



TOWN OF WEST BOYLSTON PLANNING BOARD planningboard@westboylston-ma.gov
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PUBLIC HEARING MEETING MINUTES
Medical Marijuana Overlay District Bylaw
March 26, 2014

Chairman: Christopher Olson

Members Present: Marc Frieden, Vincent Vignaly, Patrick McKeon

Members Absent: James Kaufman

Others Present: Dave Femia (ZBA), William Manter (Boylston Planning Board)

All documents referenced in these Minutes are stored and available for public inspection in the Planning Board Office located at 127 Hartwell Street.

The Chair opened the Public Hearing at 7:07 p.m. Mr. Frieden read into record the Notice of Public Hearing which was published in the Telegram & Gazette on March 12th and March 19th. Mr. Olson gave a summary noting that the board used the model bylaw provided by Kopelman & Paige. The state requires that a bylaw be in place, otherwise these facilities may be sited anywhere in town. It is an Overlay District on the current existing Business and Industrial Districts as opposed to a separate district. The bylaw regulates a Registered Medical Marijuana Dispensary which covers the retail aspect (filling a doctor's prescription) and also the cultivation (growing). There are additional limits as to where they can be located, even within the Business and Industrial Districts. There are minimum setbacks of 500 feet to sensitive sites such as schools, daycare centers, parks, playgrounds, and places where children are likely to congregate. It will be permitted in accordance with the Special Permit process. It will not be a by-right. The Special Permit Granting Authority will be the Planning Board and will follow the Site Plan Review process. It includes notice to various departments in town for their review and recommendations. Mr. Femia said the public should be notified of the outcome of the hearing. Mr. Manter (Boylston Planning Board) suggested notifying Mike Kane (The Banner) letting him know the results of this hearing and that Boylston will be holding a hearing on April 23.

Mr. Vignaly asked why we could not simply add another Use in the Schedule of Uses in Industrial and Business Districts. Mr. Frieden noted that it is an Overlay District which allows the Planning Board to put specific restrictions and conditions on it, such as the setbacks and conformance with state laws.

Mr. Olson said the article going to Town Meeting is intended to replace Section 3.12 of the Zoning Bylaws. We are proposing to add a new item within the Business Uses under Section 3.2.f. by adding f.22, Registered Marijuana Dispensary, Single Residence-No; General Residence-No; Business-SPR (I) Industrial-SPR (C) Conservation-No; and (CLI) Commercial

Planning Board Public Hearing (Medical Marijuana) Meeting Minutes – March 26, 2014

Limited Industrial-No. The board is also proposing to add a new item within the Industrial Uses under Section 3.2.g by adding g.12, Registered Marijuana Dispensary, Single Residence-No; General Residence-No; Business-SPR (I) Industrial-SPR (C) Conservation-No; and (CLI) Commercial Limited Industrial-No.

With no further comments, Mr. Vignaly made a motion to close the Public Hearing; Mr. McKeon seconded; all voted in favor; motion approved.

Date Accepted: _____

By: _____
James Kaufman, Clerk

Submitted by: _____
Melanie Rich