE SET  
NOT FOR  
CONSTRUCTION

---

SITE PLAN WITH  
PROPOSED CHAIN LINK  
FENCE INSTALLATION

DATE	02.08.2023
SCALE	1" = 20'-0"
PROJECT	
REVISION	
DATE	
BULLET	

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**L100**



Town of Hubbardston  
Planning Board and  
Board of Health

RE: Joint Meeting of the Boards dated May 3, 2023

In an effort to address the concerns of both the Planning Board and the Board of Health, I am submitting the following statements concerning Paper Crane's plan to attempt to mitigate some of the odors emanating from Paper Crane's grow facility in 2023.

While we have been told that there were numerous complaints of odors resulting from our cannabis operation in 2022, we were provided with no details of any complaints. We were not told when the complaints were made, where the party complaining resided, what the weather was like that day, etc. Instead, we were grouped together with the other cannabis business in town and we were collectively blamed for the strong odors in the Town. We do agree that growing cannabis outside produces odors wherever it is grown. The odor is also very strong around the home-grow operations at homes across town. Some of the varieties being grown at the non-commercial grow sites may indeed include so-called "skunk" cannabis which we do not grow.

From the outset, I have repeatedly indicated that our company was engaged in an endeavor new to Massachusetts, and on a scale we were not fully familiar with. Essentially, this is an ongoing experiment. In 2022, our crew gained a great deal of experience, and we accumulated a great deal of data about our facility and our operating procedures.

Odor from the cultivation of cannabis cannot be completely eliminated. However, with the knowledge and data we gathered, we hope to mitigate the odors emanating from Paper Crane by making changes to our standard operating procedures. Some of these steps include the following:

1. At the time of each planting, we will be planting a significantly fewer number of plants this year. We expect it to be nearly 1/3 less, although the exact number will depend on

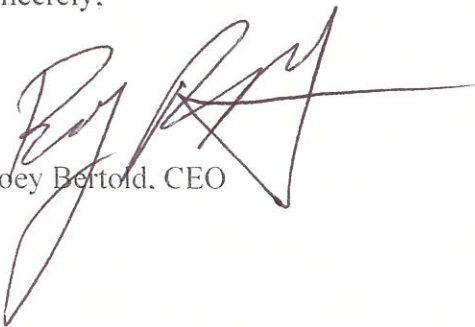
many variables. We also plan to stagger the planting so that there are not too many of the same plants maturing at the same time.

2. Fewer plants means that we should be able to bring the plants inside in a more orderly and less time-consuming fashion. We will also attempt to time the harvest to bring in the plants as soon as they are able to be harvested. Naturally, the weather will dictate when the plants will be ready, but we will be mindful to get them in as soon as possible. Additionally, as we have added air conditioning to the stove shop, we have an additional 1800-2000 square feet of space to house the plants.
3. Due to the improvement gained by changing our operating procedures (outlined in items 1 and 2 above), we should have little or no plants that are left rotting in the field. To the extent we have any that are not salvageable, we will make efforts to remove and compost them as soon as possible.

We have no doubt that we will continue to learn what the “best practices” are for Paper Crane’s operations. We will continue to tweak our methods to become even more efficient whenever possible.

We are optimistic that our new procedures will improve the odor of cannabis from our operations, however, we are unable to make promises that these steps will be effective enough to satisfy those that wish to complain. Some folks simply do not like the odor of cannabis, or even the thought of cannabis. However, as we all are aware, there are many other significant odors emanating from farms all over town, and many of those odors persist for a much longer time than the odor from cannabis.

Sincerely,



Boey Bertold, CEO



Addendum #2:

In Section 7.2.A of the original Special Permit Application dated February 26, 2021, the Applicant stated under "Landscape Planting" that "At least 6 mature trees will be transplanted from the lower site to the upper street edge of the site. The trees are 15-20' height and decades old: we anticipate using a bareroot transplant technique to ensure the healthy transplant of the material. Additionally, we are proposing a hedgerow of sugar sap maples, and establishing a 20,000 SF wildflower meadow."

Following receipt of the Special Permit in 2021, Paper Crane consulted with an arborist for the transplanting of the six apple trees. The arborist determined that the trees were not healthy enough to transplant. Based on the arborist's determination, the trees were not transplanted.

The Applicant intends to pursue Site Plan Approval and a Special Permit for a Retail Dispensary at this site. As part of that Project, the front yard will be converted to a paved parking area with associated site improvements including landscaping improvements. The Applicant wishes to defer any additional plantings until such time as the Special Permit for the Retail Dispensary is acted on. Deferring the plantings until that time will ensure that the plantings are in locations that will not be further disturbed.

The 20,000 SF wildflower meadow was established per the original Special Permit.

Addendum #3:

In Article 8 of the Environmental and Community Impact analysis include in the original Special Permit Application dated February 26, 2021, the Applicant stated under “Positive Community Benefit” that “The Establishment may benefit the Town and its citizens through increased economic development, additional employment opportunities for residents, and a strengthened local tax base. Paper Crane Provisions shall pay an Annual Community Impact Fee in an amount equal to the greater of (a) three percent (3%) of the gross sales of Establishment which are not sold directly or transferred to Company-owned or operated marijuana retailer establishment(s) or product manufacturing establishment(s) located within the Town, but are distributed to other off-site marijuana establishments, or (b) one hundred fifty thousand dollars (\$150,000).”

The CCC regulations governing Host Community Agreements (HCA), and corresponding Community Impact Fees, were amended in November of 2023. Paper Crane Provisions remains committed to working with the Town to update their HCA to be in conformance with the amended regulations.

Addendum #4:

In Article 8, section 4, paragraph VI of the Environmental and Community Impact analysis included in the original Special Permit Application dated February 26, 2021, the Applicant provided an estimate of average and peak daily demand for water supply and the impact of that demand on the groundwater aquifer. They estimated that the 2,500 cannabis plants would require 2 gallons of water per plant per day for a total of 5,000 gallons per day.

Paper Crane has monitored their water consumption over the last two years of operation and has found that actual consumption is closer to 850 gallons per day, a reduction of 4,150 gallons per day from the original estimated amount.

This reduction results in much less of an impact to the aquifer over what was originally estimated and approved.





**Copy of Original Special Permit Application Exhibit 4.2**

SITE PLANS  
FOR  
**PAPER CRANE PROVISIONS**  
56 GARDNER ROAD, HUBBARDSTON, MA

APRIL 2021 | AMENDMENT TO FEBRUARY 2021 SUBMISSION



- SHEET INDEX**
- L000 COVER SHEET
  - L100 EXISTING CONDITIONS PLAN
  - L200 LAYOUT & MATERIALS PLAN
  - L201 FLOOR PLAN & SECTION | ELEVATIONS . BUILDING A
  - L202 FLOOR PLAN & SECTION | ELEVATIONS . BUILDING B
  - L300 PLANTING PLAN
  - L400 EROSION CONTROL PLAN
  - L500 ZONING PLAN

- (TO SUPERCEDE L200 | FEBRUARY 2021 SUBMISSION)
- (ADDITION TO FEBRUARY 2021 SUBMISSION)
- (ADDITION TO FEBRUARY 2021 SUBMISSION)
- (TO SUPERCEDE L300 | FEBRUARY 2021 SUBMISSION)
- (TO SUPERCEDE L400 | FEBRUARY 2021 SUBMISSION)
- (TO SUPERCEDE L500 | FEBRUARY 2021 SUBMISSION)

THOMAS WIRTH ASSOCIATES, INC.  
 LANDSCAPE ARCHITECTURE  
 133 WESTERN AVENUE, SHENBURN, MA 01770  
 TW@wirthassociates.com 617.440.2412



**PAPER CRANE PROVISIONS**  
 56 GARDNER ROAD  
 HUBBARDSTON, MA

COVER SHEET

DATE	04/11/2021	
SCALE	AS NOTED	
PROJECT		
REV#	DATE	DESCRIPTION

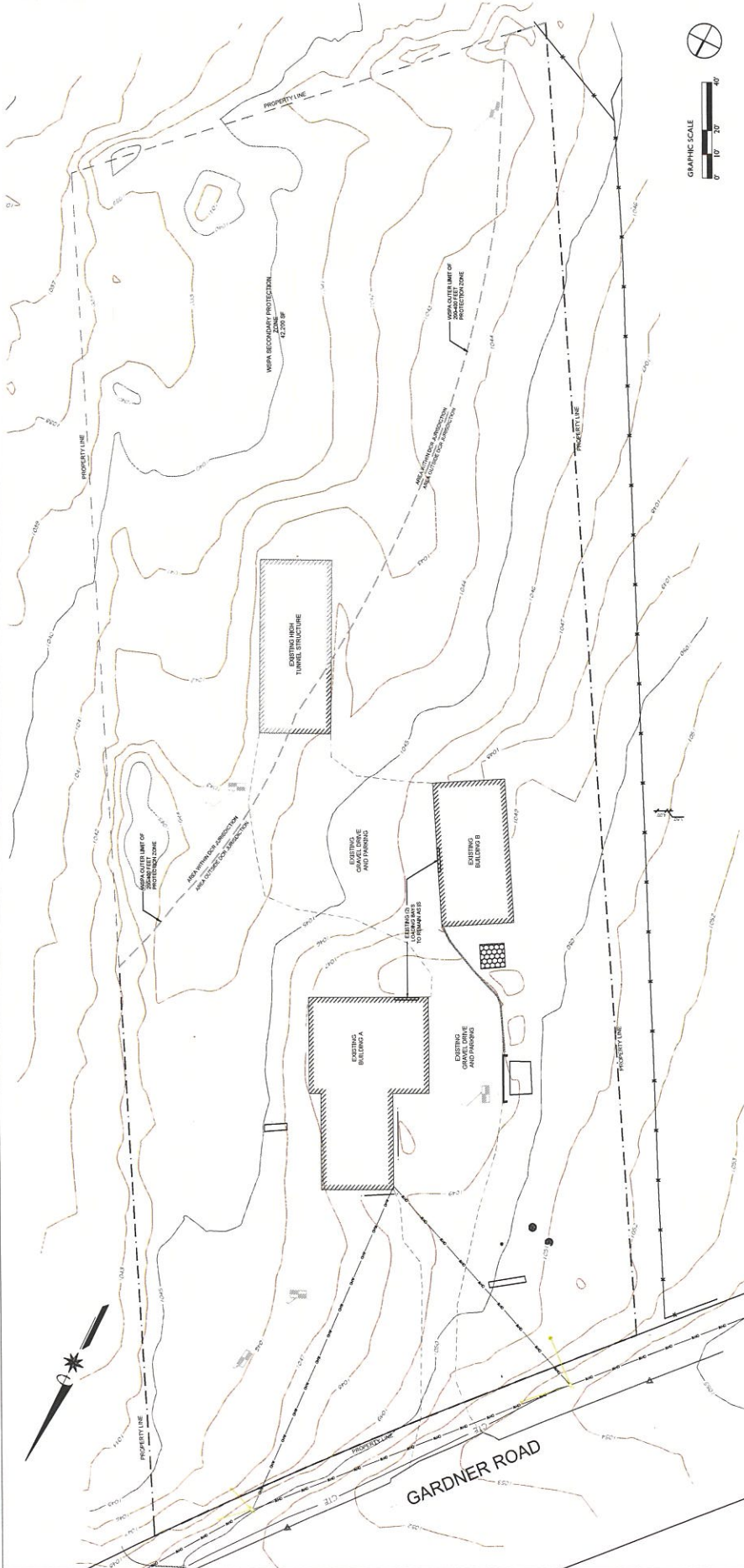
L000

THOMAS WIRTH ASSOCIATES, INC.  
 LANDSCAPE ARCHITECTURE  
 133 WESTERN AVENUE, SHERBORN, MA 01770  
 TW@wirth@yahoocom 617.640.2412

PAPER CRANE PROVISIONS  
 56 GARDNER ROAD  
 HUBBARDSTON, MA

EXISTING CONDITIONS PLAN		
DATE:	04.15.2021	
SCALE:	1" = 20'-0"	
PROJECT:		
REV#	DATE	BY/LETT

L100



LEGEND

WSPA OUTER LIMIT OF  
 200'-400' SECONDARY  
 PROTECTION ZONE

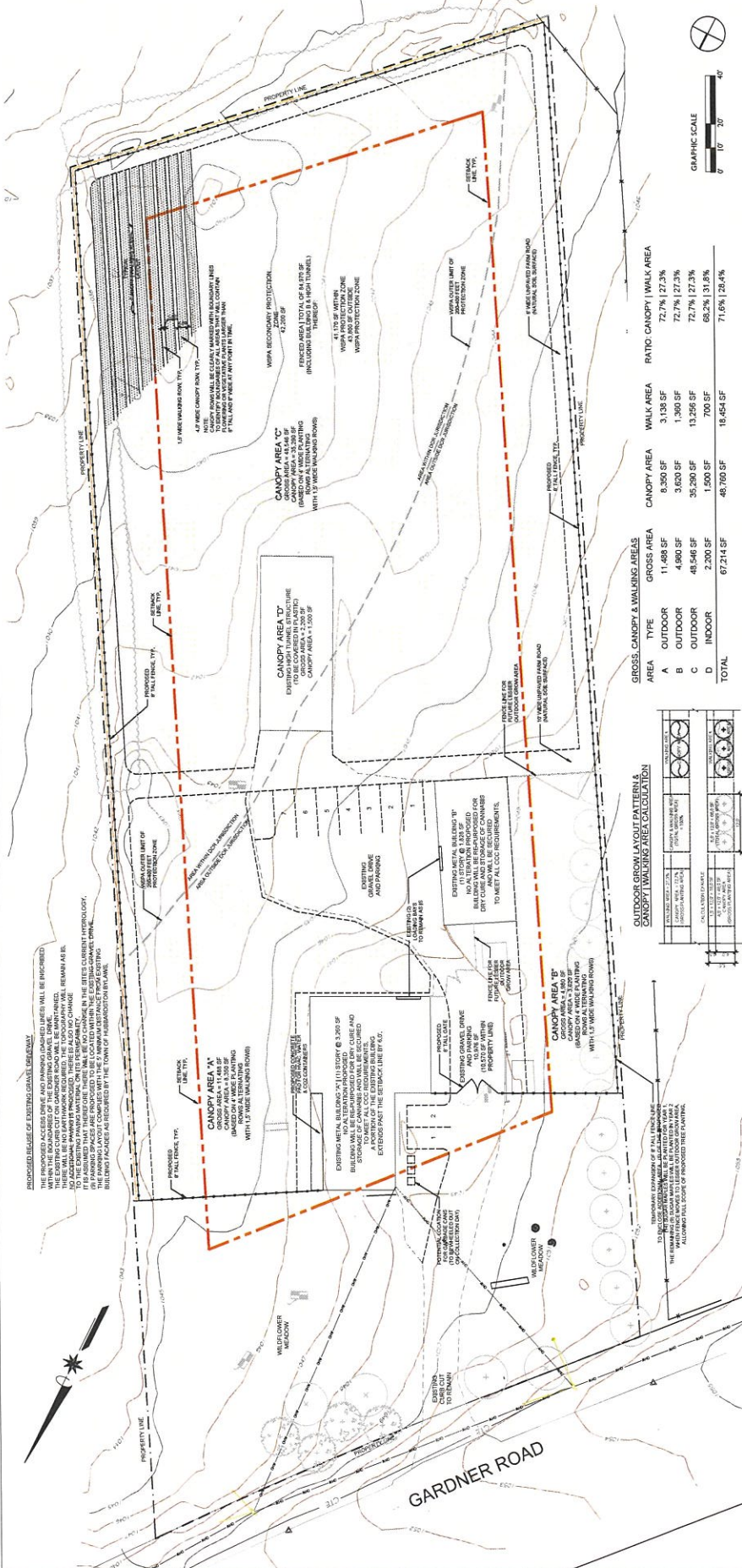
- GENERAL NOTES
1. BASE MAPPING OF THE PROJECT SITE SHOWN IS THE RESULT OF AN ON-THE-GROUND SURVEY PERFORMED BY ALFRED H. BERRY OF 129 SOUTH MAIN STREET, ATHOL, MA 01331.
  2. ELEVATIONS DEPICTED ARE BASED ON NORTH AMERICAN VERTICAL DATUM 1988 (NAV88).
  3. CONTRACTOR IS TO NOTIFY ENGINEER IMMEDIATELY OF ANY DISCREPANCIES PRIOR TO PROCEEDING WITH PROPOSED WORK.
  4. THIS PLAN DOES NOT NECESSARILY DEPICT THE EXACT LOCATION AND SIZE OF ALL UTILITIES WHICH MAY EXIST AT THIS TIME INSIDE OR OUTSIDE OF EXISTING OR PROPOSED BUILDINGS, ON THE SUBJECT PROPERTY, WITHIN THE STREET RIGHT-OF-WAY, OR ON ADJUTING LOTS.
  5. CONTRACTOR SHALL CONTACT THE TOWN OF HUBBARDSTON FOR THE MARKING OF HUBBARDSTON MUNICIPAL UTILITIES. IN ACCORDANCE WITH MGL CH 82, SEC. 40 INCLUDING ALL AMENDMENTS, CONTRACTOR SHALL NOTIFY UTILITY COMPANIES AND ALL PERTINENT GOVERNMENT AGENCIES IN WRITING OF THE INTENT TO EXCAVATE, AND CONTACT DIG-SAFE AT 1-888-344-7233 OR 1-800-322-4844 AT LEAST 72 HOURS PRIOR TO EXCAVATION (EXCLUSIVE OF SATURDAYS, SUNDAYS, AND HOLIDAYS).
  6. THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL PERMITS AND INSURANCE THAT MAY BE REQUIRED FOR THE PROJECT.
  7. ADJACENT ABUTTERS SHALL BE NOTIFIED PRIOR TO THE START OF CONSTRUCTION.
  8. NO WORK SHALL BE UNDERTAKEN UNTIL APPROVAL FROM THE CONSERVATION COMMISSION HAS BEEN RECEIVED.

THOMAS WIRTH ASSOCIATES, INC.  
 LANDSCAPE ARCHITECTURE  
 133 WESTERN AVENUE, SHERBORN, MA 01770  
 VE@TWI@tphoto.com 617.640.2412

PAPER CRANE PROVISIONS  
 56 GARDNER ROAD  
 HUBBARDSTON, MA

LAYOUT & MATERIALS PLAN  
 DATE: 04.15.2021  
 SCALE: 1" = 20'-0"  
 PROJECT: [Blank]  
 REF: DATE: [Blank] BULLET: [Blank]

L200



GENERAL NOTES

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- IN ACCORDANCE WITH MGL CH 87, SEC. 40 INCLUDING ALL APPENDMENTS, CONTRACTOR SHALL NOTIFY UTILITY COMPANIES AND ALL PERTINENT GOVERNMENT AGENCIES IN WRITING OF THE INTENT TO EXCAVATE, AND CONTACT DIG-SAFE AT 1-888-344-7233 OR 1-800-332-4844 AT LEAST 72 HOURS PRIOR TO EXCAVATION (EXCLUSIVE OF SATURDAYS, SUNDAYS, AND HOLIDAYS).
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FENCE INSTALLATION NOTES

- FENCE TO BE INSTALLED IN LOCATION INDICATED ON PLAN. MINOR REPOSITIONING MAY BE NECESSARY TO AVOID EXISTING TREES OR OTHER NATURAL FEATURES.
- FENCE TO BE INSTALLED 1' MIN. OFFSET FROM PROPERTY LINE TO ACCOMMODATE FOOTINGS.

LEGEND

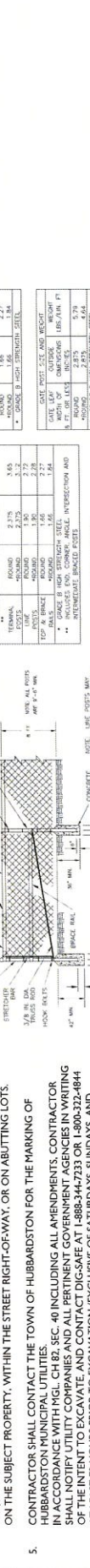
- PROPOSED CHAIN LINK FENCE
- WSPA OUTER LIMIT OF 200'-00" SECONDARY PROTECTION ZONE
- SILT FENCE AND WATTLES (AS PER DIRECTION OF THE CONSERVATION COMMISSION)

OUTDOOR GROW LAYOUT PATTERNS & CANOPY WALKING AREA CALCULATION

ITEM	SHAPE	SIZE AND HEIGHT REQUIREMENTS	WALKING AREA (SQUARE FEET)	WALKING AREA (LINEAR FEET)	HEIGHT (FEET)	WALKING AREA (LINEAR FEET)	WALKING AREA (LINEAR FEET)
TERMINAL	ROUND	48" DIA. x 4'-0" H	11,488	2,277	1.92	2,277	11,488
POST	ROUND	3" DIA. x 8'-0" H	4,800	960	2.77	960	4,800
BRACE	ROUND	3" DIA. x 8'-0" H	3,138	628	2.27	628	3,138
BRACE & BRACE	ROUND	3" DIA. x 8'-0" H	2,200	440	1.84	440	2,200
<b>TOTAL</b>							
		<b>TERMINALS</b>	11,488 SF	2,277 LF	1.92 FT	2,277 LF	11,488 SF
		<b>POSTS</b>	4,800 SF	960 LF	2.77 FT	960 LF	4,800 SF
		<b>BRACES</b>	3,138 SF	628 LF	2.27 FT	628 LF	3,138 SF
		<b>BRACE &amp; BRACE</b>	2,200 SF	440 LF	1.84 FT	440 LF	2,200 SF
		<b>TOTAL</b>	21,616 SF	4,285 LF	2.00 FT	4,285 LF	21,616 SF

CONNECTIONS

ITEM	SHAPE	SIZE AND HEIGHT REQUIREMENTS	WALKING AREA (SQUARE FEET)	WALKING AREA (LINEAR FEET)	HEIGHT (FEET)	WALKING AREA (LINEAR FEET)	WALKING AREA (LINEAR FEET)
TERMINAL	ROUND	48" DIA. x 4'-0" H	11,488	2,277	1.92	2,277	11,488
POST	ROUND	3" DIA. x 8'-0" H	4,800	960	2.77	960	4,800
BRACE	ROUND	3" DIA. x 8'-0" H	3,138	628	2.27	628	3,138
BRACE & BRACE	ROUND	3" DIA. x 8'-0" H	2,200	440	1.84	440	2,200
<b>TOTAL</b>							
		<b>TERMINALS</b>	11,488 SF	2,277 LF	1.92 FT	2,277 LF	11,488 SF
		<b>POSTS</b>	4,800 SF	960 LF	2.77 FT	960 LF	4,800 SF
		<b>BRACES</b>	3,138 SF	628 LF	2.27 FT	628 LF	3,138 SF
		<b>BRACE &amp; BRACE</b>	2,200 SF	440 LF	1.84 FT	440 LF	2,200 SF



CONSTRUCTION NOTES

- MATERIALS AND WORKMANSHIP NOT SHOWN ON THIS DRAWING SHALL CONFORM TO THE MANUFACTURER'S SPECIFICATIONS.
- POSTS SHALL BE INSTALLED ON AN ENCLOSED SURFACE, THE ANGLES OF ANY POSTS SHALL BE ADJUSTED SO THAT THE POST WILL BE VERTICAL.
- POSTS SHALL BE INSTALLED WITH FENCE FABRIC STANDARD 50/100 (100' HIGH, 2-1/2\" data-bbox="820 100 840 979"/>

GENERAL NOTES

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- THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL PERMITS AND INSURANCE THAT MAY BE REQUIRED FOR THE PROJECT.
- ADJACENT ABUTTERS SHALL BE NOTIFIED PRIOR TO THE START OF CONSTRUCTION.
- NO WORK SHALL BE UNDERTAKEN UNTIL APPROVAL FROM THE CONSERVATION COMMISSION HAS BEEN RECEIVED.

FENCE INSTALLATION NOTES

- FENCE TO BE INSTALLED IN LOCATION INDICATED ON PLAN. MINOR REPOSITIONING MAY BE NECESSARY TO AVOID EXISTING TREES OR OTHER NATURAL FEATURES.
- FENCE TO BE INSTALLED 1' MIN. OFFSET FROM PROPERTY LINE TO ACCOMMODATE FOOTINGS.

LEGEND

- PROPOSED CHAIN LINK FENCE
- WSPA OUTER LIMIT OF 200'-00" SECONDARY PROTECTION ZONE
- SILT FENCE AND WATTLES (AS PER DIRECTION OF THE CONSERVATION COMMISSION)

OUTDOOR GROW LAYOUT PATTERNS & CANOPY WALKING AREA CALCULATION

ITEM	SHAPE	SIZE AND HEIGHT REQUIREMENTS	WALKING AREA (SQUARE FEET)	WALKING AREA (LINEAR FEET)	HEIGHT (FEET)	WALKING AREA (LINEAR FEET)	WALKING AREA (LINEAR FEET)
TERMINAL	ROUND	48" DIA. x 4'-0" H	11,488	2,277	1.92	2,277	11,488
POST	ROUND	3" DIA. x 8'-0" H	4,800	960	2.77	960	4,800
BRACE	ROUND	3" DIA. x 8'-0" H	3,138	628	2.27	628	3,138
BRACE & BRACE	ROUND	3" DIA. x 8'-0" H	2,200	440	1.84	440	2,200
<b>TOTAL</b>							
		<b>TERMINALS</b>	11,488 SF	2,277 LF	1.92 FT	2,277 LF	11,488 SF
		<b>POSTS</b>	4,800 SF	960 LF	2.77 FT	960 LF	4,800 SF
		<b>BRACES</b>	3,138 SF	628 LF	2.27 FT	628 LF	3,138 SF
		<b>BRACE &amp; BRACE</b>	2,200 SF	440 LF	1.84 FT	440 LF	2,200 SF

CONNECTIONS

ITEM	SHAPE	SIZE AND HEIGHT REQUIREMENTS	WALKING AREA (SQUARE FEET)	WALKING AREA (LINEAR FEET)	HEIGHT (FEET)	WALKING AREA (LINEAR FEET)	WALKING AREA (LINEAR FEET)
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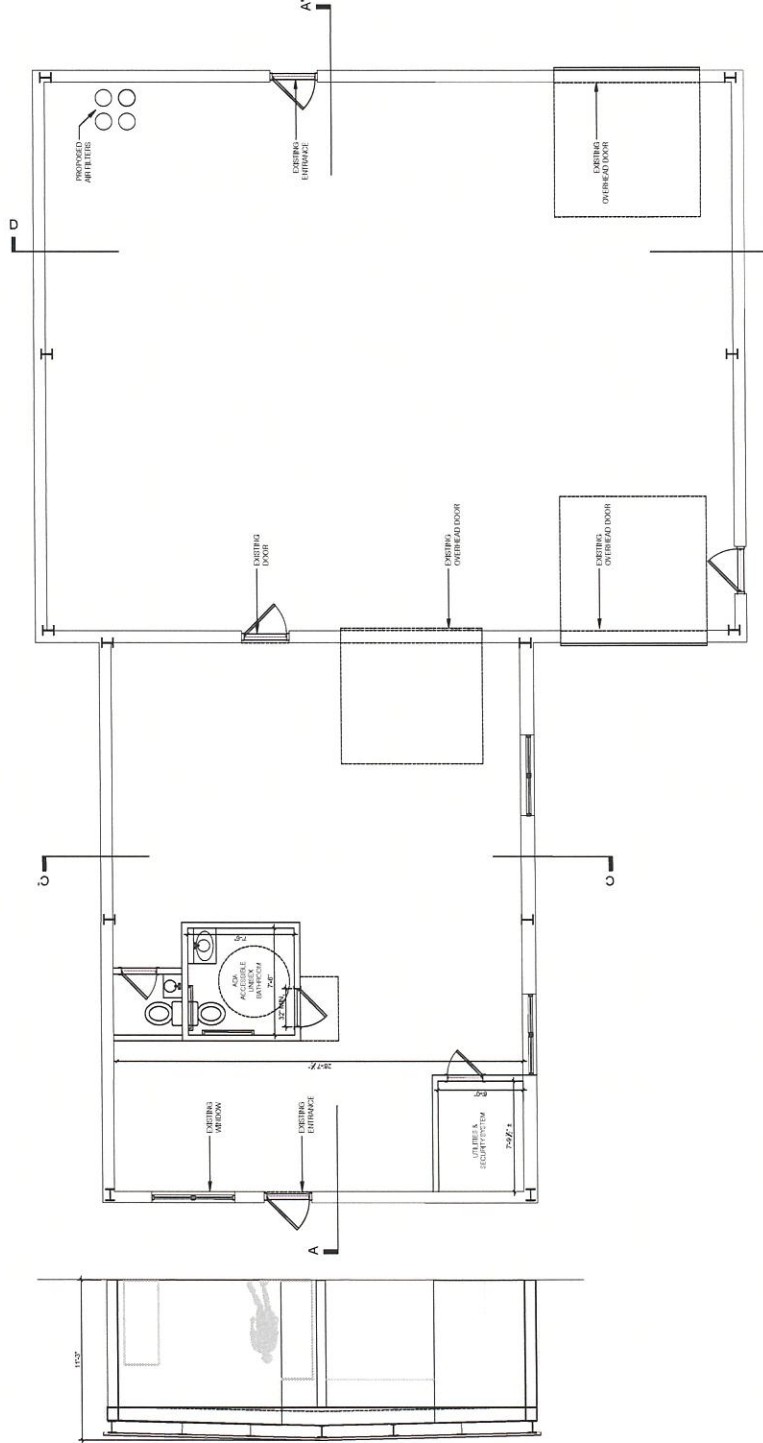
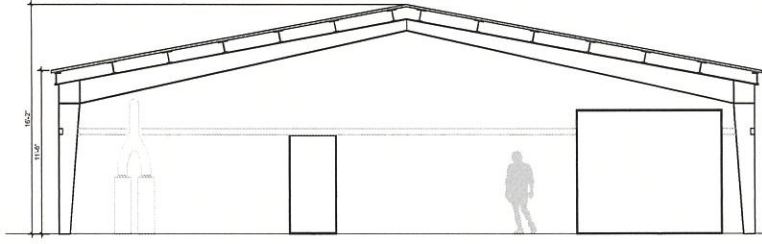
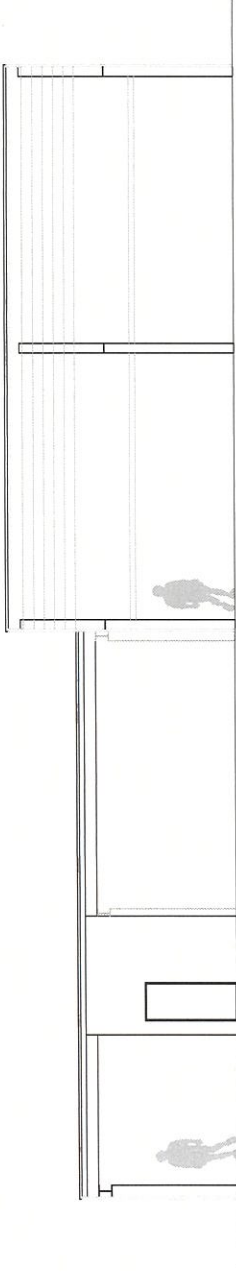
THOMAS WIRTH ASSOCIATES, INC.  
 LANDSCAPE ARCHITECTURE  
 133 WESTERN AVENUE, SHERBORN, MA 01770  
 WWW.TW@TWO.COM 517.640.2412

PAPER CRANE PROVISIONS  
 56 GARDNER ROAD  
 HUBBARDSTON, MA

BUILDING "A"  
 RENOVATION  
 FLOOR PLAN  
 & SECTIONS

DATE:	04.13.2021	
SCALE:	1/4" = 1'-0"	
PROJECT:		
REV#:	DATE	BY/LET#

L201



3 BUILDING A | CROSS SECTION D-D'  
 SCALE 1/4" = 1'-0"

2 BUILDING A | PLAN VIEW & SECTION | ELEVATION (LONGITUDINAL)  
 SCALE 1/4" = 1'-0"

1 BUILDING A | CROSS SECTION C-C'  
 SCALE 1/4" = 1'-0"

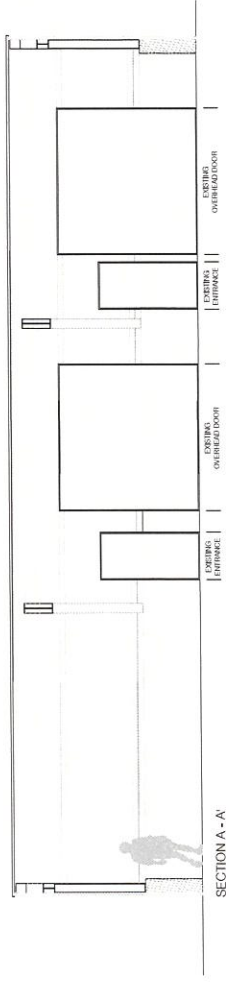
THOMAS WIRTH ASSOCIATES, INC.  
 LANDSCAPE ARCHITECTURE  
 133 WESTERN AVENUE, SHREBORN, MA 01770  
 TW@wirthassociates.com 517.640.2412

PAPER CRANE PROVISIONS  
 56 GARDNER ROAD  
 HUBBARDSTON, MA

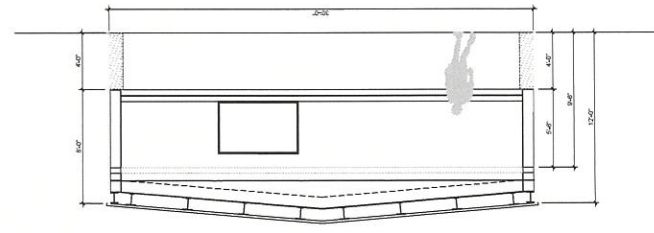
BUILDING "B"  
 RENOVATION  
 FLOOR PLAN  
 & SECTIONS

DATE	04.13.2021	
SCALE	A' = 1" = 4'	
PROJECT		
REV#	DATE	BULLET

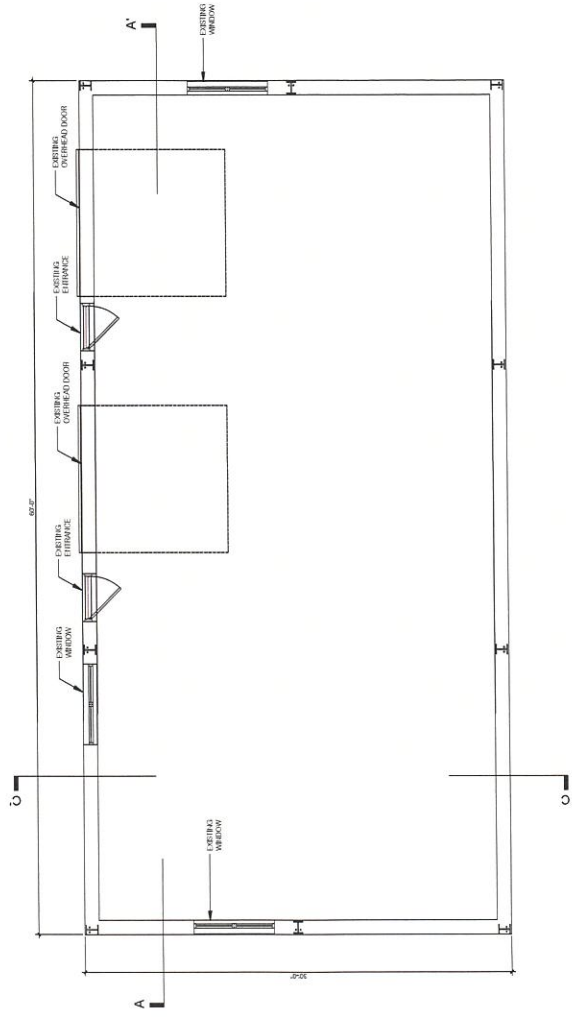
L202



1 BUILDING B | SECTION | ELEVATION (LONGITUDINAL)  
 SCALE 1/4" = 1'-0"

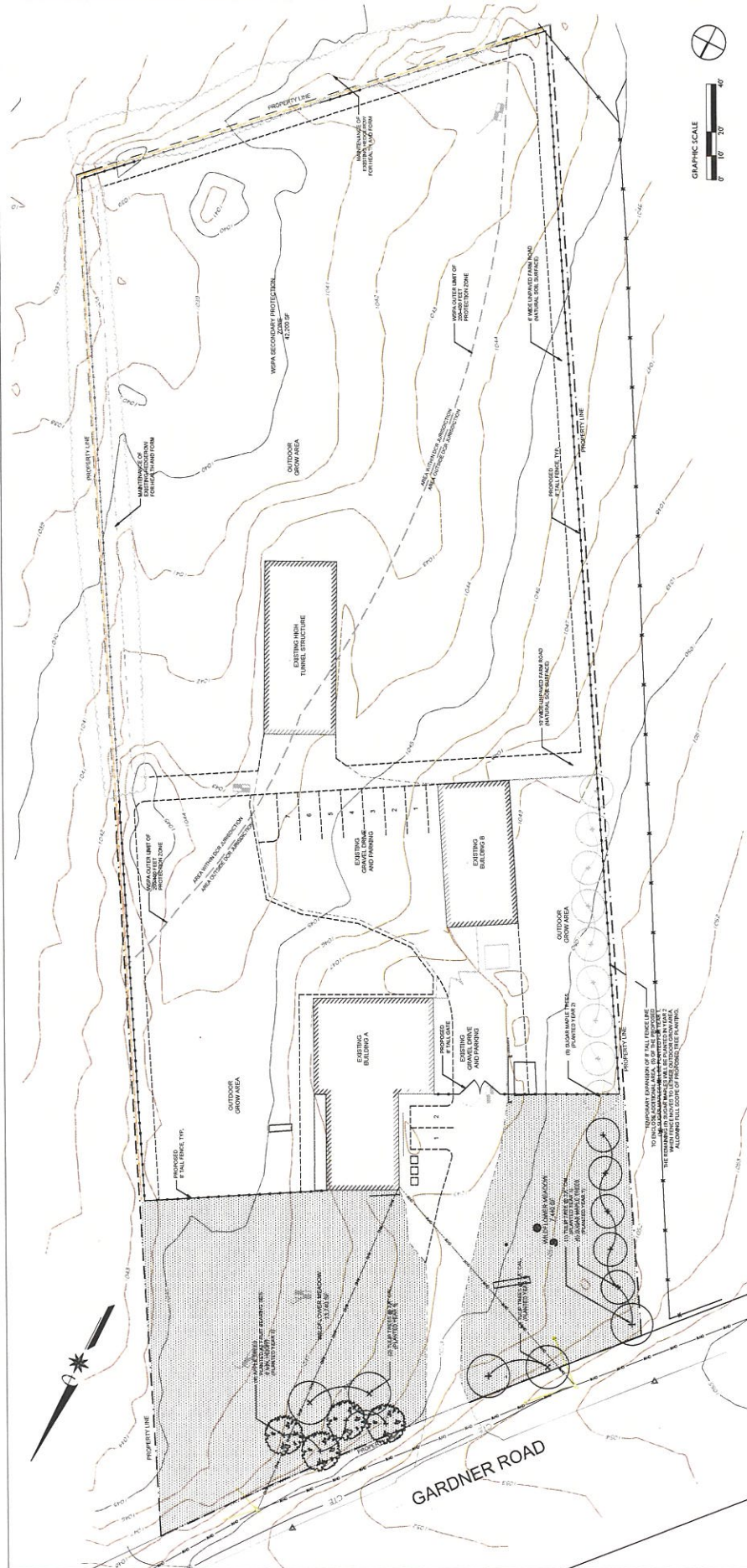


3 BUILDING B | CROSS SECTION C-C  
 SCALE 1/4" = 1'-0"



2 BUILDING B | PLAN VIEW  
 SCALE 1/4" = 1'-0"

PLANTING PLAN
DATE 04/15/2020
SCALE 1" = 30'-0"
PROJECT
REV#   DATE   BY/ET



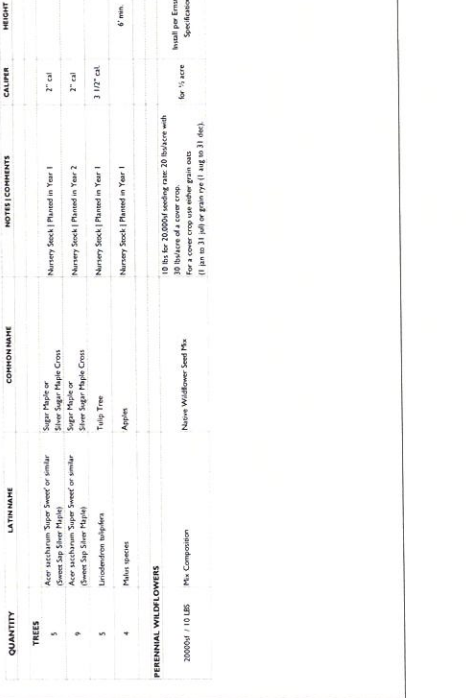
**PLANTING SCHEDULE**

QUANTITY	LATIN NAME	COMMON NAME	NOTES/COMMENTS	CALIBRE	HEIGHT
5	<i>Acer saccharum</i>	Sugar Maple or similar	Nursery Stock   Planted in Year 1	2" cal	
9	<i>Acer saccharum</i>	Sugar Maple	Nursery Stock   Planted in Year 2	2" cal	
5	<i>Unidentified species</i>	Tree	Nursery Stock   Planted in Year 1	3 1/2" cal	
4	<i>Malus</i>	Malus species	Nursery Stock   Planted in Year 1		6' min.
20000# / 10 LB	<b>PERENNIAL WILDFLOWERS</b>				
<p>10-15 lbs per 20000# loading rate; 20' buffer width                  30' buffer of 4' cover crop.                  For a cover crop use either grain oats                  for 3' or                  Specifications                  (1) min to 21" tall or grain (yr 1) - reg to 21" (min).</p>					

**PERENNIAL WILDFLOWERS | MIX COMPOSITION**

NATIVE WILDFLOWER SEED MIX	PERENNIAL WILDFLOWER SEED MIX
177% Rudbeckia virginiana, Berry (Suttons Green, Berry) 173% Schizanthus cooperianus, From Indehuman Gap PA Ecotype (Lark Mountain, Vermont Gap PA Ecotype) 151% Lythrum spicata, Tipton (Virginia Weir, Tipton) 144% Aster perfoliatus, PA Ecotype (Zagay Area PA Ecotype) 130% Cirsium discolor, PA Ecotype (Peachy PA Ecotype) 120% Erythronium albidum (White-eyed Swan) 115% Penstemon digitatus (Millers Blackfoot) 105% Penstemon albidus (Millers Blackfoot) 95% Penstemon sibiricus (Millers Blackfoot) 85% Penstemon sibiricus (Millers Blackfoot) 85% Penstemon sibiricus (Millers Blackfoot) 85% Penstemon sibiricus (Millers Blackfoot)	155% Bayonet succinca, Succinea WV Ecotype (Blue Pine Ridge, Succinea WV Ecotype) 155% Blue Amaranth (Golden Alexander) 155% Aster perfoliatus, PA Ecotype (Zagay Area PA Ecotype) 155% Aster perfoliatus, PA Ecotype (Zagay Area PA Ecotype) 155% Aster perfoliatus, PA Ecotype (Zagay Area PA Ecotype) 155% Aster perfoliatus, PA Ecotype (Zagay Area PA Ecotype) 155% Aster perfoliatus, PA Ecotype (Zagay Area PA Ecotype) 155% Aster perfoliatus, PA Ecotype (Zagay Area PA Ecotype) 155% Aster perfoliatus, PA Ecotype (Zagay Area PA Ecotype) 155% Aster perfoliatus, PA Ecotype (Zagay Area PA Ecotype) 155% Aster perfoliatus, PA Ecotype (Zagay Area PA Ecotype)

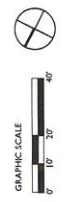
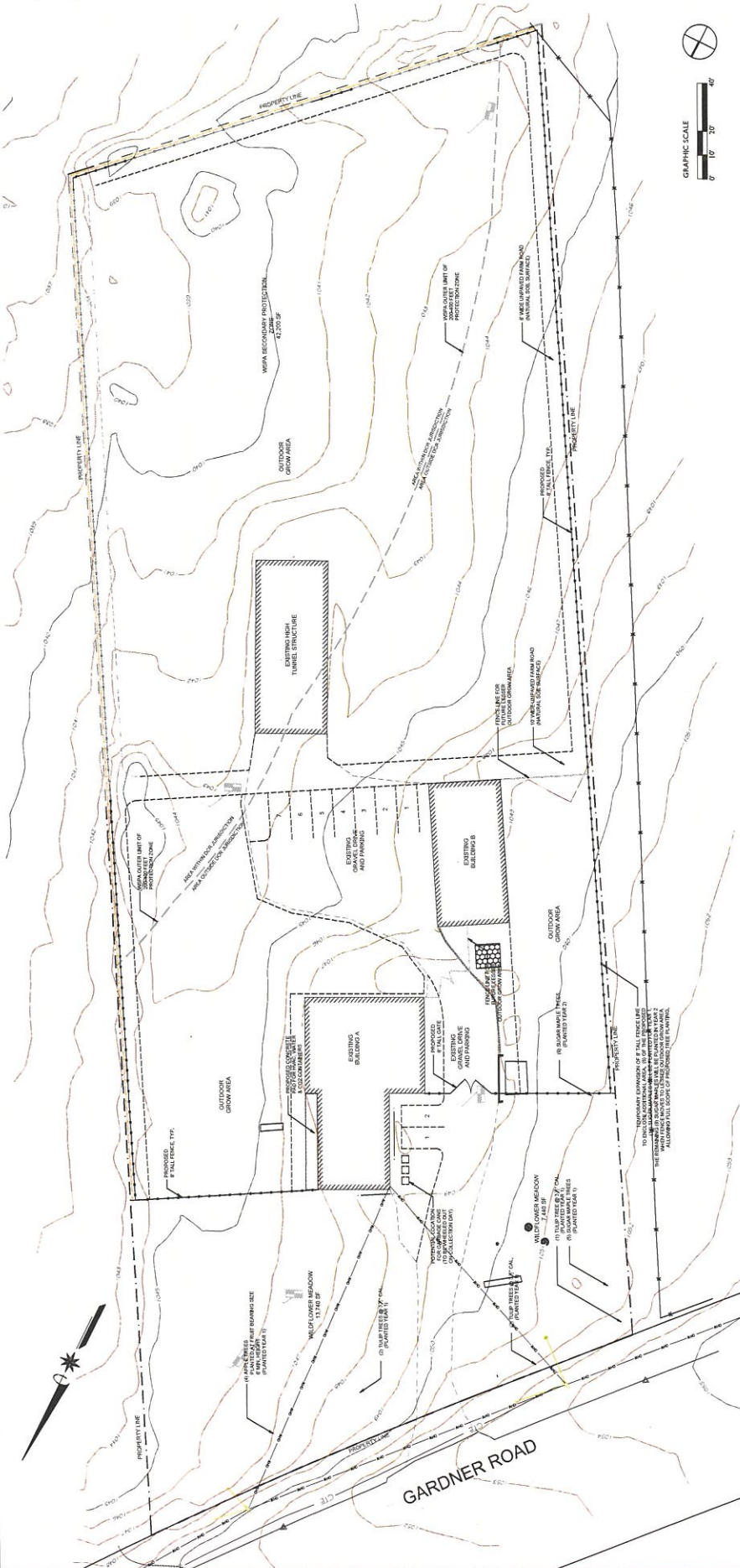
**LEGEND**





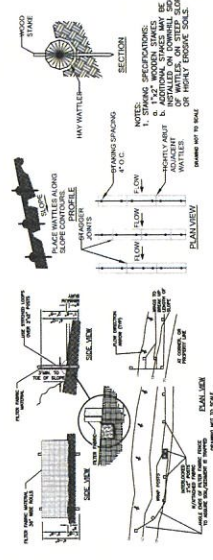
EROSION CONTROL PLAN	
DATE	04.15.2020
SCALE	1" = 20'-0"
PROJECT	
REV#	DATE
	BULLET

**L400**



- LEGEND**
- PROPERTY LINE
  - WSPA OUTER LIMIT OF 200'-400' SECONDARY PROTECTION ZONE
  - PROPOSED CHAIN LINK FENCE
  - SILT FENCE AND WATTLES (AS PER DIRECTION OF THE CONSERVATION COMMISSION)

**EROSION CONTROL FENCE INSTALLATION NOTES**  
 WATTLES TO BE INSTALLED DOWN GRADIENT OF THE PROPOSED FENCE IF REQUESTED BY THE CONSERVATION COMMISSION. POTENTIAL FOR EROSION ALONG THE PROPOSED FENCE LINE IS VERY MINIMAL.



**SILT FENCE AND HAY WATTLE DETAILS**  
 WATTLES CAN BE INSTALLED DOWN GRADIENT OF THE FENCE INSTALLATION AT THE CONSERVATION COMMISSION'S REQUEST.

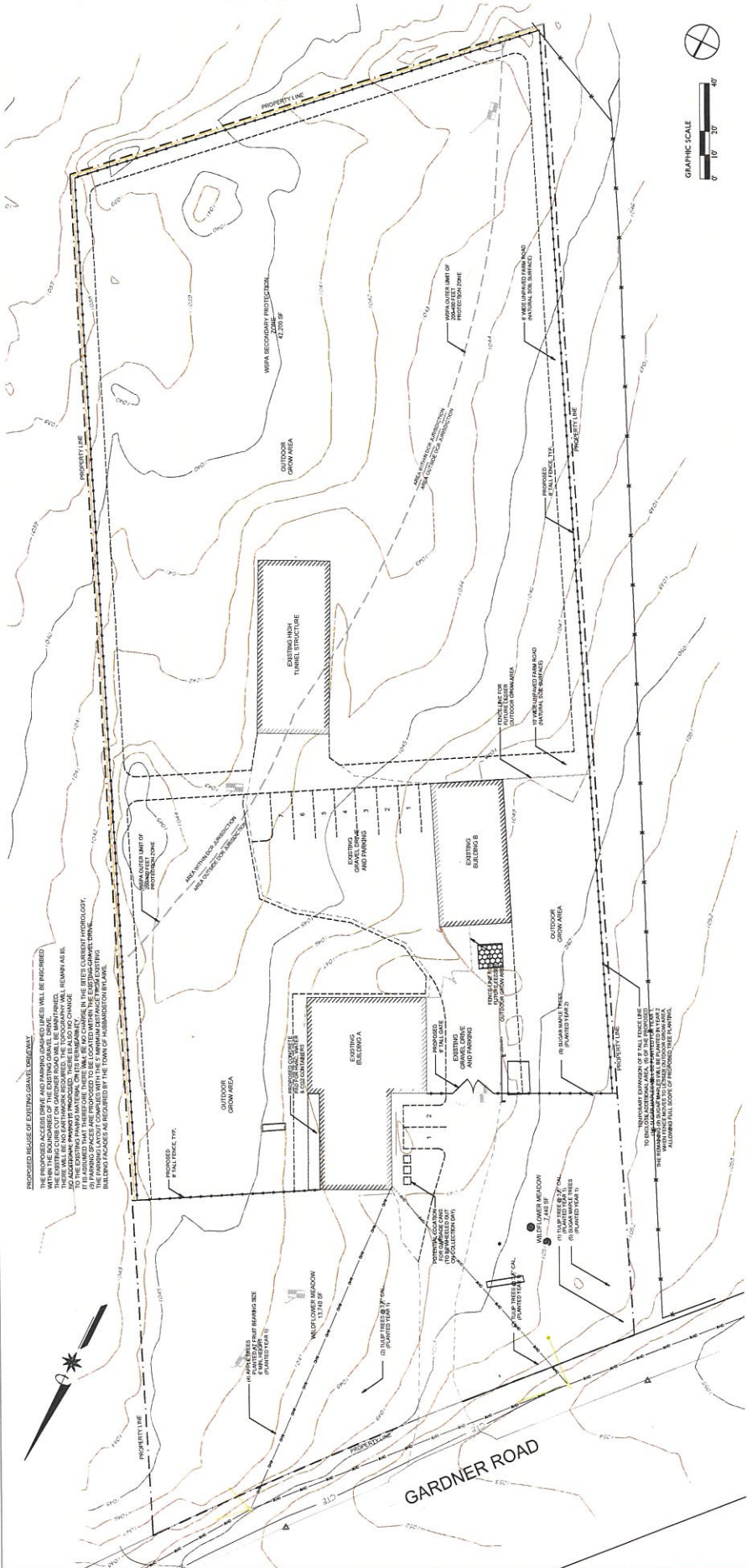
- GENERAL NOTES**
- BASE MAPPING OF THE PROJECT SITE SHOWN IS THE RESULT OF AN ON-THE-GROUND SURVEY PERFORMED BY ALFRED H. BERRY OF 129 SOUTH MAIN STREET, ATHOL, MA 01831.
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  - IN ACCORDANCE WITH MGL CH 82, SEC. 40 INCLUDING ALL AMENDMENTS, CONTRACTOR SHALL NOTIFY UTILITY COMPANIES AND ALL PERTINENT GOVERNMENT AGENCIES IN WRITING OF THE INTENT TO EXCAVATE AND CONTACT DIG-SAFE AT 1-888-344-7233 OR 1-800-222-4884 AT LEAST 72 HOURS PRIOR TO EXCAVATION (EXCLUSIVE OF SATURDAYS, SUNDAYS, AND HOLIDAYS).
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  - ADJACENT ABUTTERS SHALL BE NOTIFIED PRIOR TO THE START OF CONSTRUCTION.
  - NO WORK SHALL BE UNDERTAKEN UNTIL APPROVAL FROM THE CONSERVATION COMMISSION HAS BEEN RECEIVED.





ZONING PLAN	
DATE:	04.13.2020
PROJECT:	1" = 32.0'
REV#	DATE

**L500**



**LEGEND**

- WSPA OUTER LIMIT OF 200'-400' SECONDARY PROTECTION ZONE
- PROPOSED CHAIN LINK FENCE
- SILT FENCE AND WATTLES (AS PER DIRECTION OF THE CONSERVATION COMMISSION)

**GENERAL NOTES**

- BASE MAPPING OF THE PROJECT SITE SHOWN IS THE RESULT OF AN ON-THE-GROUND SURVEY PERFORMED BY ALFRED H. BERRY OF 129 SOUTH MAIN STREET, ATHOL, MA 01331.
- ELEVATIONS DEPICTED ARE BASED ON NORTH AMERICAN VERTICAL DATUM 1988 (NAVD88).

**ZONING TABLE**

THE FOLLOWING TABLE DESCRIBES THE MINIMUM LOT AREA REQUIREMENTS, MINIMUM FRONTAGE REQUIREMENTS, MINIMUM FRONT YARD REQUIREMENTS, MINIMUM REAR AND SIDE YARD REQUIREMENTS, MAXIMUM LOT COVERAGE REQUIREMENTS AND MAXIMUM BUILDING HEIGHT REQUIREMENTS FOR A COMMERCIAL ZONING DISTRICT AND THE EXISTING AND PROPOSED SITE CONDITIONS.

	MIN LOT AREA (SF)	MIN FRONT FRONTAGE (FT)	MIN FRONT YARD (FT)	MIN REAR YARD (FT)	MIN BUILDING HEIGHT (FT)	MAX LOT COVERAGE (%)
AS PER BYLAWS	80,000	200	100	30	35	35
EXISTING CONDITIONS	113,004	220	93.20	30	NA	3
PROPOSED	113,004	220	93.20	30	NA	5

COMMENTS ON PROPOSED: EXISTING LOT AREA, EXISTING FRONTAGE, EXISTING REAR YARD, EXISTING SIDE YARD, EXISTING BUILDING HEIGHT, EXISTING MAX LOT COVERAGE.

**PARKING CALCULATION**

BUILDING AREA	103,924 + 3,102 SF = 5,088 SF Total
PARKING REQUIREMENTS	1 SPACE PER 1,000 SF
ASSUMED USE	6
PARKING REQUIREMENT	1 Space for Each 1,000 sq. ft. of Gross Floor Area On One (1) Space Each for Each One and One-Half Employees on the Maximum Work Shift (whichever is less)







May 5, 2021

Hubbardston Planning Board  
7 Main Street, Unit #7  
Hubbardston, MA 01452

via email: [plan@hubbardstonma.us](mailto:plan@hubbardstonma.us)

Re: Second Review of Special Permit and Site Plan Submittal  
56 Gardner Road, Commercial Marijuana Facility  
Exterior Growing, and Processing Facility  
Places Project No. 5491

Dear Board Members:

As requested, we have conducted a second review of the revised, submitted materials provided to us for a Special Permit Plan Review pursuant to Article 7 of the Hubbardston Zoning Bylaws and related other sections and regulations.

We reviewed the following submitted materials:

- A. Response documents, dated 4-15-21, 5 pages
- B. Plan Set entitled, "Site Plan for Paper Crane Provisions, Inc." by Bobrek Engineering & Construction, 8 pages, dated February 2021.

The applicant has summarized the changes to the plans as:

- A. Increase the fenced area and rectified the plans to depict the same fenced area.
- B. Have added a canopy calculation rational in sketches, charts and diagrams
- C. Minor landscaping changes have been made
- D. Addressed odor controls a noise control strategies.

In conducting this review, we are:

- 1. Only listing those items that we believe need to be further addressed or,
- 2. The submitted plans modified and,
- 3. Items that are discretionary for the Board to address:

The items that meet the criteria 1-3 above are in **bold text**.

- 1. **Pre-Existing, Non-Conforming: Zoning § 4.9 Existing Uses Continued (Grandfathering)**, addresses the criteria for permitting for alterations and extensions to pre-existing structures and uses. It requires that, *"Any...substantial alteration, or extension of a non-conforming use must be authorized by special permit issued by the Planning Board."*

As noted in our original review letter, the condition where three existing building are located on the same lot is a non-compliant case. It is possible that the construction of the three buildings was allowed previously by Special Permit. In which case a modification of that permit would be required. **It is the applicant's responsibility to provide evidence of the compliance of the existing structures to meet current zoning criteria.**

**No information has been supplied to this office regarding this matter.**

2. Number of Parking Spaces: Pursuant to 5.3, a.3, During the Board's first public hearing the Building Commissioner deferred a review of the required number of parking spaces to the Planning Board. The application material states that there will be 6-8 employees with 9 parking spaces shown on the plans.
  - a. Parking Space Design Requirements: Items not listed, comply based on the current submittal.
    - i. 5.3.d.7 requires "*Off-street parking and loading areas shall be surfaced with an asphaltic, bituminous, cement or other properly bound pavement so as to provide a durable and dustless surface, and shall be graded and drained as to dispose of all surface water accumulation in the area*". The applicant is proposing to use the current gravel drive and parking area with no proposed drainage structures. **The Planning Board decision should include a finding as to whether this is an acceptable surface and if the number of spaces is sufficient for the use.**
    - ii. 5.3.10 requires that parking areas of more than five (5) spaces have a landscaped area of 10' wide to screen the parking area. The proposed parking will be screened by the sugar maple trees and the existing buildings. The two parking spaces to the west of the existing metal building may be visible from the street depending on the height of the growth in the wildflower meadow. **Additional plantings should be provided to screen this parking.**

3. **Article 8 Environmental and Community Impact Analysis**

a. **Section 2 Natural Environment:**

- i. 2.1 Air and Noise Pollution: The applicant states, "The proposed project will not result in a significant increase to air or noise pollution at the project site or surrounding area."

Odors:

The applicant has responded regarding the "fragrance of the fields" and states that there is no way to control the odors of an outdoor grow. They also state, "...the smell is natural, and has no detrimental or harmful effect on the environment or on human beings."

We direct the applicant to the criteria for approval of both the Special Permit and Site Plan, wherein it states, "**...The Planning Board's decision will be based on a determination that the proposed use as approved or modified will have an acceptable community or environmental impact, ...**"

As the Board may be aware, Mr. Bratko, the abutter to the south and east of the site has negotiated a deal with Paper Crane. This deal will require Paper Crane to install a screening hedge of evergreen plants on the Bratko property to assist in odor mitigation. The hope is that the screen will act as a wind break and reduce the transport of odors. Mr. Bratko has asked that the Board make this a condition of the approval. Mr. Bertold of Paper Crane, informed our office that they had made a deal with Mr. Bratko.

As this is a “deal” between to private parties, we recommend that at the upcoming public hearing, both Mr. Bratko and Mr. Bertold indicate their agreement to incorporate this as part of the Board’s permit.

Further in additional conversations with Mr. Bertold, he has indicated that the species of cannabis that he will plant will not be of the excessively odiferous varieties. He will also endeavor to ensure that it is their goal to harvest the plan as soon as is possible to reduce the timeline when the plant is producing the maximum odors. Cannabis will be moved inside the buildings as soon as is practicable to again limit the spread of odors.

Finally, both the latest narrative and recent conversations with Mr. Bertold have informed the Board that they will develop a negative pressure ventilation system in the buildings, where outside air will be drawn into the building and discharged to an exhaust system that will feature carbon filters. The filters will act to eliminate the odors during the drying and processing of the cannabis.

Noise:

Places Associates made the following comment: Indoor cultivation requires significant air handlers and the drying of marijuana sometimes requires dehydrators or blowers. These units may produce measurable noise beyond the project’s property lines.

The applicant has stated that the air filtering units will be in the building and invisible to the public. ...the fans are not large (6 inch high volume in-line duct fans), and should not cause any sound perceptible form the outside.

**We defer to the Board as to whether these two issues (odor and noise) have been adequately addressed.**

ii. 2.2 Water Pollution:

The main source of potential water pollution is from the cultivation area. During the non-growing season, the concern would be the transport of sediment from bare fields. The applicant has indicated that they will be planting cover crops during the offseason, which will adequately address this concern. **We recommend that this be a condition of both the Special Permit and Site Plan review.**

iii. Land:

The fence is discussed in this section. We note that the fence line has been modified between to be consistent across all of the plans. They do note a “future reduced growing area fence and gate”, which we do not believe need apply to this current application. **If they propose to modify the grow area, we would recommend that the Special Permit be modified at the time of the proposed change.**

b. Section 3 Man-Made Environment:

i. Architecture:

**We defer to the Planning Board the review of the aesthetics and appropriateness of the existing buildings.** We do note that they do not exceed the maximum height allowed in this district of 35’. The buildings also comply with maximum lot coverage of less than 50% by the structures.

c. Section 5 Public Services:

- i. 5.1 Lighting: The states "lighting will be minimal, and only as required by the CCC. No additional site lighting will be installed for the agricultural use."

**It is recommended that the Board include in their decision a finding that there will be no artificial grow lights in the high tunnel greenhouse.**

ii. 5.2 Landscaping:

The applicant has modified the planting plan removing the proposed is transplant of mature, existing apple trees to the provision of nursery grown trees including sugar maples, tulip trees and apple trees.

**As noted above, some additional planting to screen parking spaces may also be required. Additional plantings to accommodate the "deal" between Paper Crane and the Bratko's property should also be added to the plans.**

- iii. 5.3 Visual: The applicant states, "the proposed street trees, hedgerows and wild flower meadow will contribute to the scenic and agricultural values consistent with the goals of the Hubbardston Growth Management Master Plan and most recent Open Space Plan". If properly planted, maintained and places, we agree.

4. Article 9 Site Plan Review:

Citation to sections of the Zoning Bylaws which apply to the site plan. The applicant lists two uses pertaining to agriculture:

- 4.1.(e) Agriculture, horticulture, floriculture and viticulture
- 4.1.(g) Sale of farm, nursery, or orchard products which have been produced on the premises.

As this site is a commercial use (Marijuana Establishment) these two agricultural uses are not applicable to this site. **The applicant has agreed to remove these uses from the overall narrative, but has not supplied the revised document.** should be removed from this portion of the narrative.

**Additional Items:**

Town of Hubbardston Local Bylaw Requirements:


In addition to the above, the Applicant should address the following local bylaws:

1. Chapter XXIV, Public Safety, Section 4, Hazardous Materials
2. Chapter XXVII, Importation of Material

**The applicant has note addressed the above local bylaws. The requirements of these bylaws should be added to the plans.**

If the Board or Applicant have any questions or require additional information regarding any of the above items, please do not hesitate to contact the undersigned.

Sincerely,  
Places Associates, Inc.

  
William E. Murray, ASLA, APA, CLARB  
Project Manager

Cc: Roland Jean, Jr, Hubbardston Building Commissioner  
Boey Bertold, Paper Crane Provisions, Applicant

rjean@gardner-ma.gov  
boey@papercranecannabis.com



The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that every entry, no matter how small, should be recorded to ensure the integrity of the financial statements. This includes not only sales and purchases but also expenses and income. The text suggests that a systematic approach to record-keeping is essential for identifying trends and making informed decisions.

In the second section, the author addresses the common challenge of reconciling bank statements with the company's ledger. It provides a step-by-step guide to identify discrepancies, such as timing differences or errors in recording. The importance of regular reconciliation is highlighted to prevent small errors from accumulating and causing significant issues at the end of the period.

The third part of the document focuses on budgeting and cost control. It explains how a well-defined budget can serve as a roadmap for the organization, helping to allocate resources effectively and monitor spending. The text offers practical tips for identifying areas where costs can be reduced without compromising the quality of products or services.

Finally, the document concludes with a discussion on financial reporting. It outlines the key components of a financial statement, including the balance sheet, income statement, and cash flow statement. The author stresses the need for transparency and accuracy in these reports, as they are critical for stakeholders to understand the company's financial health and performance.

**Copy of Recorded Special Permit**

# Worcester South District Registry of Deeds Electronically Recorded Document

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## Recording Information

Document Number	: 81768
Document Type	: DECN
Recorded Date	: June 14, 2021
Recorded Time	: 11:59:14 AM
Recorded Book and Page	: 65376 / 337
Number of Pages(including cover sheet)	: 13
Receipt Number	: 1349909
Recording Fee	: \$105.00

Worcester South District Registry of Deeds  
Kathryn A. Toomey, Register  
90 Front St  
Worcester, MA 01608  
(508) 798-7717



Site Plan & Special Permit Application

Paper Crane Provisions, LLC  
56 Gardner Road, Hubbardston, MA  
Assessor's Map 5, Parcel 80

**DECISION**

**SITE PLAN & SPECIAL PERMIT APPROVAL**

**56 Gardner Road**

**Paper Crane Provisions**

**May 20, 2021**

**1. Petition**

This document is the DECISION of the Planning Board (hereinafter, the Board) on the Petition of Paper Crane Provisions (hereinafter, the Petitioner) for property located at 56 Gardner Road. Said property is shown on Hubbardston Property Map Sheet 5 as Parcel 80 (hereinafter, the site). This decision is in response to a Petition filed for Site Plan Approval and Special Permit Application made on February 26, 2021, with final revisions submitted April 15, 2021 under the Hubbardston Zoning Bylaws and Rules (hereinafter jointly referred to as, "the Rules") and their qualifying subsections:

Article 4, Use Regulation

Article 5, Development Regulations

Article 7, Special Permits

Article 8, Environmental and Community Impact Analysis

Article 9, Site Plan Approval

Article 22, Commercial Marijuana Establishments

The Petitioner seeks permission for an exterior marijuana growing facility at 56 Gardner Road which will require Site Plan Approval and a Special Permit for modifications of the existing facilities to be located in the Commercial District off of Gardner Road, Hubbardston.

**2. Petitioner/ Owner**

Boey Bertold  
Paper Crane Provisions, LLC  
2 Pine Street, Bedford, MA 01730

**Agent/Representatives:**

Wesley Wirth  
Thomas Wirth Associates, Inc.  
133 Western Ave.  
Sherborn, MA 01770

Brendan Pyburn, P.E.  
Bobrek Engineering  
P.O. Box 2185  
Danvers, MA 01923-2185

**3. Location**

56 Gardner Road  
Hubbardston, MA 01452  
Hubbardston Assessor's a portion of Map 5, Parcel 80  
Worcester County Registry of Deeds, Bk. 63561, pg. 177

**4. Board Action**

After due consideration of the Petition, the record of proceedings, testimony of abutters and other concerned parties and based upon the findings set forth below, the Board, on May 6, 2021 by a unanimous vote of all 5 members of the Hubbardston Planning Board at said public hearing, voted to **GRANT the petition for Site Plan (Art 9) and Special Permit (Art 7) and use permit for a Commercial Marijuana Facility (Art 22)**, subject to the following findings and conditions.

**5. Proceedings**

The Board held duly noticed public hearings on:

- 5.1 March 18, 2021: Meeting to accept application, not a public hearing.
- 5.2 April 15, 2021: Open Public Hearing. Members present: Alice Livdahl-Chair, Francois Steiger, Wm. Homans, Kristofer Munroe, Erica Dack (Alternate Member): Missing: John DeMalia. Meeting continued to May 6, 2021.
- 5.3 May 6, Continued Public Hearing. Members present: Alice Livdahl-Chair, John DeMalia, Francois Steiger, Wm. Homans, Kristofer Munroe, Erica Dack (Alternate Member), Public Hearing closed on this date.

Members eligible to vote: Alice Livdahl-Chair, Francois Steiger, Wm. Homans, John DeMalia, Kristofer Munroe, and Erica Dack (Alternate Member).

The record of proceeding and submission upon which this decision is based may be referred to in the Offices of the Planning Board and Town Clerk.

The record of proceeding and submission upon which this decision is based may be referred to in the Offices of the Planning Board and Town Clerk.

## 6. Exhibits

Submitted for the Board's deliberation were the following exhibits:

### EXHIBIT 1

1. PDF file entitled "Paper Crane All Documents Combined 2-26-21-signatures containing:
  - a. Special Permit Review Letter dated 2/26/21 (8 pages).
  - b. Completed Application Form, from Paper Crane Provisions", dated Feb 18, 2021, one page.
  - c. Site Plan Approval Letter/Application dated Feb 26, 2021 (4 pages).
  - d. Completed Application for Site Plan Approval, from Paper Crane Provisions, dated Feb 18, 2021, one page.
  - e. Plan Set entitled, "Site Plan for Paper Crane Provisions, Inc." by Bobrek Engineering & Construction, 6 pages, dated February 2021.
  - f. Environmental and Community Impact Analysis, by Bobrek Engineering & Construction, 7 pages, dated Feb.26, 2021 (8 pages).
  - g. Abutters list.
  - h. Letter to DCR from Goddard Consulting dated February 11, 2021 – Request for Advisory Ruling.
  - i. Record Deed
  - j. Locus Map showing property in outer 200' of DCR jurisdiction.
  - k. Soils Map
  - l. Prime Farmland map
2. Plans: (all by Bobrek Engineering)
  - a. Plan L100 dated 02.08.20 entitled "Site Plan with Proposed Chain Link Fence Installation" by Bobrek Engineering.
  - b. PDF entitled "PC\_L200\_Layout and Materials Plan Amended 210319".
  - c. PDF entitled "PC\_L000\_Coversheet Amended 210319".
  - d. PDF entitled "PC\_L100\_Existing Conditions Plan Amended 210226".
  - e. PDF entitled "PC\_L201 and L202\_Building A & B, Dry & Cure Plan & Sections 210319".

### EXHIBIT 2

Received by the Board on March 8, 2021: Advisory Ruling, DCR, Watershed Protection Act for 56 Gardner Road, Hubbardston, MA, 01452, Review Letter from Places Associates, Inc., dated February 25, 2021, 3 pages, wherein they state (in pertinent part), "*...the Division has determined your outdoor cultivation of cannabis and installation of a chain link fence is not prohibited provided the work is carried out in the manner and at the location proposed.*"

### EXHIBIT 3

Review Letter from Places Associates, Inc., dated April 7, 2021, 9 pages.

EXHIBIT 4

1. Submitted Documents received by the Board electronically on 4-15-21:
  - a. Paper Crane Provisions Response to: Review of Special Permit and Site Plan Review Submittal from Places Associates, Inc, dated 4-15-21, 5 pages.
2. Submitted Plans all revised 4-15-2021, (Sheets L000 to L500 by Bobrek Engineering and Thomas Wirth Associates, Inc., other sheets prepared as noted below, including:
  - a. Cover Sheet with locus, and sheet index, revision dates, Sheet No L000
  - b. Existing Conditions Plan, L100
  - c. Layout & Materials Plan, L200
  - d. Landscape/Lighting Plan, L300
  - e. Erosion Control Plan, L400
  - f. Zoning Plan, L500, dated
  - g. Building A, Renovation – Floor Plan and Sections, L201, by Thomas Wirth Associates, Inc., Landscape Architects.
  - h. Building B, Renovation – Floor Plan and Sections, L202, by Thomas Wirth Associates, Inc., Landscape Architects

EXHIBIT 5

Review Letter from Places Associates, Inc., dated May 3, 2021, 3 pages.

**7. Findings, Conclusions, Waivers and Conditions**

Based upon its review of the exhibits and the record of proceedings, the Board finds and concludes that:

- 7.1 **Finding** – The approval hereby granted is based on, and specifically applies to a parcel of land located at 56 Gardner Road, shown on Assessors Map Sheet 5 as Parcel 80.
- 7.2 **Finding** - The Site is in a Commercial Zoning District.
- 7.3 **Finding** - The proposed use, Commercial Marijuana Facility is a use permitted in the Commercial District subject to Site Plan Approval and grant of a Special Permit. A Commercial Marijuana Facility is not considered “an agricultural activity” under both Massachusetts and Hubbardston’s Zoning Laws and regulations.
- 7.4 **Finding** – The site is comprised of 2.60± Acres with 220 feet of frontage on Gardner Road.
- 7.5 **Finding** – The site consists substantially of grass, meadow areas and hedgerow of trees along the rear (southerly) side of the site, which will require clearings. The Development describes that approximate less than 0.5 acres will be cleared. The site will be accessed by an existing gravel drive off the existing roadway, Gardner Road. A total of 9 parking spaces are being provided in the existing gravel areas on the site. The Building Commissioner deferred to the Planning Board the number of required parking spaces. No new pavement is proposed.

The Board finds that the proposed 9 parking spaces are sufficient. Proposed parking, loading areas and pre-existing gravel driveway are also sufficient while the site remains an exclusively a growing and processing only use with no access by the public as currently

proposed. The parking, loading and access ways must be paved pursuant to the Zoning Bylaw requirements pursuant to Zoning Section 5.3.d.7 for any future use.

- 7.6 **Finding-** The site currently has three structures on it. These structures will be repaired/upgraded for the proposed use. No additions to the exterior footprint of the structures are proposed. The hoop house will be repaired. Other two structures will have interior renovations to accommodate the growing and drying processes for marijuana. The Board finds that the three buildings will include a total of 5,088 s.f. with 9 parking spaces.
- 7.7 **Finding-** The Planning Board finds that the present use of this site constitutes a pre-existing, non-conforming use and this Special Permit and Site Plan review will act to supersede any prior Special Permit and or Site Plan applicable to this site.
- 7.8 **Finding** – The site will not result in wetlands alterations and proposes no new structures in the Department of Conservation and Recreation’s (DCR) outer watershed areas. DCR has ruled that the growing of marijuana on this site is an agricultural activity under the Watershed Protection Act (313 CMR 11.00). The Hubbardston Conservation Commission has issued a Negative Determination of Applicability for this project.
- 7.9 **Finding** – The submitted Environmental & Community Impact statement sufficiently addresses the impacts of the development on the Town. The Board herewith finds that with some supplemental safeguards and conditions, the project will not have an adverse impact on the environment and community.
- 7.10 **Finding** – Dimension and Density Requirements: pursuant to §5.1 of the Bylaws. The submitted Plans depict the required offsets to perimeter property lines and roadways. The Board finds that the existing structure intrudes into the front offset by approximately 8’ and this structure is a pre-existing, non-conforming structure that is not being made more non-conforming by the proposed use.
- 7.11 **Finding** – The applicant has informed the Board that no supplemental lighting is proposed for the hoop house (greenhouse) or other areas of the site.
- 7.12 **Finding** – The applicant has informed the Board that only organic, manure based fertilizers will be used in the growing of cannabis. Accordingly, no spill control or fertilizer application plan is required.
- 7.13 **Finding** – Pursuant to Section 9.7 – Site Plan Approval, the Board find that based on the submittal of required and supplemental materials that the development, as approved with conditions, will have an acceptable level of community and environmental impact, will be consistent with the land use objectives of the town and will comply with applicable local bylaws and requirements of the town.
- 7.14 **Finding** – The Petition, as conditioned herein, satisfies the mandatory findings by Site Plan Permit Granting Authority, as required in Article 9 of the Zoning Bylaws.
- 7.15 **Finding** – All marijuana establishments shall be in conformance with MGL 94G, and 935 CMR 500 and Article 22 of the Hubbardston Zoning Bylaws. The Board finds that this application meets those requirements. This project is also independently regulated by the Massachusetts Cannabis Control Commission.
- 7.16 **Finding** – The Board finds that this site is suitable for a Tier 6 Marijuana growing operation, which allows up to 50,000 square feet of canopy, as defined by 935 CMR 500 and Article 22 of the Hubbardston Zoning Bylaws.



7.17 **Finding** - This approval shall not be deemed approval by the Board of Health, the Conservation Commission, Highway Department, Fire Department, Building Department or other authority having its separate jurisdiction and inspection requirements.

7.18 **Standard Conditions:**

**Administrative**

1. The Site Plan Approval granted by this decision shall not take effect until a copy of the decision has been recorded, at the owner's expense, in the proper Registry of Deeds and duly indexed or noted on the owner's Certificate of Title. A copy of the recorded decision, certified by the Registry, or notification by the Owner of the recording, including recording information, shall be furnished to the Town Clerk and the Planning Board.

2. A copy of this decision shall be always maintained at the site until a final inspection and approval of the project by the Building Commissioner has occurred.

3. Prior to the commencement of any site work, the Applicant/Owner shall submit written confirmation from the Tax Collector that all taxes, including any rollback taxes have been paid in full for all property included in this application.

4. Prior to the commencement of any site work, the Applicant/Owner shall pay all outstanding fees incurred for the Planning Board's consultants including Town Counsel, other professional services required by the Board to review and approve the project.

5. Prior to the issuance of a Building Permit, the Applicant shall fund an account to cover the cost of regular construction and project close-out inspections by the Board or its consultant. The costs of such services shall be provided by the consultant to the Board and Applicant for review. It shall meet the criteria for selection of consultants pursuant to M.G.L. c.44, Section 35G and Local Bylaws. Such inspections shall include at a minimum:

5.1 Limit of Clearing, barrier locations and erosion controls.

5.2 Post Clearing and prior to site construction.

5.3 Regular construction inspections as determined by the Board, especially after intense rainfall or weather conditions.

5.4 Inspection prior to a Certificate of Occupancy, pursuant to the conditions listed in item in this decision, as-built drawing (hard copy and electronic copy) and certification that construction was in accordance with approved plans and identifying any deviations.

6. Changes to the project shall be reviewed by the Planning Board's Agent to determine if such changes are significant or of a minor nature. Significant changes shall require public notification and hearing, at the applicant's cost, to allow the Board, abutters and public the opportunity to review such changes at a public hearing. Should the Board determine changes proposed or made are not significant, they shall be determined to be minor engineering changes and shall be noted as such on any as-built plan/ certification with no further action required by the Board.

7. On the one-year anniversary of the issuance date of this permit the permit holder shall provide the Planning Board a written report of the status of the project including site related maintenance that has occurred, photographs of the site and access.

8. The Planning Board hereby reserves the power to modify or amend the terms and conditions of this approval on the petition of the owner, lessee, or mortgagee of the

premises or upon its own motion for cause. All provisions of this paragraph applicable to approval shall, where appropriate, be applicable to such modification or amendment. Such power is hereby reserved.

9. Violations of Permits issued by other agencies of the Town of Hubbardston are hereby incorporated into the permit criteria, as permissible by-law, as part of this permit. Should a violation or non-compliance of any such other agency permit take place, it may be considered a violation of this condition and therefore this permit. The Board herewith reserves the rights identified in condition 8, above.

10. This permit does not authorize the removal from the site of any earthen materials (including loam) subject to the Town's General Bylaws, Chapter XIX, and its subsequent regulations adopted by the Hubbardston Planning Board.

11. The hours of operation of the facility shall be limited Sunday to Saturday, from dawn to dusk. During harvest periods extended hours may be necessary and are accepted for a limited timeframe during harvest periods not to exceed two month's time in a calendar year. The hours of operations shall not be modified without the consent of the Hubbardston Planning Board as the Site Plan granting authority. The Building Commissioner shall have the authority to enforce these requirements.

12. Special Condition for Sale or Transfer of the Project:

The sale or transfer of rights or the property may affect the Special Permit as issued for this project. Accordingly, the Board requires the following actions be undertaken by the Applicant and/or Owner upon change or transfer of:

1. Operations of the facility
2. Transfer of the issued Cannabis Control Commission License,
3. Transfer of the ownership or rights to the property including the grant of easements or other rights, determined by the Board to affect the Special Permit.

A minimum of ninety (90) days prior to any of the above transfers of rights or responsibilities (item 12, 1 to 3), the Applicant and/or Owner shall:

a. Notify the Planning Board by certified mail of the intent to transfer rights or responsibilities such notification shall include:

1. Current Owner
2. Proposed Owner
3. Details of transfer (e.g rights, title, or other)
4. Proposed closing or transfer dates
5. Point of contact for the Planning Board if not the Owner (e.g. Attorney or Agent).
6. A copy of the latest project status report as filed with the Planning Board per issued permit
7. A copy of the notification items 1.) to 6.) as forwarded to the Hubbardston Assessor's office.

Failure to perform the above-listed items shall be grounds for the Planning Board to find the Applicant/Owner in violation of the Special Permit. The Board reserves the rights as described in 7.18.8.

**Prior to the commencement of any Site Work:**

13. Prior to commencement of any site work, a pre-construction on-site meeting shall be held with the applicant, construction site superintendent, Building Commissioner and Planning Board Agent. Parties shall be notified at least 48 hours prior to meeting.

14. Prior to commencement of any site work, the contractor shall address what chemicals/hazardous or toxic materials will be on site, their intended use and anticipated quantities. All chemicals stored on site shall be in a locked container with a minimum of 110% secondary containment volume. Spill kits, of a sufficient number, volume and material composition for the listed chemicals shall be provided on site and shall be accessible for the duration of construction, if hazardous materials are present.

**General Conditions:**

15. The hours of construction shall be between the hours of 7:00 a.m. and 5:00 p.m. or dusk, whichever is earlier, Monday through Friday and 8:00 a.m. and 12:00 p.m. on Saturdays unless specific approval is granted by the Building Commissioner. Saturday work shall specifically prohibit trucking to/from the site. This does not prohibit site activities related to erosion control/storm water management before/during/after a rainfall event.

16. Contractor shall supply sanitary facilities appropriate for the number of workers on site.

17. Signage with emergency contact information (both during construction and when operational) shall be posted at the access gate. The Building Inspector shall confirm that all signs meet the requirements of the Town of Hubbardston's signage bylaws.

18. During construction, Town Officials or their designated agent shall have the right to enter the subject property to conduct inspections. Inspections shall not be limited to one topic but shall be to determine compliance with the issued permit and related conditions. The inspecting official shall notify the contractor of the inspection and shall be subject to the applicable safety standards.

19. All stumps, slash and wood waste not stockpiled on the site for later use shall be disposed of in accordance with the Massachusetts Wood Waste Policy. No stumps, or slash shall be buried or burned on site.

20. No debris, junk, rubbish or other non-biodegradable waste materials shall be buried or burned on portion of the land within the limits of work, and removal of same shall be required prior to system operation.

22. All erosion control measures, including temporary settling basins, shall be maintained until the site is fully stabilized. The contractor shall be responsible for keeping sediment from this site from collecting onto the abutting roadway and shall be responsible to sweep the street if necessary.

23. Board herewith requires that: During construction, all vehicles servicing, delivering to or parking for the project do so in an indicated area on-site. No on-street parking, standing, delivering or staging for the site shall occur on Gardner Road or surrounding public ways at any time during the construction of the project or during its commissioning. No idling of construction vehicle in excess of State and Federal Standards shall be permitted in parking, staging or other non-construction related areas.

24. Fueling of any vehicles on-site shall be conducted in a manner to ensure no spillage or leaching of fuel shall occur into the ground or allowed to run-off to adjacent areas.

**Upon Completion of the Project, but prior to Final Occupancy:**

25. Prior to the application for final occupancy, an as-built plan shall be prepared by a Massachusetts Registered Land Surveyor submitted to the Building Commissioner and the Planning Board. Such plan shall depict the location of all structures on the site, and all utilities. Landscaped areas and installed landscaping (trees, shrubs, hedges) shall be shown. The location of all fencing and gates shall be depicted on the plan. The as-built plan shall be submitted as both hard paper copies and an electronic copy. The Surveyor shall certify that the zoning requirements are met by the construction of the project and identify if there are any deviations from the approved plans.

**7.19 Additional Special Conditions:**

1. This Special Permit is valid for a term of three years from the date of issuance. Should the applicant desire to continue the uses granted by this permit after the three year period, they shall petition the Board for an extension of the permit a minimum of three months prior to the expiration of the permit. The Board shall require notification to abutters, advertisement in a newspaper of common circulation and public notice for a public hearing to receive input from abutters and other interested parties. The Board shall then be able to extend, modify or revoke the permit as issued, based on updated findings developed from the public hearing.
2. Cover Crop: The applicant has indicated that a cover crop will be grown on the field areas of the project to preserve soil, reduce runoff and enhance the soils. The Board requires that cover crops be required when the growing of cannabis is not on-going for the reasons noted herein. Such cover crops shall be planted within three weeks of the completion of the harvest and no later than November 1 at the end of each growing season. For the purposes of this section a "cover crop" shall mean: "Cover crops are plants that are planted to cover the soil rather than for the purpose of being harvested. Cover crops manage soil erosion, soil fertility, soil quality, water, weeds, pests, diseases, biodiversity and wildlife in an agroecosystem. They form a dense cover over the growing area of a field."

3. **Modifications:** Modifications to the grow area, operations or exterior modifications to buildings shall require a modification of the Special Permit issued herein at the time of the proposed change.
4. **Monitoring:** The proposed use calls for a specific square footage of growing area, which is difficult to monitor. Accordingly, the Board requires that the applicant- at their own expense- shall conduct aerial photography of the site in a manner that depicts the entire growing areas in a single digital photo.
  - a. The applicant shall cause to be placed three monuments that shall be clearly visible from above. Such monuments shall be depicted on the as-built plan, as required by condition 24, above. They shall be maintained and shall be referenced in all aerial photos to provide scale and location controls. Digital photos shall be of such a resolution that individual plants and footpaths are clearly able to be discerned.
  - b. Digital photos shall be taken at the time of planting and during the initiation of harvest and other times if so required by the Board. The photos must be provided to the Board within 30 days of the image capture. If more than one crop occurs in a single growing season, photos of each crop shall be taken.
  - c. Failure to take and provide the photos shall be considered a violation of this permit subject to the provisions of Condition 7.18.8.
5. **Odor Control:** The Board acknowledges that the growing of cannabis is a natural process, that may have significant odors both during the growing process, harvesting, drying and processing. The Planning Board finds that in order to mitigate cannabis odor so site will have an acceptable community and environmental impact the following steps must be taken:
  - a. Only majority dominant (>50%) indica varieties will be planted as these are quick growing, early harvest varieties.
  - b. Harvesting will occur early before plants reach full maturity (and full odor producing ages).
  - c. After harvesting all processing of marijuana will be done indoors.
  - d. All buildings in which processing takes place will be fitted with negative air air pressure system that will direct indoor exhaust through activated charcoal air filters. Exhaust fans will be mounted indoors so as to cause minimal noise outside the building. Filters will be replaced on a regular basis to ensure odor controls are effective.
  - e. Wild Flower Field as shown on the plans will be planted with fragrant varieties of wildflower mixes that will assist in reducing odor control. Species selection shall be targeted to be most fragrant to coincide with the potential odor issuance of the cannabis plants.
  - f. **Complaints:** Pursuant to the requirements of Zoning, Section 7.1, Section 8.4a, i and Section 9.7, where the conditions for granting a Site Plan Approval and Special Permit require that the Board assess and provide mitigation for impacts on the neighborhood. If the Planning Board or Board of Health receives three or more credible complaints about odors from the operation, the Planning Board will require the Applicant attend a public meeting to address the complaints and to advise what operational changes will be made to mitigate the odor. The rights reserved by Condition 7.18.8 are specifically reserved under this provision.
6. **Supplemental Planting:**

more credible complaints about odors from the operation, the Planning Board will require the Applicant attend a public meeting to address the complaints and to advise what operational changes will be made to mitigate the odor. The rights reserved by Condition 7.18.8 are specifically reserved under this provision.

6. Supplemental Planting:

- a. Applicant has agreed to provide supplemental planting to the adjacent abutter (Hubbardston Orchard Realty Trust, Bratko, Map 5, parcel 79) located on the property's southerly and easterly border, to potentially reduce wind carried odors from the growing operation. The owners' of the adjacent land (Hubbardston Orchard Realty Trust) have indicated that they would accept the installation of a dense evergreen hedge, of a deer resistant plant variety, between the marijuana exterior fields and the Hubbardston Orchard Realty Trust property located to the south and west of the grow facility. The Board hereby makes this a condition of approval.
- b. Applicant has agreed to provide supplemental planting to the adjacent abutter (Jon A. Jonsson, Map 5, parcel 81) located on the property's northerly border, to potentially reduce wind carried odors from the growing operation. The Applicant shall obtain the permission of Mr. Jonsson to accept the installation of a dense evergreen hedge, of a deer resistant plant variety, between the marijuana exterior fields and the Jonsson. The Board hereby makes this a condition of approval.
- c. The plant species shall be reviewed by the Board. They shall be of a dense evergreen variety, suited for a zone 5 habitat and be deer resistant and not be a known hazard for disease transmission (e.g. Easter Red Cedar is not acceptable).
- d. Plantings described in this section 6, a to c, shall be installed by June 1, 2022, failure to do so may constitute a determination of permit non-compliance.

8. **Plan Modifications:** The Board requires that the following plan changes be made prior to the issuance of a Building Permit or initiation of Site Construction:

1. A fence or other type of screening shall be added to the plans for the two proposed parking spaces on the southerly side of the building closest to Gardner Road.

9. **APPEALS**

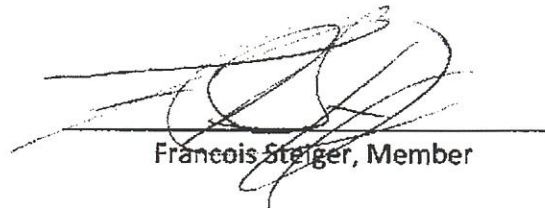
Appeals, if any, shall be made pursuant to Section 17 of the Massachusetts General Laws, Chapter 40A and shall be filed within twenty (20) days after the date of filing this decision with the Town Clerk.

Endorsed: Town of Hubbardston Planning Board

Witness our hands this 6<sup>th</sup> day of May, 2021



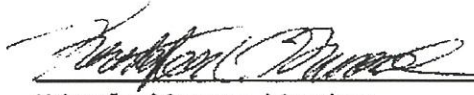
Alice Livdahl, Chair



Francois Steiger, Member

  
\_\_\_\_\_  
John DeMalia, Member

  
\_\_\_\_\_  
William Homans, Member

  
\_\_\_\_\_  
Kristofer Munroe, Member

  
\_\_\_\_\_  
Erica Dack, Associate Member

Filed with Town Clerk:

  
\_\_\_\_\_  
Laurie J. Reed, Town Clerk

May 20, 2021 1:03pm  
Date

This is to certify that the twenty (20) day appeal period on this decision has passed and there have been no appeals made to this office.

  
\_\_\_\_\_  
Laurie J. Reed, Town Clerk

June 10, 2021 9:40am  
Date

ATTEST: WORC Kathryn A. Toomey, Register

