



Town of Southwick

Planning Board

MINUTES



MARIJUANA SUB-COMMITTEE

MINUTES

Wednesday, December 13, 2017

MEMBERS IN ATTENDANCE:

Marcus Phelps, Chair
Doug Moglin, Vice Chair
David Ricardi
Ryan Pease
Dr. Jerry Azia
Michelle Ackerman
St. John Donnie McGrath
Alan Slessler, Town Planner

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:

Mr. Mitchell, a Southwick resident, was a visitor to the meeting.

Review Draft Bylaw

Mr. Phelps said the latest draft bylaw is dated 11-16-17. He said at the last meeting there were some changes recommended. Mr. Moglin said there was a question submitted to Town Council and asked if everyone had received a copy. The answer was no except Mr. so & so had a copy. **(SEE ATTACHMENT A)** If the Town residents wanted to make a change to the bylaw they would have put it on a Town ballot first and then a warrant article for Town meeting. He said the Town has voted twice, once for medicinal marijuana and second to approve recreational marijuana. Mr. Pease said the Cannabis Control Committee has been meeting to make changes and recommendations. He continued to discuss the taxes required by the State Cannabis control. He said Cannabis Control was voted in. He discussed the topic the Committee was discussing. He said we have the right to let a farmer grow marijuana on their farm. We can determine if Marijuana can be grown on agricultural land. He said the State Farm Commission has been asked to change the decision that marijuana be declared an agricultural product.

Mr. Phelps said that the Committee's charge is for zoning only. He said we are a subcommittee to the Planning Board. He said that the Committee has been at this for 6 months and we need to come to a conclusion. The bylaw needs to go to the Planning Board for a public hearing as soon as possible. Then it will go to the Select Board and then on to Town Council and finally to a Town Meeting for a vote. He said the work that we have done is some good work. He said we

are using an overlay district approach. He said most of the regulations are going to come from other entities in the Town such as the Police Department, Board of Health Department. He said they need to move the bylaw. He said it can always be amendment. Mr. Azia said he has no problem leaving it as is. Mr. Pease said the Committee should be looking at ease to pass for medical and recreation. Mr. Phelps said we are controlling at the local level. Mr. Phelps agreed to ask each member what their thoughts were on the draft bylaw. Chief Ricardi said the committee has worked hard to form this draft bylaw. He said we listened to everybody's ideas. He said we keep working trying to make it a perfect model and it never will be. Then we hear the Cannabis Commission keeps changing and we accommodate to the changes. He said we have done our job. He said he has read what other Towns have done and he thinks we are spot on. Mr. Azia said he likes the draft bylaw but would like to see the bond section removed. There was a brief discussion on the bond. Mr. McGrath said the regulations are going to be rather burdens if anyone applies for a license. He said he would like our bylaw not take on some of the regulations that are the responsibility of the CC. He said he wants to be sure there is no redundancy. He felt they may have to pay a bond to the CC. Mr. Slessler said ultimately this has to go to our Town Attorney so if there is any duplicates the attorney will remove it before it goes to Town Meeting. It will also be reviewed by the Attorney General and still need some changes. Mr. Moglin said the Town can be more restrictive than the State if it is what we need to do for our Town. He said the overlay that the committee created tries to plan properly. Mr. Pease said he felt the Committee did a good considering the lack of information available. He said his only concern is that the decisions were made before any information from the Cannabis Commission was made available. He said he feels the Town is going to lose out on a lot of revenue stream. He said maybe the Committee should wait for a draft from the Cannabis Commission is available. He said we maybe are too restrictive. Mrs. Ackerman said she would wait for the Cannabis Commission rules and regulations. Mr. Azia said if it was allowed to grow anywhere in Town He felt it would not pass the Town vote. Mr. Phelps said he put in may instead of will require a bond. He said then that could be decided by the Planning Board at Public Hearings. He said he would be attending a PVPC meeting the next day and they will have a panel discussion about recreational marijuana. He said Mr. Slessler has made a map of the proposed overlay district. He said there are two districts. He said one is the offsite marijuana dispensary which extends from Town Hall and extends to the Brewery. Mr. Pease said they are allowing one day events for consumption. Mr. Phelps said that it would be controlled by the SelectBoard. Mr. Phelps said the other district is for medical marijuana where the product could be administered on site. He said they are located in the Industrial areas located near the transfer station. It may need to be tweaked because of being located within 500 feet of a school. Mr. Moglin said we could limit it to 20% of the liquor licenses issued for offsite use in Town He said we have five. He said so we can be limited to 2 licenses.

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A MOTION was made by Mr. Azia and seconded Mr. Moglin to approve the minutes of December 13, 2017. The motion passed unanimously.⁵

The Committee decided to meet again on January 3rd at 6:30 p, m,

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