

Middlesex Planning Commission

Application 18-16

Site Plan, Planned Unit Development and Subdivision Review

Applicant: KCOS Holdings, LLC

Property Location: 58 Center Rd., Middlesex VT

Hearing Dates: July 18, 2018, continued to August 9, 2018 and August 19, 2018

Determination

By unanimous vote (5-0) the Middlesex Planning Commission (MPC) approves with three conditions, Application 18-16 for site plan, planned unit development and subdivision approval for a new greenhouse and lab facility for production of medical cannabis to be owned and operated by Vermont Patients Alliance.

Conditions

The MPC approval includes the following conditions:

1. The combined total number of employees at the two business locations, Kingsbury Construction and Vermont Patients Alliance (VPA) shall not exceed 60 employees.
2. The VPA facility shall manage stormwater at the site so that there is no runoff of storm water from the development to neighboring properties.
3. The VPA facility occupants are encouraged to work with their electric utility and Efficiency Vermont to explore opportunities to reduce energy use and incorporate energy efficiency measures into the facility operations.

Facts, Circumstances, Deliberation

Applicant KCOS Holdings, LLC, seeks site plan and subdivision approval to allow the sale of a subdivided parcel to Vermont Patients Alliance, which would construct and operate a greenhouse along with accessory operations, including a lab for the production of medical cannabis.

The land lies within the Mixed Use Zoning District. As a subdivision within the Mixed Use Zoning District it is reviewed as a planned unit development (PUD).

The proposed subdivision and development requires site plan and subdivision approval pursuant to section 5.5 (site plan review), section 5.7 (Planned Unit Development) and Article 6 (major subdivision) of the Middlesex Zoning Regulations from the Middlesex Planning Commission, as well as conditional use approval from the Middlesex Zoning Board of Adjustment.

Both panels convened concurrent site visit and meetings at town hall on July 18 and August 9. The MPC continued the hearing until August 19 and again until September 19 in order to allow for further information be provided and reviewed.

The MPC discussed the proposal at its September 19 and October 17 meeting.

Interested parties present included neighboring property owner Jim Gallagher and representatives of Vermont Patients Alliance.

At the July 18 meeting, applicant and VPA representatives explained the proposal and responded to questions from the ZBA, and the MPC. Mr. Gallagher, along with a representative presented concerns about the project.

SL The minutes of the ⁴ ~~five~~ meetings (July 18, August 9, ⁴ ~~August 19~~, September 19 and October 17) detail the discussions, the information provided and the specific findings regarding the proposal. Those minutes are attached and incorporated into this decision.

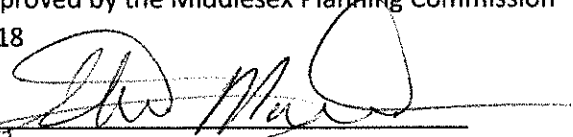
After deliberations, and having received all the information requested, the MPC concurred that with the conditions listed above, the proposed requested subdivision and site plan would not have an adverse effect on any of the ten general standards set forth in section 5.5.

The MPC further determines:

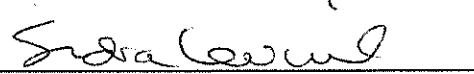
1. The proposal will achieve at least one of the objectives in section 5.7 and specifically that it meets objective 4 in that it will provide for flexibility in site and lot layout.
2. Pursuant to section 5.7 (B) no modification to any requirements of Article 6 are sought.
3. Pursuant to Section 6.6 (A) the condition regarding stormwater management will provide protection to neighboring properties from stormwater runoff.
4. Pursuant to section 6.2(A) the condition regarding energy will allow the proposal to conform to Chapter 7 (Energy) of the Middlesex Town Plan.

Prepared by:
Sandra Levine, Member
on behalf of the Middlesex Planning Commission
October 20, 2018

Reviewed & Approved by the Middlesex Planning Commission
October 29, 2018

Steven Martin 

Barry Bolio _____

Sandra Levine 

Mitch Osiecki 

Troy Sumner _____