

HULL PLANNING BOARD
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Minutes: February 8, 2018

Members Present: Harry Hibbard, Chair; Jason McCann, Vice-Chair; Steve White, Secretary; Steve Flynn; Jeanne Paquin; Nathan Peyton; Joe Duffy

Staff Present: Chris DiIorio, Director of Planning and Community Development; Town Counsel James Lampke

North Truro Street Extension surety reduction

Paul Gratta was present at the meeting to request that the board release a cash bond of \$70,000 which he put up for work on the 220 North Truro Street project. He stated that the project was 98% complete. Project engineer John Chessia has estimated that the remaining amount of work to be done is about \$3,800. Gratta stated that property owner William Horne will provide a check for the amount remaining.

The board voted as follows:

Motion	Paquin	Motion that we will accept a cashier's check from Mr. Horne in the amount of \$4,000 and we will release the bond of \$70,000 that has been placed by Mr. Gratta.
Second	Flynn	
Vote	Unanimous	

Public Hearing: Zoning amendment regarding recreational marijuana

The board met in public hearing to discuss Special Town Meeting warrant articles regarding bylaws concerning commercial retail marijuana activity in Hull. Town Counsel Lampke explained that Articles 1 and 2 seek to amend the zoning and general bylaws to prohibit any types of commercial retail marijuana establishments. These articles give the community the opportunity to decide whether or not it wants to prohibit this activity in town. A Special Town Meeting vote to do so would have to be ratified by a town election. He further stated that if Article 1 fails in Special Town Meeting, the town can still add it to the election ballot. If it passed at the election, the annual Town Meeting would then have to vote to adopt the bylaw.

Lampke stated that even if the town bans commercial marijuana activity at this time, it could, in the future, allow it. In addition, the state could, in the future, take away the ability of towns to prohibit it. Therefore, regardless of what happens with Articles 1 and 2, Article 7 puts zoning into place for it. He said that the board should give recommendations at Special Town Meeting regarding the articles concerning zoning.

He added that the state is accepting applications for marijuana establishments on April 1, but that the state's draft regulations say that prospective applicants can't file an application without a host agreement in place with the town and without having had a public meeting with abutters of the property they wish to use. However, state draft regulations will likely change by the time of the regular Town Meeting.

McCann said that the Planning Board's task was to set out the implementation parameters and that in his opinion the board should have a neutral recommendation on Article 1. Duffy said that the board's most important task was identifying where marijuana establishments should be sited in the event that commercial activity is allowed. White and Flynn stated that they would rather be neutral on this article. Hibbard disagreed, stating that retail marijuana would be a good thing for the town because of economic development.

McCann made the following motion, which was later withdrawn.

Motion	McCann	Motion that the Planning Board provide no recommendation with respect to Article 1 for the Special Town Meeting Warrant.
Second	Flynn	
Vote	Withdrawn	

Lampke said that the board can recommend that the voters decide for themselves. Flynn stated that he didn't want to have just a few hundred people decide at the Special Town Meeting. He made the following motion, which was later withdrawn:

Motion	Flynn	Motion that we vote unfavorable action on Article 1.
Second	McCann	
Vote	Withdrawn	

White stated that the board didn't hold any public hearings or get any input on Article 1. Peyton said that the board had a strong process regarding Article 7 and that the responsible thing would be to do that same for Article 1, but because the board got this article so late there was no longer time to do so. Paquin agreed.

McCann pointed out that a year ago the board didn't support the moratorium on the implementation of commercial marijuana laws, but because it has just gotten Article 1, and because it is a zoning article, the board unfortunately has to make a decision at the last minute. White noted that the board voted against the moratorium because they didn't feel that the timelines it contained were necessary. He expressed reservations on the effect of commercial retail marijuana activity in town. Hibbard stated that he felt that the board had been solidly behind retail marijuana from the beginning. Paquin said that something this sensitive should have votes at both the Special Town Meeting and the ballot.

Note: Lampke left the meeting at 8:55 p.m.

After extensive discussion, the board voted to word its recommendation to Special Town Meeting regarding Article 1 as follows:

Motion	Hibbard	The Planning Board has not had adequate time to gather meaningful input from the community and is unable to come to a consensus as to whether or not recreation marijuana shall be situated in Hull. Under the circumstances, the Planning Board recommends that citizens vote their conscience. The Planning Board focused its efforts and held public hearings regarding the development of Article 7, on which the board unanimously recommends affirmative action.
Second	Paquin	
Vote	Unanimous	

Other business:

McCann informed the board that it should appoint a new representative to the Unified Work Plan because it meets during the day. Paquin said that she can probably participate.

McCann also said that the Community Development Committee will hold a public hearing regarding plan development on Monday, March 19 at the high school exhibition room.

Minutes

The board voted to approve minutes as follows:

Motion	McCann	Motion to approve the minutes of 12/13/17.
Second	Paquin	
Vote	Unanimous	

Motion	Paquin	Motion to approve the minutes of 1/3/18.
Second	McCann	
Vote	Unanimous	

Motion	Duffy	Motion to approve the minutes of 1/10/18.
Second	Flynn	
Vote	Unanimous	

Special Town Meeting plan

The board discussed the plans for the Special Town Meeting on Monday, February 12, 2018. DiIorio said that he has slides for presenting the zoning district. Duffy said that there had to be a motion to amend the map because it is part of the zoning bylaw as a matter of law. He said that he had amended the article to add a reference to the map.

At 9:40 p.m. the Board voted unanimously to adjourn the meeting.

Minutes approved:  Date: 4-11-18

The following documents were submitted and are part of the official records:

- Planning Board agenda for 2/8/18
- Special Town Meeting Warrant
- Letter of credit from Weymouth bank regarding 220 North Truro Street surety
- Bond estimate from Chessia Consulting Services for work remaining on surety bond