

PLANNING BOARD MINUTES

Meeting Held at the Town Hall on **November 13, 2013** at 7:30 PM

Members Present: Jonathan Keep, Chair, Douglas Storey, John Karlon, David Yesue, and James Owen
Associate Member

Also Present: Erik Neyland and Michelle Carlisle, Health and Permitting Assistant

Call to order: 7:31pm

Business:

Chuck Black, Northwoods

- Mr. Black appeared before the Board to request a bond reduction and release of Lot 25.
- Subdivision has 35 lots.
- Paving is finished. Fred Hamwey was present during paving.
- Reports are back for Ledgewood and Field Stone. Minor changes suggested by Fred which Mr. Black has not addressed yet.
- J. Keep asked to see where Lot 25 is. Board reviewed the plan.
- Mr. Black would like to start building on lot 25 in the Fall.
- D. Storey stated the Board needs to hold something.
- Mr. Black is asking for lot 25 and to reduce the bond leaving a reasonable amount to address any future issues.
- Mr. Black asked the Board what the procedure is for getting the street acceptance on the Town Meeting Warrant.
- D. Storey stated that Mr. Black needs to appear before the BOS to ask for the article to be on the Warrant.
- Board reviewed several other items that Mr. Black will have to complete for the street acceptance to go on the Town Meeting warrant.
- Sidewalk has been completed.
- D. Storey asked for more information regarding the sidewalks. Originally there was supposed to be sidewalks throughout, but some of the residents didn't want that.
- M. Carlisle to look through files regarding the \$4,000 in lieu of sidewalks. Check with Mary Ciummo.
- **D. Storey motioned to release 90% of the bond, holding back 5% to finish the work and 5% to go through the winter. J. Keep 2nd. All in favor 5/0/0.**
- **M. Carlisle to draft release letter to bank.**

Medical Marijuana Facilities

- The Board discussed a potential local by-law regarding the location of Medical Marijuana Facilities.
- D. Storey reviewed the State Regulations and Regulations from other Towns.
- Moratorium was approved for one year by the Attorney General. State allows this specifically because they assume the Town will work towards creating a By-Law within that one year time-frame.
- State Law states a facility must be 500 feet away from a place where children regularly congregate.
- Board discussed all possible places where children congregate. D. Storey suggested residences. Other Towns suggested religious institutions, playgrounds and forests.
- J. Keep suggested Conservation Land for protection of wetlands and animals.
- D. Storey stated that the By-Law should state that a facility would require a Special Permit.
- D. Storey stated that any By-Laws created and voted on and accepted at Town Meeting will be reviewed by the Attorney General as are all other By-Laws that are accepted at Town Meeting.
- J. Keep asked if the special permit process would include Conservation review.
- State Regulation has a section listing items they consider and local support is one of them.
- D. Storey suggested increasing the 500 foot offset and not choosing a specific zoning district.
- J. Owens stated that if it's tucked away on a large lot of land at the end of a residential road, it would increase the traffic on that road.
- State Regulation doesn't differentiate between a growing facility and a dispensary.

- Dave Lindsay (audience member) stated that many businesses wouldn't want a facility in the business district and that it would be best in the middle of a large parcel of land.
- D. Storey suggested the Town could create a new district similar to what was done for the International Golf Club and cell towers.
- J. Keep asked where the Town would be if the By-Law didn't pass Town Meeting. Dave Lindsay stated that any By-Law is better than no By-Law and that what might happen is that the By-Law would be amended on Town Meeting floor but not voted down.
- J. Keep suggested that a place such as Paragon which has a gatehouse and 20,000 square feet for rent might be a good idea.
- Erik Neyland asked what would happen if the State found the By-Law too strict or parts of it too strict.
- David Lindsay stated that the Town could make changes and bring it back to Town Meeting.
- John Karlon stated that a severability clause would be put in the By-Law and to state that it doesn't fall under the Right to Farm By-Law.
- D. Storey suggested limiting it to the Industrial zone and parcels that are larger than a set minimum acreage and meeting all setbacks. Setbacks are from building to building. Also to set specific open hours of operation times.
- Dave Lindsay asked if Agricultural Restriction property would be exempt or could they strictly have a growing facility but not a dispensary.
- J. Keep asked if David Lindsay could poll his group and ask where they think would be the best two or three areas for a facility.
- Can the Town tax the facilities - doesn't appear the Town can but they can set fees.
- Board discussed a sunset clause for the Special Permit and a Bond for removal.
- D. Storey will recap the discussion and send it out to the Board.

Administrative:

Discuss FY15 Budget and future Warrant Articles.

- Board level funded.
- M. Carlisle to check with Gary Perwak regarding a GIS layer to locate parcels with a 500 foot offset to structures.
- Board discussed the Town Planner position.

Board discussed approving the occupancy permit for 20 Cider Circle.

James Owens recused himself from the discussion.

Board approved and asked M. Carlisle to sign.

Mail Reviewed

D. Storey moved to adjourn the Planning Board meeting at 9:15pm, D. Yesue 2nd. All in favor 5/0/0.