

**Charlemont Planning Board  
September 5, 2019 Meeting Minutes**

Members Present: Bill Harker, Co-Chair, Gisela Walker, Carlene Hayden, Bob Nelson.

Members Absent: Robert Malone, Co-Chair

Others Present: Peggy Sloan, FRCOG, Sarah Reynolds, Bradley Zellars, Phil and Mary Ellen Banks, Cheryl Handsaker, Ian M. Williams, Scott Crofts, Roberta Dolan, Helen Carcio, Marcia Tucci, Julee Clement, Alan Rice, Jane Shaney, Carol Star

Call to Order

Planning Board Co-Chair Bill Harker called the meeting to order at 7:00 p.m.

7:05 P.M.: Public Hearing to Discuss Adult Use Recreational Marijuana Bylaws Amendments

At 7:05 p.m., Co-Chair Harker opened the Public Hearing to discuss the Adult Use Recreational Marijuana Bylaws Amendments on which the planning board has been working over the past year.

Walker reviewed the suggested overlay districts, which assign different enterprises to different areas of town. These areas include Marijuana Retail Overlay District 1 and 2 and are relatively commercialized sections of the Mohawk Trail. The Village Center, aka. Marijuana Retail Overlay District 3, the Scenic Byway District, which includes the remaining sections of Trail corridor and Rural Residential, which includes all town outside Rte. 2 corridor were the districts discussed. Maps showing the districts were reviewed.

Walker then reviewed considerations that guided the Planning Board:

- Encourage commercial and business type M uses such as retail and manufacturing into areas that are accessible and already commercialized (see map) to provide new opportunities to abandoned uses and/or intensify uses in Village.
- Encourage growing facilities into all of the rural areas (e.g.Tuccis)
- Retain the very scenic sections of the Trail corridor for all the presently allowed uses but not add marijuana related enterprises.

Nelson reviewed the Use Table

Walker then discussed some of the other items included in the bylaw, including:

No retail outlet within 500 ft of a private or public school. There is some waiver potential to 300 ft if the location is suitable.

No establishment can be within a residentially used building.

Only two recreational retailers are allowed and one medical dispensary (not sure about this latter).

No establishment in a mobile location except official transporter.

Hayden reviewed the process involved with obtaining approval. An establishment has to be certified (Provisional license or certificate) as either medical or adult use/recreational establishment and has to have signed a Community Host Agreement with the Select Board prior to applying for a special permit.

Application for this special permit is complex and expensive – not because of town requirements but because of State requirements.

Abutter concerns will be addressed with conditions pertaining to night lights, odor, security, parking, and water use efficiency (wells). A Special Permit for a marijuana facility is only for 5 years and then needs to be reviewed/renewed.

The Planning Board allows for outdoor cultivation but does not expect many to pursue, because of the complicated and expensive security requirements.

Related uses such as testing labs, manufacturing, transporting, social consumption places, and research facilities are all new territory and time will tell if there is interest in pursuing these areas in town.

There was discussion as to whether social consumption establishments should be approved in the rural residential district. There was also some concern over transporting money, since the industry is basically cash based.

Overall, there was a favorable view of the bylaw and kudos given for the work that the Planning Board has undertaken on these regulations. There will be another public hearing on this topic on September 30, 2019 at 7:00 p.m. The public hearing was closed at 8:25 p.m.

#### Board Discussion

The board discussed with Peggy Sloan the pros and cons of the 4 column use table and whether it was appropriate and acceptable. In either case, Peggy Sloan suggested that the use of the word, "Overlay" should be removed in defining the names of the Scenic Byway District and Marijuana Retail District. The Board also discussed the timeline of necessary events between now and special town meeting.

#### Adjournment

At 8:50 p.m., on a motion by Walker and seconded by Hayden, the board voted to adjourn the meeting.

Respectfully submitted,  
Bob Nelson

#### **Documents viewed in the Planning Board meeting of 9/5/2019\***

1. Agenda for meeting of 9/5/2019
2. Public Hearing Draft for Marijuana Zoning Bylaw Amendments
3. Marijuana Zoning Map Options for Route 2 and Distances from Hawlemont School.
4. Information sheet: Growing and Selling Marijuana in Charlemont; Public Hearing Planning Board, 9/5/2019

\*Documents are stored in their respective files