

Selectmen's minutes of meeting Feb. 16, 2021

Members present: Brian O'Rourke, George Riley, Mark Newman, Joanne Grybosh by remote, Dolores Harasyko, Admin. Asst.

Called to order at 7:00 p.m.

Remote participation information provided for the public.

Reviewed and signed minutes of meetings.

Motion by George, second by Brian, passed unanimously to amend the minutes of June 8, 2020 to reflect the unanimous vote to appoint Matthew Kollmer as the building inspector.

Reviewed and signed purchase orders.

Reviewed and signed the letter of support for the Regional CDBG Grant.

Reviewed the letter of engagement for Scanlon & Associates for Agreed Upon Procedures and Operations Audit. Mark asked why the Town Accountant is not being included in this audit. It is only for the Treasurer/Tax Collector. All Selectmen agreed that the accountant should be included in the audit. We will table this item until next week.

Reviewed the Cannabis Draft Bylaw prepared by George Riley. Brian explained that we will limit public input after the review to 5 questions from 5 different individuals. Mark asked if we are reviewing the draft bylaw from last week that Selectmen George Riley prepared or the one that we received today from the Planning Board. The draft from the Planning Board was prepared by BRPC and the board has not had time to review it. We are reviewing the draft prepared by George number 2021-02-02.

BRPC said the definitions should be identical to the CCC definitions.

Mark asked about Section 2B, George stated that there should be a cap. George said the creation of the overlay district needs to be a separate item on the warrant to be voted on.

We will take out "marijuana consumption facility" under "Establishment Type" on page 1.

Mark does not agree with the table on page 3 regarding location and permits where it does not allow for Marijuana Cultivator Tier 4 through Tier 11. He would like to see a limit on total square footage instead of the amount and size of facilities. Brian agrees there should be a limit and likes the idea of basing it on square footage.

Also on page 3 we will remove the Tier 0 Marijuana Cultivator as this is regulated by the State.

Mark asked why setbacks double as the facility is larger.

Brian clarified that setback depends on indoor or outdoor facility.

Mark would like clarification on page 4 D Ventilation/Odor, needs separation of greenhouse and indoor growth facility.

On page 5. N Deliveries Mark would like it to be defined “no home deliveries”.

Discussed page 5. O Design Guidelines, Mark noted that it only requires dense native vegetation, should also include fencing. Brian said we need to be careful not to obstruct traffic views.

Discussed page 5. P Annual Inspection. Mark stated that the annual inspection should be once a year with all three parties involved on the same visit, Building Inspector, Fire Chief and Police Dept.

Discussed page 6, Special Permit Application Procedures. Brian explained we currently do not have a bylaw for marijuana or a special permit application specific to marijuana. Per Town Counsel there needs to be consistency in the special permit process. We either have bylaws or policies. Brian stated that we can add any provisions to any special permit application that comes in.

Mark pointed out that the special permit application procedures in this draft are redundant. Under Special Permit C.2 it does not state an HCA is required, per Town Counsel it is usually in conjunction with the special permit process.

Discussed Page 7. 14 regarding security detail, this is covered within the bylaw.

Discussed page 8, 7. Special Permit Conditions, hours are already addressed in the bylaw.

Discussed page 10. 5 to include the wording at the end of the sentence to include “beyond that specified in the Site Plan submitted as part of the Special Permit Application”.

Discussed page 10. 7, per Town Counsel it should be reworded to be more specific to traces of cannabis that needs to be removed.

Discussed page 11. 8, C & D, needs to be specific to cannabis so that the property can be repurposed.

Brian stated that this draft will be posted on the website.

Next weeks meeting will be by Zoom.

George stated that we need to give the town discretion as to whether a site can be repurposed once abandoned.

Brian state we need to work on a blight bylaw.

Brian opened the discussion to the public and will take 5 questions.

Cindy Deloy asked is there is a current bylaw that prohibits cannabis. Brian responded we do not have a bylaw which prohibits any form of cannabis. He also reiterated that since our town voted

in favor of legalizing marijuana the Attorney General would not accept a ban. It goes against what the town voted on.

Roger Kohler from the Planning Board stated that he sent in 2 drafts of the bylaw from BRPC.

Mr. Greenwell feels it's a well constructed bylaw but he still does not agree with Tier 4 in residential areas. He would like to send the selectmen googled sites he has found in other towns with Tier 10 facilities.

Bill Taylor would like more small farms instead of large farms. He would like to keep the limit to Tier 3. He doesn't agree with not allowing consumption or use on property. Brian clarified that this is controlled by the CCC.

Roger Kohler recommends that the Selectmen make the changes to the bylaw, send it to Town Counsel for review and then give it to the Planning Board so they can move forward with the public hearing.

Brian asked if we should still review the 2 drafts Roger sent the Selectmen from BRPC, are they ok with the Selectmen's changes. Roger said yes except for the overlay maps.

John Field from the Planning Board stated that the last time the Planning Board met to actually discuss marijuana was last November. He has not seen or heard of the 2 drafts from BRPC. He would like to have a Planning Board meeting to review and discuss all the drafts.

Brian will contact Town Counsel for guidance on the best way to move forward. Joanne will then get in touch with the Planning Board.

Leslie Garwood questioned what will be posted on the website tomorrow. Brian responded it will be the draft discussed this evening. She is confused about tiers. Brian responded that Mark suggested that instead of limiting the amount of facilities we could limit the total amount of square footage.

Brian would like to vote on the draft of this bylaw next week.

Future agenda items:

Review and vote on the Marijuana bylaw draft.

Brian suggested that we start next weeks meeting at 7:30p.m. since there is a zoom meeting for DayDreamz Community Outreach.

P.O. Box update

Dolores would like a work session to review budgets.

Reviewed mail

Reviewed and signed warrants

Topics not reasonably anticipated by the Chair: there are none.

Meeting adjourned 8:40 p.m.

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Brian O'Rourke

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George Riley

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Mark Newmanb