

Town of Lakeville
PLANNING BOARD
Meeting Minutes
Wednesday, February 21, 2018

On February 21, 2018, the Planning Board held a meeting at 7:30 PM at the Town Office Building. Members Present: Brian Hoeg and Peter Conroy. Members Absent: Sylvester Zienkiewicz, Barbara Mancovsky, and Janice Swanson. *There was no quorum of the Planning Board.* Also present: Town Coordinator Lorraine Carboni, Town Administrator Rita Garbitt, the Board of Selectmen, and Building Commissioner Nate Darling. LakeCAM was recording the meeting.

7:30 PM Attend Board of Selectmen's Meeting to discuss sample Zoning By-Laws received from Town Counsel regarding recreational marijuana.

Chairman Hoeg and Mr. Conroy were present for the discussion. Board of Selectmen Chair Aaron Burke, reviewed the options. Should we put a moratorium on this for six (6) months or can we get through all of this in a timely manner. This is a question that all towns are grappling with. A moratorium allows time for things to settle a bit. We have drafts to work with, but have only been adopted on a limited basis. Selectman Powderly said if we rezone the Harding Street property, and they do not go forward with the marijuana facility, then we cannot have a retail use, so he believes we should have an overlay in place. He doesn't know if he wants to do a moratorium, as we have identified where medical uses will go, and we want them in industrial zones. Selectman Hollenbeck said there are a number of different elements to consider related to all the Zoning By-Laws for marijuana. Draft regulations are to be finalized on March 15th. Then licenses come into play around April-June. Chairman Burke said the social consumption opens up marijuana bars, and he does not want to see that in Lakeville. He can see growing and selling for personal use, but not that. We need to discuss the limits on what we want to allow. Selectman Hollenbeck said we know we have a few applicants that have come to us who are doing medical and intend to go recreational. We also know about the limitations with the % of the package stores in place. She does not want to rush it and feels a moratorium will not prevent us working with the current companies. Harding Street is different, since it needs a change in zoning. Selectman Powderly said he did not want to pigeon hole the property for a company, and they decide to go elsewhere. Selectman Hollenbeck said we also need to address the for-profit and non-profit language in the current zoning. We should ask Town Counsel to give us the draft By-Laws that would limit it to two (2) recreational licenses. Chairman Burke said we need to communicate to Town Counsel what we want. When it is finalized, we need to have a hearing at the Library to get input from the public. Selectman Hollenbeck said that is why we want more time. Chairman Hoeg said he did not know if he could suggest an overlay at the Planning Board Meeting tomorrow night and get it put together quick enough. Ms. Garbitt said she thought an industrial overlay is within the scope. Selectman Hollenbeck said we were originally thinking to do this for the April 30th Special Town Meeting, but we might be able to have it ready for the June 4th Annual Town Meeting. Selectman Powderly said he wants to do the overlay, but not specifically for Bountiful Farms. Mr. Hoeg said there was a lot of anxiety with the brook, when we were zoning that area for a store. Selectman Powderly said it is just a mud hole now. 4 Mr. Conroy said if we push ahead and do this for June, we would have to establish some hours. Mr. Hoeg said that is the licensing part and would be the Selectmen's responsibility. Mr. Conroy said his point is that it would take our small Industrial Park and fill it with business. How many retail locations would you put in the Industrial Park? Selectman Hollenbeck said that is the conversation we need to have. She has been of the mindset for two (2).

A discussion occurred regarding hours of operation and traffic. Selectman Powderly said he is leaning towards two (2) facilities, but if they are different, then he may not mind. Selectman Hollenbeck said electricity and water will be demands on the Industrial Park and may be a potential issue. Chairman Burke said we will speak to Town Counsel and have them give us a more workable draft of what we are looking for, including two (2) retail facilities, and we do not want an adult use – social consumption allowed. Selectman Hollenbeck said we should address the local option tax and change the definitions about the nonprofit and profit. They need to know we have existing medical applicants and feel they would also want to go for profit as others. Further discussion occurred regarding drafting the Zoning By-law. Selectman Hollenbeck said we also need to decide who the Special Permit Granting Authority will be. John Brady from Nature's Remedy said Grafton just went through this and voted on a by-law two (2) nights ago. They seem to have done a good job. In order to apply for a recreational facility, they must have an informational meeting so we would be happy to sponsor, support, join or speak at the meeting. We could bring the team and talk about sales for the revenue for the Town. We are going before the Zoning Board of Appeals and met with the Board of Health tonight. We want to start constructing a full kitchen, and we want to do the oil and the salves. Mr. Brady said in Lakeville, we can only do medical. Millbury will be medical and recreational. The only difference is no tax on medical marijuana. Chairman Burke said if you are zoned to allow growing for recreational, can you ship to both uses. Mr. Brady said that is correct. Chairman Burke said if you only sell medical here, how will we know it is not being sold as recreational. Mr. Brady said we cannot, since it is not zoned. We cannot apply for a license unless we have the host agreement in place. Mr. Brady said his primary concern in Lakeville is cultivation. Selectman Hollenbeck said we can create a marijuana zone to have it in industrial areas. Selectman Powderly said Town Counsel can expand the wording for industrial uses. Selectman Hollenbeck said it should include uses and limitations on the number of retail stores. Discussion occurred regarding holding a public meeting in March. Mr. Brady said he would assist in any way needed. Selectman Hollenbeck said the zoning change would be to create additional uses. If we have no zone, they can locate anywhere. Mr. Darling said we would have to insert a new Recreational Marijuana Dispensary into zoning. Mr. Brady said the terminology has also changed. Selectman Powderly said so we will expand the industrial uses and eventually expand the overlay on Harding Street. Chairman Burke hoped to have this for the June Town Meeting. Once we get guidance from Town Counsel, we can go forward. Mr. Conroy asked if the host agreement is public knowledge and other companies can read it so they can come to Town and want the same terms. Selectman Powderly said we want to maximize what we can get under the law. Chairman Burke said we have been clear with all applicants what we want. Mr. Conroy asked if the cost to the Police Department is known. Chairman Burke said that cannot be estimated now. Selectman Powderly said the State maximizes the 3%, and we have to prove where we are using the money. Mr. Brady said there are a lot of good neighbor things that can go in a host agreement that maybe we can help 5 mitigate, like DARE Programs in school. There are many things we want to be active in your community, and we will probably be your highest taxpayer. Being a good neighbor is important to us. We will take some of the profits out of our share and do like a ball field or a police cruiser, etc.

End of Discussion.