



TOWN OF WAYLAND
41 COCHITUATE ROAD
WAYLAND, MASSACHUSETTS 01778
PLANNING DEPARTMENT

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MEETING MINUTES

March 5, 2013

The Wayland Planning Board met **Tuesday March 5, 2013 at 7:30PM** in the Wayland Town Building, 41 Cochituate Road, Wayland, MA relative to the following agenda items:

- 7:30 Review Agenda**
- 7:34 150 Main Street continuation of hearing**
- 7:35 Continuation of Zoning By-Law Public Hearing – Warrant Articles**
- 8:00 Approve minutes**
- 8:15 Adjourn**

Attendance:

Mr. Kent Greenawalt, Chair

Mr. Ira Montague, Member

Ms. Colleen Sheehan, Vice Chair

Mr. Andrew Reck, Member

Mr. William Whitney, Associate Member, Absent

Mr. Kevin Murphy, Clerk

Also present was Mr. Sarkis Sarkisian, Town Planner. Minutes taken by K. Murphy

7:30PM Open and Public Comment:

K. Greenawalt opened the meeting and reviewed the agenda.

A letter written by Linda Segal, Aqueduct Road, regarding a scheduling conflict concerning a hearing for the Route 27/30 intersection and a [] was read into the minutes. S. Sarkisian to follow up.

7:35PM 150 MAIN STREET, CONTINUATION OF HEARING (FINNERTY'S SITE) TO 3/19/2013.

S. Sarkisian informed the Board that the Applicant is in the process of determining if certain remaining approvals are within the purview of the Planning Board or the ZBA. The Applicant will proceed once this has been determined and has requested a continuation for now.

Motion: Continue hearing until 3/19/2013

Move: K. Murphy

Second: A. Reck

Vote: 5-0

7:37PM CONTINUATION OF PUBLIC HEARING FOR ZBL AMENDMENTS FOR TOWN MEETING

Medical Marijuana Treatment Center

S. Sarkisian reviewed similar zoning amendments approved in Massachusetts that seek to regulate the activity. Since the activity was only recently approved by the State, there is no precedence for towns to use in modeling a by-law for this purpose. The Board discussed various approaches with the sponsors of the article including a temporary outright ban, limiting the activity to the Light Manufacturing District and going ahead with the article as written (Municipal Services Overlay District). S. Sarkisian made the following points:

A temporary ban cannot be done within the scope of the submitted article. The change in the article would be too significant.

Relegating the use to the Light Manufacturing district would have the effect of prohibiting the use because none of the lots would comply with setback requirements. Note: the Board viewed this approach as problematic.

Pursuing the Article as written could also be problematic because the State's AG has not yet approved a similar by-law.

The first guidance the Town can reasonably expect would be the result of the AG's review of Wakefield's proposed by-law. (Note: the AG has ruled that the proposed by-law is incompatible with the voter-approved state law).

After further discussion, it was agreed that the best approach would be to wait until further clarity from the state is available.

Motion: Close Public Hearing.

Move: C. Sheehan

Second: A. Reck

Vote: 5-0

Motion: Withdraw Article from inclusion in the Wayland 2013 TM Warrant.

Move: C. Sheehan

Second: K. Murphy

Vote: 5-0

Motion: Approve minutes for 2/26/2013, as amended.

Move: C. Sheehan

Second: K. Greenawalt

Vote: 5-0

8:35PM OTHER BUSINESS

Next meetings: 4/4 (Town Meeting); 4/10, 4/23

Motion: Amend motion to continue hearing for 150 Main Street until 4/23/2013

Move: I. Montague

Second: A. Reck

Vote: 5-0

8:45PM ADJOURN

Motion: Adjourn

Move: K. Murphy

Second: C. Sheehan

Vote: 5-0

Respectfully submitted,

Kevin Murphy, Clerk

Date