

Town of Lanesborough, Massachusetts
Minutes of the Special Town Meeting
February 13, 2018
Fiscal Year 2018

The Special Town Meeting was held on February 13, 2018, at the Lanesborough Elementary School. Moderator, Robert A. Reilly called the meeting to order at 6:00 p.m. The head table was introduced which consisted of the Board of Selectmen, Finance Committee members, the Town Manager, the Town Clerk, the Town Secretary and Town Counsel Jeffrey Blake and the Pledge of Allegiance was said. Mary Reilly and Fran Kelly checked in registered voters. There were 33 registered voters in attendance.

MOTIONS ON ARTICLES

ARTICLE 1. To see if the Town will vote to appropriate and transfer **\$40,000.00** from Free Cash for the purchase of a 4-wheel drive tractor and related equipment, with or without a trade, for the mowing of roadsides, and transfer from Free Cash **\$40,000.00** for said appropriation; or take any other action relative thereto.

(Recommended 3-0 the Board of Selectmen)

Motion made by Finance Committee Chair Raymond Jones that the Town vote to transfer \$40,000 from Free Cash for the purchase of a 4-wheel drive tractor and related equipment with or without a trade, seconded by Ronald Tinkham. Mr. Jones stated that the Finance Committee recommended this Article by a 4-0 vote. Michelle Johnson of Prospect Street inquired as to why this Article could not wait until the Annual Town Meeting. Town Manager Paul Sieloff stated that this particular piece of equipment was needed to perform work on road sides in the Spring and since there was a Special Town Meeting it was opted to place it on this Warrant. Mr. Sieloff further stated that this would replace a 28 year old vehicle which fell into disrepair last year and parts cannot be obtained to repair it. Ms. Johnson believed that the Town should not spend money at this time in light of the possible shortfall in the School budget with the ongoing tuition dispute with neighboring towns. Moderator Reilly informed Ms. Johnson that this was not an Article relating to school issues and asked if anyone else had any questions.

Vote: Ayes have it.

ARTICLE 2. To see if the Town will vote to amend the Zoning Bylaw by adding the following to the Use Regulation Table by adding the following uses;

COMMERCIAL USES	R	RA	B	LB	MR	I
Marijuana Retail	NO	NO	✓	PBP	✓	✓
Marijuana Facility	NO	NO	✓	PBP	✓	✓

To see if the Town will vote to amend the Zoning Bylaw by adding the bold and underlined language to Section IX.C

C. SITE PLAN REVIEW.

1. **APPLICABILITY.** To assist in assuring compliance with the Zoning Bylaw, any use subject to Site Plan Approval shall be established, expanded, erected or externally altered only in conformity with a Site Plan approved by the Special Permit Granting Authority (SPGA). Site Plan approval will be required of all uses in B, LB, MR, and I districts, except for, agricultural, horticultural, floricultural and viticultural uses Marijuana cultivation is subject to site plan approval. Site Plan Approval is required for construction, major exterior alteration or exterior expansion of, or change of use within an institutional, commercial, industrial, multi-family structure with four or more dwelling units, or residential use exceeding a total gross floor area of 3,000 square feet. Site Plan Approval is also required for construction or expansion of a parking lot for an institutional, commercial, industrial, or multi-family structure or purpose. Agricultural, horticultural, floricultural, viticultural, **not to include marijuana cultivation**, and residential uses not exceeding a total gross floor area of 3,000 square feet are exempt from Site Plan Approval.

To see if the Town will vote to amend the Zoning Bylaw by adding the following section;

O. MARIJUANA LAND USE

1. **PURPOSE.** The purpose of this section is to provide a permitting process for recreational and medical marijuana retail, cultivation, processing, and testing facilities, in recognition of and in accordance with applicable state law and to protect health and safety, while allowing marijuana related businesses to contribute to the overall economic development of the community.
2. **DEFINITIONS.**

MARIJUANA RETAIL - An establishment licensed to purchase marijuana and marijuana products from marijuana facilities and resell them for recreational or medicinal means in accordance with applicable state law and regulations. Marijuana Retail is not to include sites for social consumption as accessory or primary use of a premises.

MARIJUANA FACILITY - An establishment licensed to cultivate and/or obtain, test, manufacture, process and package marijuana and marijuana products, to deliver marijuana and marijuana products to marijuana retail and to transfer marijuana and marijuana products to other marijuana retail, but not to consumers, in accordance with applicable state law and regulations.

1. DEVELOPMENT STANDARDS

- 1) **Permanent location.** No marijuana retail or marijuana facility may cultivate, process, test, store or manufacture marijuana or marijuana products at any location other than at a physical address and within an area that is enclosed and secured in a manner that prevents access by persons not permitted to access the area. A greenhouse or outdoor marijuana cultivation area shall have sufficient security measures to demonstrate that outdoor areas are not readily accessible by unauthorized individuals, including perimeter security fencing designed to prevent unauthorized entry.
- 2) **Storage.** Each marijuana retail or marijuana facility must store marijuana products in accordance with applicable state law and regulations.

(Recommended 3-0 the Board of Selectmen)
(Recommended 4-0 by the Planning Board)
(Recommended 5-0 by the Economic Development Committee)

Motion made by Finance Committee Chair Raymond Jones that the Town vote to amend the Zoning Bylaw as printed in the warrant, by a 2/3 vote, seconded by Ronald Tinkham. Planning Board Chair Jamie Szczepaniak answered questions made by attendees and explained the necessity of a vote on this Article.

Vote: Ayes have it by 2/3 vote.

Adjournment

A motion was made and seconded to adjourn meeting. Meeting adjourned at 6:10 p.m.

Respectfully submitted,

Ruth A. Knysh
Town Clerk