

**TOWN OF LAKEVILLE**  
**Lakeville Select Board, acting as the Wage &**  
**Personnel Board as needed**  
**Meeting Minutes**  
**January 20, 2022 – 1:00 PM**  
**REMOTE LOCATION**

On January 20, 2022, the Select Board held a meeting at 1:00 PM remotely from various locations. The meeting was called to order at 1:00 PM by Chair Fabian. Select Board Members present were: Chair Fabian, Member LaCamera and Member Carboni. Also present was Ari Sky, Town Administrator and Tracie Craig-McGee, Executive Assistant to the Select Board and Town Administrator. LakeCAM was recording the meeting for broadcast.

In accordance with provisions allowed by Chapter 20 of the Acts of 2021, the January 20, 2022 public meeting of the Lakeville Select Board will be held remotely. **However, to view this meeting in progress, please go to [facebook.com/lakecam](https://www.facebook.com/lakecam) (you do not need a Facebook account to view the meeting). This meeting will be recorded and available to be viewed at a later date at <http://www.lakecam.tv/>.**

**Discuss Select Board policy towards Retail Cannabis applications**

*Amy Kwesell, Esquire, from KP Law was present for the discussion.* Chair Fabian said this meeting is to discuss the retail cannabis inquiries that the Board has received and our marijuana policy in general. In 2019, the Board placed a freeze on any additional Host Community Agreements (HCA), however, we would still entertain them from existing companies in Town at that time. Attorney Kwesell has indicated to us that the freeze has elapsed. Mr. Sky said ten (10) HCAs have been negotiated with eight (8) firms. Two (2) have been withdrawn; two (2) are operating, three (3) are pending in front of the Cannabis Control Commission and two (2) have been transferred. The two (2) firms operating are Nature's Remedy and Bountiful Farms. He summarized the funds received from the two (2) companies. Mr. Sky said he was approached by two (2) entities for potential retail cannabis sites on Harding Street. The question is whether the Board wants to continue considering more HCAs or issue a moratorium.

Chair Fabian said as this is a policy choice, Member Carboni usually recuses herself from cannabis conversations. Discussion occurred regarding the possibility of a conflict of interest with Member Carboni. Attorney Kwesell said it has always been her recommendation if you have a conflict that you get up from the table and leave the room, which dispels any appearance of conflict. The Ethics Commission did advise Member Carboni not to weigh in on any cannabis decisions in Town. This is a policy decision by the Board on how this Board will allow retail cannabis in Lakeville. In Attorney Kwesell's opinion, the policy will affect Bountiful Farms due to future competition, so that is where the conflict lies. Member Carboni exited the meeting at 1:18 PM.

Chair Fabian said when Brian Day was part of the Board, he did renegotiate a few HCAs. Attorney Kwesell said those contracts were renegotiated because the facilities were changing use. One of the options is to go to Town meeting to limit the number of retail HCAs to 20% of the liquor licenses in Town. Even if you want to go forward with unlimited establishments, she recommends that the Board consider a policy for a request for information. Then when the Town Administrator receives an inquiry, he can forward a document to them listing all the information the Town is looking for. Member LaCamera said one of his key concerns is there are no timelines when they are supposed to

get their facilities online. These HCAs that are not moving along are tying up space that could be used for other companies. Attorney Kwesell said we can build in a timeline for buildout. The timeline has to be in accordance with the CCC licensing timelines.

Member LaCamera asked of the six (6) companies that Mr. Sky spoke of, why haven't they been approved yet by the CCC. Attorney Kwesell said they might be switching their operation type. Member LaCamera said we need to put some sort of framework for outstanding HCAs. It's not good for the Town to have the HCAs that don't go anywhere. Attorney Kwesell spoke of the Town of Norton's procedures for HCAs. Mr. Sky said he is looking for guidance on these inquiries. If the Board wants to entertain additional applications, then he would like to work with Town Counsel on a checklist for the applications. Chair Fabian said she is willing to entertain new HCAs. Member LaCamera said he is willing to entertain new HCAs and is okay sending the applicant a framework for information so we are not wasting time. Mr. Sky said we could develop the Request for Information and submit to the applicants and then we can vet them.

Attorney Kwesell said a HCA is a contract negotiation between two (2) parties. We could begin with our terms or their terms. Right now, the statute allows for up to 3% of a community impact fee. That 3% is being challenged in the courts. The 3% must go toward community impacts. The existing HCAs have a one-time charitable contribution and then an annual contribution. Those are not being challenged yet. Mr. Sky asked if \$10,000 is a typical charitable contribution? Attorney Kwesell said they typically range from \$5,000 to \$10,000. Some Towns allow the company to decide where the contributions will go and sometimes the Board decides. Mr. Sky said we have been approached to document the Town's costs regarding the 3% impact fees. Member LaCamera said we haven't charged any impact fees yet. Mr. Sky said we call it a community benefit fee. Attorney Kwesell said we need to consider the impact fee when negotiating the next HCA. Discussion occurred regarding what fees can be placed in a HCA.

Upon a motion made by Member LaCamera with Chair Fabian stepping down to second, it was:

VOTED: To designate Chair Fabian to assist the Town Administrator and Town Counsel to establish a policy regarding inquiries for HCAs in Lakeville.

Roll call vote: Member LaCamera – aye and Chair Fabian – aye.

### **New Business**

There was no New Business discussed.

### **Old Business**

Member LaCamera mentioned the Council on Aging's blood drive scheduled this month. For information, you can visit the Town's website.

### **Any other business that can properly come before the Select Board**

There was no Other Business discussed.

## **Adjournment**

Upon a motion made by Member LaCamera and with Chair Fabian stepping down to second, it was:

VOTED: To adjourn the Select Board Meeting at 2:02 PM.  
Roll call vote: Member LaCamera – aye; and Chair Fabian – aye.

## **List of documents provided at the Select Board Meeting of January 20, 2022**

1. Agenda page