



Town of Southwick

Planning Board

MINUTES



MARIJUANA SUB-COMMITTEE

MINUTES

November 15, 2017

MEMBERS IN ATTENDANCE:

Marcus Phelps, Chair
Doug Moglin, Vice Chair
David Ricardi
Ryan Pease
Alan Slessler, Town Planner

ABSENT:

Dr. Jerry Azia
Michelle Ackerman
St. John Donnie McGrath

The regularly scheduled meeting of the Marijuana Subcommittee was called to order at 6:30 p.m. by Mr. Phelps. He stated that the meeting was being recorded and asked if anyone in the audience was recording the meeting.

PUBLIC COMMENTS:

Visiting the meeting was Mr. Christian Benet. He said he represented an investor for retail sales of Marijuana. Also present was Mr. Bock a retired Police officer from Springfield. He said he is working with several investment companies. He said he is interested in what is going to happen in his hometown, Southwick especially growing Marijuana in Town. Mr. Dwayne Benet said he is interested in opening retail establishments in different parts of the State. Mr. Bock and Mr. Benet, two gentlemen from West Hartford Connecticut, also returned and joined the meeting..

REVIEW DRAFT BYLAW

Mr. Phelps said the committee will review the fifth draft of the for Southwick Marijuana zoning bylaw. Mr. Moglin said he had talked to Mr. Pease. He said Mr., Pease is diligently following the State process. He has some definitions that have been set forth. He said if Mr. Pease did not mind he would like for him to share that information. Mr. Pease said he went to a meeting about craft co-ops. He said the implementation of the law keeps changing because of the State Cannabis Commission. He said there will be five types of licenses for recreational marijuana and they can create up to eight licenses. He said that if you want to grow you can apply for a grow license. He said they do not know if one can apply for more than one license and they have not established fees yet. He said there is an extraction license that could only be sold to retail and not allow selling to the public. There is also a testing license. He said the finalized decision will be in

March. There is also a crafting license which would allow people to create a not-for-profit organization and those fees. He said the State is taking care regulations.

Mr. Moglin reviewed the Overlay Zone and Special permits, Benefits to Overlay Zone, Special Permit Process. **(SEE ATTACHMENT A)** He explained how each item works in the Town. He strongly suggested that Special Permit is the best way to handle Marijuana applications. He said growing marijuana is not an Agricultural Use and must be placed in the Industrial (I) zone. He said the dispensing of marijuana use is a subject to discuss later

Mr. Phelps said the draft bylaw has been updated. The Committee reviewed the revised draft bylaw. It does take an overlay approach. He said he primary change would be a map that would show the overlay and where it could be located. The Board reviewed the draft. Mr. Phelps suggested the word “facility” should be used throughout the bylaw. He added that the Medical Marijuana facilities, Recreation Marijuana facilities and the offsite Marijuana Dispensary Facilities may be permitted under a Special Permit and Site Plan Approval from the Planning Board. This means there will be no “by right” use. He said in the definition section the Medical Marijuana was first and will be called a facility. They continued to make a few word changes allowing for different uses. The Committee reviewed the remaining Definitions with minor word changes.

Mr. Moglin said the vote indicated that the Town voted for Recreational Marijuana and Medical Marijuana but there was no indication if they wanted dispensaries in the Town. He said the Special Permit addresses it somewhat. He said the Town could vote to allow on premise consumption. Mr. Pease said he thinks the zoning law will not pass if it is not pro marijuana. They discussed how far away a facility could be from a school. Mr. Phelps said they are going to measure from the buildings. They discussed whether marijuana could be consumed or ingested in the facility or on the property and it was decided that it could not be consumed in either. The next item was the transfer of the permit to another individual at the same site. It stated it could be transferred with the requirement of a proper license from the State and permission from the Planning Board. Mr. Phelps said the Planning Board does not set fees. Fee setting is done by other Boards and the State. Mr. Moglin said that this is part of doing business in Town and is not prejudicial toward the project. He said he did not think the permit should run with the land forever.

Mr. Phelps said the last topic is about posting a bond. He said if it is a new structure they must post a bond in order to get a building permit. If they are moving to an existing structure they will need an occupancy permit. The cost of the bond shall cover the removal of all plants, equipment and other paraphernalia if the applicant fails to do so. Mr. Pease does not agree with the bonding requirement. He said a bond could prevent small operations from having enough funding to operate.

Mr. Slessler created the two examples of how the overlay district would look in Town. Mr. Phelps said they are taking out the outlying spot zoning areas such as Point Grove Road, Depot Street, Powder Mill Road, and areas on Congamond Road. He said the growing should be in the Industrial (I) zones. He said retail should be in the Business (B) zone. Mr. Pease said the craft coop is left out of this.

The meeting will be continued to December 5 at 6:30 p.m.

MINUTES

A MOTION was made by Mr. Moglin and seconded Mr. Ricardi to approve the minutes for October 24, 2017. The motion passed unanimously.

A MOTION was made by Mr. Moglin and seconded by Mr. Ricardi to adjourn the meeting. The motion passed unanimously.

Marcus Phelps_____

Chair

Doug Moglin_____

Vice Chair

Dr. Jerry Azia_____

David Ricardi _____

Michelle Ackerman_____

Ryan Pease_____

St. John Donnie McGrath_____

Respectfully submitted,
Ruth Preston
Planning Board Administrative Assistant