

Planning Board Minutes

Date: October 11, 2017

Time: 7:35

Present:

X	J. Hargraves	X	A. Pease
X	J. Lindquist		W. Stacy
X	A. Leonard	X	T. Foster (ad hoc)

Also attending:

Documents:

Minutes:

We started off with an energetic discussion of our gardens (business not anticipated by the Chair). Andy has a hoop house and fabulous tomatoes. Jim grows over 300 onions and has lots of experience, obviously, and lots to say about growing onions. Jeanie and Mike's garden was a disaster, but we have an excuse. Eventually Alan showed up (with a tardy slip) and we got down to other business. Which was a good thing as you will see by the length of these minutes.

AP moved to accept the minutes of September 27. AL 2nd. Discussion? Yes there was. Alan made a very pretty speech about giving Jeanie the general acclaim she rightfully deserves, and she graciously accepted the standing ovation. It was also noted that Tricia was, in fact, the only one who looked at the CTPC courses. Even more commendatory, she signed up for the 'Roles and Responsibilities of Planning Boards' on Nov. 16. The minutes were approved with 1 abstention.

Review of the Public Forum: General agreement that it was a fairly low-key affair, and possibly less helpful than we had hoped.

Alan attended a **symposium in Worcester** at the beginning of the month and brought back lots of information on what the Commonwealth is figuring out about licensing and permitting the legal marijuana industry. He reported that a 22,000 sq ft grow facility with 3,000 sq ft of retail space in Worcester has an estimated gross revenue of \$3.9 million, which translates to approximately \$117,000 in income for the city. If Ashby had a facility the size of this, it would add about 2% to our current income. Beyond making people salivate over major revenues for the Town if we had such a thing, it was opined that if there ever was a fire, we'd need lots of cops downwind to manage the crowd.

Moving right along, here are other bits of information he brought back.

- Starting April 1, 2018 the state will start licensing facilities.
- Local moratoria are OK as long as they expire by the end of 2018. If the moratorium expires and the locality has done nothing, it is up to the Building Inspector to enforce the law as he understands it. Our Building Inspector told Alan that he would read our bylaws to allow growing in any Agricultural District, and sales in and Commercial District. (It would be a Very Good Idea to have a bylaw approved before the end of 2018...)
- There is no periodic or local review of licenses as there is with liquor licenses.

Discussion interrupts the report: PB will not prohibit marijuana, so we need to create a Town Bylaw (this would tell the number of allowable facilities, but not the location) or a Zoning Bylaw, or both. BTW, our Industrial zone is only 23 acres (1,000 X 1,000 sq ft).

Continuing on with Alan's report:

- A Host Community Agreement is an agreement for the licensee to pay the Town an agreed upon amount of money for locating a grow facility in the Town. The law has been interpreted to mean that after five (5) years, the revenue in such an agreement ends, although the Town can still levy a sales tax of 3.75% or less.
- The Commonwealth will also levee an excise tax.

Here are some of the issues not addressed in the law:

1. Who can sell plants?
2. What about on-site consumption?
3. Delivery?
4. What about special events – ie Pumpkin Festival, Band concerts, etc.? (Smoking laws apply to marijuana smoking as well.)

It was noted that these questions (the known unknowns as some would say...) are likely to be tricky problems for us to address. In discussion, the PB had a general feeling that co-mingling sales in existing commercial establishments would be better and more supportive of our local businesses. We noted that grow facilities do use a lot of water and could affect neighboring wells. Weedmaps is an organization interested in coming to talk to us about marijuana-related issues.

We decided to proceed with working on a bylaw. Our interest is in limiting a grow facility to the Industrial district and to consider an overlay district as well.

Land Use Advertising: There has been no response. AP will re-post the position.

Zoning Articles for this year's ATM: Jeanie will look for the bylaw (which none of us can quite remember) that we decided to drop last year.

Unanticipated: General agreement that having the COA share the Land Use room is a bad idea. AP will tell the TA (Town Administrator) to be sure the COA Director knows.

JL checked to see if the citizen (Monica Pennell) who was concerned about the property at 1046 New Ipswich Rd has been contacted. She'll come to the next meeting, says Alan.

Adjourn: 9:10

Submitted by Jeanie Lindquist, Executive Secretary