

**BOARD OF SELECTMEN  
MEETING MINUTES – October 16, 2017**

7:00 p.m. - Selectmen's Meeting Room, 63 Main Street, Northborough, MA

**MEMBERS PRESENT:** Jason Perreault, Chairman  
Jeff Amberson, Vice Chairman  
Leslie Rutan, Clerk  
Dawn Rand  
William Pantazis

\*Pledge of Allegiance

**APPROVAL OF MINUTES – SEPTEMBER 25, 2017 REGULAR MEETING**

Selectman Rand moved the Board vote to approve the meeting minutes of the September 25, 2017 regular meeting as submitted; Selectman Rutan seconded the motion. Vote: 4-0-1 (Selectman Amberson abstained as he was not present at the meeting).

**7:00 p.m. - BOARD DISCUSSION REGARDING  
RECREATIONAL MARIJUANA**

To discuss the Opt Out option which would in effect ban the establishment of recreational marijuana and other related activities in the Town.

Town Planner Kathy Joubert made a presentation regarding the zoning options for recreational and medical marijuana uses. She indicated that the five-member State Cannabis Control Commission (CCC) was appointed on September 1, 2017 and by March 15, 2018, the Commission is supposed to adopt regulations and guidelines for the issuance of licenses for recreational marijuana establishments. No earlier than April 1, 2018 the Commission may begin accepting applications for recreational marijuana licenses and no earlier than June 1, 2018 the Commission may begin issuing licenses. Ms. Joubert added that these dates have been called into question, given the CCC's current lack of budget and staffing.

Ms. Joubert informed the Board that because Northborough is considered a "no" community based on the results of last year's election, the town has the option to "opt out", which would effectively ban recreational and medical marijuana establishments, as well as all other related uses and accessories in town.

As the CCC will be governed by the zoning bylaws in effect at the time of the acceptance of license applications, Ms. Joubert indicated that two articles should be presented to Town Meeting, a general bylaw by the Board of Selectmen and an identical zoning bylaw by the Planning Board, both prohibiting recreational and medical marijuana establishments, including marijuana cultivators, independent testing laboratory, marijuana product manufacturers, marijuana retailers or any other types of licensed marijuana-related business. Also, an article regulating recreational marijuana establishments should be placed on the Town Meeting warrant in the event the articles prohibiting the use are defeated. As part of the article, the Planning Board will need to determine in which zoning district(s) this use would be allowed. The Planning Board will continue discussing this topic at their upcoming meetings.

**DISCUSSION REGARDING RECREATIONAL MARIJUANA CONT...**

Ms. Joubert ended her presentation, assuring the Board that she will continue to provide the Board with updates as she continues to receive additional information from Town Counsel, the Attorney General's Office and the CCC.

Following the presentation, members of the Board discussed the effectiveness of the temporary moratorium approved at the 2017 Annual Town Meeting prohibiting the use of land or structures for a recreational marijuana establishment. Mr. Coderre confirmed that Town Counsel has opined the temporary moratorium to be valid and enforceable through its expiration date of June 30, 2018.

Following a thorough and thoughtful discussion amongst the Board members, including the input from Town Counsel with regard to timetable considerations, the Board agreed to "Opt-out" of all recreational and medical marijuana related activities, including the sale of accessories, and to include a provision that effectively eliminates the potential for use variances. The Board also agreed that in the event that Town Counsel receives clear direction from either the Attorney General's Office or the CCC that action is needed sooner, the Board of Selectmen is committed to calling a Special Town Meeting, if needed.

Chairman Perreault asked Mr. Coderre to draft a memorandum from the Board of Selectmen to the Planning Board indicating that the Board's unanimously stated goals are to "Opt-out" of all recreational and medical marijuana related activities, including the sale of accessories and to include a provision that effectively eliminates the potential for use variances. He also asked that Mr. Coderre and Ms. Joubert work with Town Counsel in drafting a general bylaw to accomplish the Board's policy goals as stated above in time for discussion at the Selectmen's November 6<sup>th</sup> meeting. He urged the Planning Board to take similar action in order to move forward on this important community issue.

Chairman Perreault thanked Mr. Coderre and Ms. Joubert, as well as Town Counsel for their efforts in moving this matter forward in a timely manner.

For the benefit of the residents present in the audience, Chairman Perreault indicated that the discussion amongst the Board members is closed, but residents would have an opportunity to speak during the Public Comments portion of the agenda.

**REPORTS****William Pantazis**

- Noted the recent passing of Richard Sargent. Extended his sympathy to the Sargent and Dowd families.
- Attended the first annual Hogtoberfest held by Romaine's.
- Requested that the DPW Department clear the hanging branches over the sidewalks on Mayflower Road on the way to the school and to clear the overgrown brush around the speed limit sign on River Street.

Dawn Rand

- Attended the 145<sup>th</sup> Homecoming Day for the Northborough High School Alumni Association.
- Extended her sympathy to the Sargent and Dowd families in the recent passing of Richard Sargent. Thanked the Police and Fire Departments for their show of support at the services.
- Thanked Representatives Naughton and Gregoire for their support of Senate Bill 407, An Act Relative to Agricultural Composting Programs. Hoping to hear positive news from the Joint Committee on the Environment, Natural Resources and Agriculture.

Leslie Rutan, Clerk

- Announced that Northborough Helping Hands is sponsoring their 9<sup>th</sup> Annual Coat and Boot Drive. Deadline for donations is November 13<sup>th</sup>.
- Thanked the Peaslee School for their recent food drive that collected generous donations for the Food Pantry.
- Congratulated Fire Chief Parenti on his recent accreditation as a Massachusetts Fire Chief by the Massachusetts Fire Service Commission.
- Congratulated Police Chief Lyver on his nomination by the Central Massachusetts Chiefs of Police Executive Board to serve on the Central Regional Homeland Security Advisory Council.

Jeff Amberson, Vice Chairman

- Extended his sympathy to the Sargent and Dowd families in the recent passing of Richard Sargent and acknowledged all that he did for his community. Thanked the Police and Fire Departments for their show of support at the services.

Jason Perreault, Chairman

- Attended the MMA sponsored Fall Conference for Selectmen. Found it to be very informative.
- Noted the recent resignation of Jack Sharp from the Board of Library Trustees. Wished him well and thanked him for his service.

John Coderre

- No report.

**PUBLIC COMMENTS**

Comments reiterating the desire to “Opt-out” of all marijuana related activities, including the sale of accessories were heard from the following residents:

Tom Racca – 121 Indian Meadow Drive

Tim Kaelin – 42 Davis Street

Carolyn Guarino – 4 Park Street

Keith Martinek – 16 Hemlock Drive

Kerri Martinek – 16 Hemlock Drive

**PUBLIC COMMENTS CONT. . .**

Chairman Perreault thanked the residents for their input and in response to their sense of urgency and continued angst about this matter, he asked for their understanding in allowing the time for Town staff to work with Town Counsel and the Attorney General's Office in drafting the bylaws to ensure that the bylaw language is correct.

**DESIGNATION OF BOARD'S REP TO THE WHITE CLIFFS COMMITTEE**

By agreement, Selectman Pantazis will serve as the Board's representative to the White Cliffs Committee.

**EXECUTION OF CEMETERY DEEDS 1028, 1029, 1030 & 1031**

Selectman Rutan moved the Board vote to execute Cemetery Deeds 1028, 1029, 1030 & 1031 as presented; Selectman Amberson seconded the motion; all members voted in favor.

**OTHER BUSINESS**

None.

**ADJOURNMENT**

Selectman Amberson moved the Board vote to adjourn; Selectman Rand seconded the motion; all members voted in favor.

Meeting adjourned at 8: 45 p.m.

Respectfully submitted,

Diane M. Wackell  
Executive Assistant to the  
Board of Selectmen

**Documents used during meeting:**

1. October 16, 2017 Meeting Agenda.
2. September 25, 2017 Meeting Minutes.
3. Information Packet –Recreational Marijuana.
4. Cemetery Deeds.