



*Office of
The Planning Board*
272 Main St., Townsend, MA. 01469

Chairman: Lance J. McNally, Chairman

Edwin H. Howard, II, Vice Chairman
Laura E Shifrin, Clerk
Christopher Nocella, Member
Kathy Araujo, Member
Jerrilyn T. Bozicas, Associate Member

Draft of Minutes

Minutes of the Monday, November 6, 2017 Meeting
Selectmen's Chambers, Memorial Hall
272 Main Street, Townsend, MA. 01469

I. PRELIMINARIES:

1.1 Chairman McNally called the meeting to order at 7:00 p.m.

1.2 Roll Call: Lance McNally, Edwin H. Howard II, Laura Shifrin

Motion made, seconded and unanimously approved to appoint Jerrilyn Bozicas voting member this evening. Kathy Araujo and Christopher Nocella were absent with notice.

1.3 There were no additions or deletions to this agenda.

1.4 Motion made, seconded and unanimously voted to approve the minutes of October 23, 2017.

II. APPOINTMENTS:

2.1 6:40 P.M. Chairman McNally asked for roll call and read aloud the posted notice for the Public Hearing - MGL Chapter 40A, Section 5 and 11, and Zoning Bylaw, Article XII, Section 145-69, the Planning Board will review proposed amendment to the Zoning Bylaws 145-89 Temporary Moratorium on Recreational Marijuana. Motion was made to propose as presented to be placed on the warrant for Special Town Meeting, seconded and discussion ensued. Members of the public commented. Hearing no further discussion Chairman McNally called for a vote of the board. The vote was unanimous to move the Temporary Moratorium on Recreational Marijuana forward to Special Town Meeting w/one amendment "no later than December 31,2018 or until a bylaw is approved whichever comes first". Intent to have bylaw for Annual Town Meeting approval 2018. Public Hearing was closed at 7:02 p.m.

2.2 Board met with Kym Craven. After discussion we learned there was a misunderstanding and we discovered that Ms. Craven was offering her services as a volunteer and not as a vendor. Public discussion ensued regarding the volunteers needed for a sub committee. Further discussion on the two vendors interviewed to facilitate our Master Plan.

III. WORKSESSION;

3.1 Response from Zoning Enforcement Officer about 12 Dudley Road—no response has been received. Chairman McNally explained complaints reported to him which he referred to the Zoning Enforcement Officer. Apparently a permit was granted for drainage area that was recently filled in. Any changes to the permit need to go before planning. A concerned citizen reported this action.

3.2 Motion was made, seconded and unanimously approved to have Chairman McNally attend the next Finance Committee meeting and ask that up to \$8,000.00 be taken from reserves to finance the facilitation of our next Master Plan.



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November 6, 2017 minutes continued

3.3 Motion was made, seconded and unanimously approved to hire Conway School to facilitate our Master Plan process.

3.4 Chairman McNally reported that he has received a number of resumes since last week and will get those out to the board by Wednesday. Our goal date for interviews will be 11/20.

3.5 There is no report at this time on Land Use Director/Planner Search

3.6 There were no mandatory referrals

3.7 There was no Administrator's Report. MD last day was last Thursday however there was no preparation made for the meeting tonight accept for the agenda.

4. CORRESPONDENCE:

4.1 There were no notices from Townsend or other Towns to read

5: ADJOURNMENT

Please note: Date for next meeting was incorrect.

Our Next meeting is Monday, November 27, 2017 at 6:30 p.m.

It was moved, seconded and unanimously approved to adjourn our meeting at 7:42 p.m.

Attendance Sheet of the public hearing is attached.

To see if the Town will vote to amend the Town's Zoning Bylaw by adding a new § 145-89

TEMPORARY MORATORIUM ON RECREATIONAL MARIJUANA ESTABLISHMENTS, that would provide as follows, and further to amend the Table of Contents to add Section 145-89 "Temporary Moratorium on Recreational Marijuana Establishments:"

§ 145-89 Temporary Moratorium on Recreational Marijuana

On November 8, 2016, the voters of the Commonwealth approved a law regulating the cultivation, processing, distribution, possession and use of marijuana for recreational purposes (new G.L. c. 94G, Regulation of the Use and Distribution of Marijuana Not Medically Prescribed). The law, which allows certain personal use and possession of marijuana, took effect on December 15, 2016 and (as amended on December 30, 2016 by Chapter 351 of the Acts of 2016 and thereafter, on July 28, 2017 by Chapter 55 of the Acts of 2017) requires a Cannabis Control Commission to issue regulations regarding the licensing of commercial activities by March 15, 2018 and to begin accepting applications for licenses no later than April 1, 2018. Currently under the Zoning Bylaw, a non-medical Marijuana Establishment (hereinafter, a "Recreational Marijuana Establishment"), as defined in G.L. c. 94G, §1, is not specifically addressed in the Townsend Zoning Bylaw.

The regulation of recreational marijuana raises novel legal, planning, and public safety issues, and the Town needs time to study and consider the regulation of Recreational Marijuana Establishments and address such issues, as well as to address the potential impact of the State regulations on local zoning and to undertake a planning process to consider amending the Townsend Zoning Bylaw regarding regulation of Recreational Marijuana Establishments. This temporary moratorium on the use of land and structures in the Town for Recreational Marijuana Establishments will allow sufficient time to address the effects of such structures and uses in the Town and to enact bylaws in a consistent manner.

A. Definition

"Recreational Marijuana Establishment" shall mean a "marijuana cultivator, independent testing laboratory, marijuana product manufacturer, marijuana retailer or any other type of licensed marijuana-related business."

B. Temporary Moratorium

For the reasons set forth above and notwithstanding any other provision of the Zoning Bylaw to the contrary, the Town hereby adopts a temporary moratorium on the use of land or structures for a Recreational Marijuana Establishment and other uses related to recreational marijuana. The moratorium shall be in effect ^{no later than} December 31, 2018. During the moratorium period, the Planning Board, on behalf of the Town of Townsend, shall undertake a planning process to address the potential impacts of recreational marijuana in the Town, and to consider the Cannabis Control Commission regulations regarding Recreational Marijuana Establishments, and shall consider adopting new Zoning Bylaws in response to these new issues.

Or take any action relative thereto.

or until a bylaw
which ever comes first