

Approved: 6/18/19

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## TOWN OF WINCHENDON



### Planning Board

Telephone (978)-297-5419

#### Regular Meeting/Public Hearing

March 20<sup>th</sup>, 2018

Town Hall 2<sup>nd</sup> Floor Auditorium

109 Front Street, Winchendon, MA 01475

**Present:** Vice-Chair Cailte Kelley, Arthur Amenta, & Burton Gould Jr.

Chantell Fleck, Planning Agent

Tracy Murphy, Planning Director

Nancy Sanderson, Recording Secretary

**Absent:** Chairman Guy Corbosiero

**Guests:** Mary Chace, Lester Goodrich, Rick Ward, Marc Brouillette, John & Pauline Coderre, & Audrey LaBrie

**Materials:** Notice of Meeting: March 20<sup>th</sup>, 2019 Agenda

- GIS Map- Marijuana Retail Overlay A-F
- 935 CMR: Cannabis Control Commission
- Letter from Board of Selectmen
- Email from Chief of Police- David Walsh
- Board of Selectmen Policies and Procedures pg. 11-13
- Article 6.12: Medical/Adult Use Marijuana Facilities and the Retail Overlay District
- Letter from Anonymous Resident
- Email from Katherine D. Laughman, Esq.- KP Law
- Draft 5- Article 6.12
- Draft- Article 5.2.8
- Marijuana Forum Questions (Revised) Online Results as of 3/20/18
- Hard Copy Survey Results as of 3/20/18
- Cannabis Control Commission Municipal Guidance
- Winchendon Zoning Map with Proposed Retail Overlay

**6:32PM-** Vice-Chair Cailte Kelley called the Planning Board meeting to order followed by the Pledge of Allegiance to the flag of the United States of America.

**Announcements:** Mr. Kelley announced that anyone is welcome to record the meeting as long as they let the board know. Mr. Corbosiero called in to listen to the meeting.

**Public Comments:** None.

**Approval of Minutes:** None.

**6:37 PM Public Hearing: Medical/Adult Use Marijuana Facilities and the Retail Overlay District Bylaw with Zoning Map and Use Table proposed changes.**

Mr. Kelley read the Notice of Public Hearing and called the hearing to order.

The timeline for implementation of marijuana for adult use was as followed:

November 8, 2016- Question 4 Passed

July 28, 2017- Governor signs Chapter 55 of the Acts of 2017

August 1, 2017- Appointment of Cannabis Advisory Board

September 1, 2017- Appointment of Cannabis Control Commission

December 22, 2017- Announcement of Draft Regulations

February 5-15, 2018- Public Hearings

February 15, 2018- End of Public Comment Period

March 7, 2018- Final Regulations Approved

March 23, 2018- Anticipated date the final regulations will be published in the Massachusetts Register

April 1, 2018- Applications Scheduled to be Accepted

Mr. Kelley opened the discussion on the draft articles with comments, draft #5. Ms. Murphy stated she added Town Councils comments and recommended the board discussed each Article.

Mr. Gould commented the State just provided further information earlier today and did not give enough time to prepare properly. Unfortunately the topic still needed to be discussed and the board will take that into consideration. Mr. Kelley let the public know they would have a chance to discuss with the board.

Mr. Kelley and the board went through each Article and items with edited and added language.

5.1- Mary Chace came forward and asked to clarify the language regarding retail delivery.

Ms. Murphy stated the item prohibiting it contradicted the state law allowing it, so it would be removed.

6.2.2 - Audrey LaBrie came forward and asked if the town plans on limiting other facilities, such as cultivation or just limiting retail facilities (2) and medical (1). The board responded that the limitation is just regarding the retail and medical facilities at the moment.

Ms. LaBrie stated she lives in an R80 zone. In regards to greenhouses, they are typically covered in plastic and do not seem very secure. Mr. Kelley agreed, typically, that normal greenhouses are not exactly secure, but stated that the state regulations for an approved facility are 8 pages long and extremely extensive. He read some of the regulations required regarding security of an approved facility.

John Coderre came forward and asked to clarify the regulations for open-air cultivation. Ms. Murphy stated that as it was written, open-air cultivation would be prohibited in all areas.

Marc Brouillette came forward and stated prohibiting open-air cultivation would make things more difficult and much more expensive for the farmers. The state regulations are in place to help with security and preventing the open-air cultivation would only make it more difficult for the farmers.

Ms. LaBrie stated that Winchendon is a right to farm town and suggested the board look into the language regarding the cultivation. The language as written is not enforceable.

Chantell Fleck commented that bylaws were not meant to be extremely specific.

6.2.4- Regarding D, including YMCA would strictly limit facilities on Central St.

Rick Ward came forward and stated he was against any facilities on Central St. The Board of Selectmen, Police, and Town Manager have all responded no to Central St. facilities as well.

Mr. Corbosiero stated he was in favor of eliminating 6.2.4 all together. He did not have a problem with having a facility on Central St.

Mr. Coderre came forward and questioned if the board had considered or had an opinion on parking and loitering. Parking is very limited on Central St. and there had been an issue with loitering outside of Cumberland Farms. Mr. Kelley responded that the empty storefronts on Central St. are more of an issue. Local businesses have expressed an interest in having a marijuana facility on Central St. to increase traffic and give an incentive to other businesses to move in the empty storefronts.

Mr. Brouillette came forward and stated he was all for safety especially regarding children. His opinion on Central St. was if it is right down town and near the police station, it is more likely to be patrolled and secure.

Mr. Gould wanted to keep 6.2.4 A-D. Mr. Amenta was still unsure of keeping D. Mr. Corbosiero wanted to eliminate 6.2.4. Mr. Kelley stated due to a lack of consensus, he would like to keep 6.2.4 and present this item at the town meeting as written.

8.2- Mary Chace came forward and had a question regarding special permits. If a business moves, the permit becomes void and the business would have to start the process over.

Mr. Kelley opened up the conversation on amending the Town of Winchendon Zoning Map to include a new Overlay District entitled: Adult Use/Medical Retail Facilities Overlay.

Mr. Gould motioned to continue the hearing to April 3<sup>rd</sup>, 2018 at 6:40PM. Mr. Corbosiero seconded. The board unanimously voted aye.

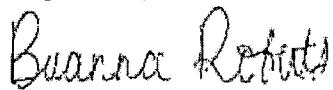
**Amenta (Y) Gould (Y) Kelley (Y) Corbosiero (Y) 4-0**

Mr. Gould motioned to adjourn. Mr. Amenta seconded. The board unanimously voted aye.

**Amenta (Y) Gould (Y) Kelley (Y) Corbosiero (Y) 4-0**

**Vice-Chair Kelley adjourned the meeting at 9:12PM.**

Respectfully submitted:



Brianna Roberts, Planning Board Recording Secretary



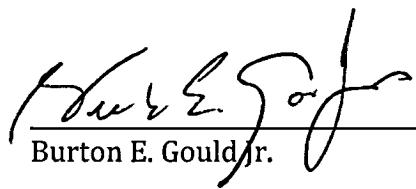
Guy Corbosiero, Chairman



Art Amenta

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Vice- Chair Cailte Kelley



Burton E. Gould, Jr.