

TOWN OF ADAMS

BOARD OF SELECTMEN WORKSHOP MINUTES

WEDNESDAY, September 14, 2016 – 7:00 PM

ADAMS VISITORS CENTER, 1st FLOOR, ADAMS, MA 01220

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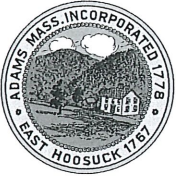
On the above date the **Board of Selectmen** and held a workshop at the **Adams Visitors Center** at **7:00 p.m.** **Chairman Jeffrey Snoonian** presided the meeting. Present were and **Members Richard Blanchard, Joseph Nowak and John Duval.** *Vice Chairman Arthur Harrington was absent.* Also in attendance were **Town Administrator, Tony Mazzucco and Presenter, Jody Lehrer.**

The Select Board Workshop was called to order at 7:00 p.m.

OFFICIAL BUSINESS DISCUSSION

Medical Marijuana Discussion

Jody Lehrer gave a PowerPoint presentation to provide the Board and the public information on Medical Marijuana. Information was provided about Ms. Lehrer's Graduate School research done on Registered Marijuana Dispensaries in Massachusetts. She explained that Massachusetts is the eighteenth state to legalize Medical Marijuana. She explained the Department of Public Health regulations regarding Medical Marijuana and the complications surrounding regulation of marijuana. Zoning Districts for Medical Marijuana were discussed, including buffer zones, setbacks and special permits. Zoning bylaws and ordinances were explained and the Attorney General decisions regarding town zoning bylaws were briefly reviewed. Moratoriums were explained and it was noted that the Attorney General did not allow extensions. Industrial zones were pointed out as being common locations for Registered Marijuana Dispensaries. Set back types and distances for different reasons were noted and it was pointed out that there were different set back distances in different communities. Medical Marijuana laws were compared from different states and their similarities were outlined. THC levels were touched on and home growing of marijuana was noted as being a common feature in many states. Smoking, vaping and use of extracts were explained as a popular use of Medical Marijuana. The non-euphoric use of Cannabidiol was explained as being popularly used in the Southern states for medical issues and has a low THC level. There are limited states that allow recreational use of marijuana. The decriminalization of marijuana in the states that accepted Medical Marijuana was noted as being a process. Allowable possession quantities and levels of offenses for Massachusetts violations were outlined. Federal Law versus State Law on marijuana possession and use were compared and it was noted that federal funding cannot be used by state facilities in the Medical Marijuana process. The Controlled Substances Act was briefly reviewed and the substances that it references. The Massachusetts Medical Marijuana Law was noted as providing protection to patients, caregivers, physicians, dispensaries and their agents. The regulatory process of the Department of Public Health in the compliance of the Medical Marijuana Law was explained, and applies to certified physicians, qualified patients, caregivers of the patients, registered dispensaries and their agents. The registration process for dispensaries with the Department of Public Health was reviewed. The process of being a qualified patient and the cost incurred with registering and going through a certified physician were explained. The number of registered patients in Berkshire County was listed. The qualifications of being a personal caregiver of registered patients were reviewed. Parameters around becoming a qualified certified physician for medical marijuana dispensaries were outlined. Dispensary agents were described, including all age and CORI requirements, fees and who would be able to become an agent. The requirements for becoming a registered dispensary were reviewed, and it was explained that the business must be an established non-profit organization and



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pay an annual \$31,500 application fee. Ms. Lehrer explained that there are only seven registered dispensaries allowed to operate in Massachusetts, and they must pay \$50,000 per year to remain operational. The cultivation, storage, handling, inventory, dispensing, training and testing requirements of medical marijuana dispensaries were reviewed. The municipal responsibility of creating bylaws was explained, and the "Home Rule Amendment" was detailed. Zoning limits and registration requirements were reviewed. Home delivery was touched on. Municipal licensing was noted as being optional and examples were given of the Towns of Hadley and Needham's license to operate, permit for dispensary agents, and registered medical dispensary operating and home permits. License provisions that were outlined were that dispensaries may not sell alcohol, tobacco, or nicotine, may not be a Massachusetts lottery dealer, and that separate licenses are required for retail and cultivation, as well as a preparation facility. Licensees must consent to periodic inspections. Operating fees, operational hours and the number of allowable licenses were provided. Host Community Agreements (HCAs) were reviewed, and the process of getting a letter of support or non-opposition was explained. Financial incentives that the Town may request in a HCA were outlined, including charitable contributions, and payment in lieu of taxes as the registered dispensaries are non-profit. The recreational sale of marijuana was briefly touched on, and the Town reserves the right to collect sales tax. Examples of different HCA proposals were given. Medical Marijuana Trust Funds were explained briefly. Hardship cultivation allowing registered qualifying patients to grow cannabis at home was detailed, and may be allowed up to a 60 day supply or 10 ounces maximum from a locked facility only by the primary residents of the patient or caregiver. Hardship was explained as being financial, physical incapacity, or distance too far from a registered dispensary that does not deliver. The phases of the new registered dispensary application process were outlined and it was noted that the process is similar to becoming a pharmacy. There were no questions asked by the Board Members.

ADJOURNMENT

Motion made by Member Blanchard to adjourn


Second by Member Duval

Unanimous vote

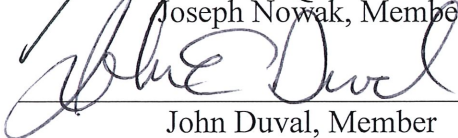
Motion passed

Meeting adjourned at 6:50 p.m.

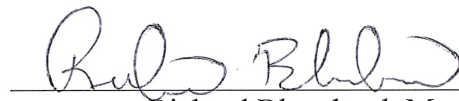
Respectfully Submitted by Deborah J. Dunlap,
Recording Secretary



Joseph Nowak, Member



John Duval, Member



Richard Blanchard, Member

Arthur Harrington, Vice Chairman

Jeffrey Snoonian, Chairman