

**BOARD OF SELECTMEN
REGULAR SESSION MEETING MINUTES
Monday, April 2, 2018
Veterans Memorial Building Room 229
900 Main Street, Millis, MA 02054**

CALL TO ORDER: Sel. McCaffrey called the meeting to order at 7:00 pm. The following persons were present: Sel. James McCaffrey, Sel. Catherine MacInnes, Sel. Loring Barnes, Town Administrator Michael Guzinski, and Operations Support Manager Karen Bouret.

PUBLIC HEARINGS & SCHEDULED APPOINTMENTS

18-090 Discussion with (2) Potential Marijuana Businesses

Sel. McCaffrey said the Chief of Police, Fire Chief, High School Principal, Town Counsel Lisa Whelan, and some members of the Retail Marijuana Committee are present in addition to the Board of Selectmen this evening. Sel. McCaffrey said the Town is trying to make policy decisions regarding the sale of recreational marijuana and has invited two potential business owners to speak to the Board regarding their proposals.

617 Therapeutic Health Center, Inc. CFO Richard Gin addressed the Board. Mr. Gin said their goal is to provide therapeutic marijuana to those in need of medical relief by using the structure at the property located at 1073 Main Street for an integrated business including cultivation, manufacturing, and dispensing of medical marijuana. Peter D'Agostino said they are here to answer all questions. Sel. McCaffrey read the letter of intent sent to the Board from Mr. Gin dated 3/22/18 and attached. Mr. D'Agostino said they have secured a lease at the property and want to work with the Town as to how to move forward including working on a bylaw. Sel. MacInnes asked if there is any possibility to use the facility as a growing and cultivating facility but having a dispensary in another Town and Mr. Gin said they would need to look at their business plan and have a conversation in the future. Sel. Barnes asked about the history of their business and Mr. Gin said although their business is only one year old, they have surrounded themselves with experts in the industry from around the country and have other very successful businesses. Mr. Gin said the facility would be built out in phases topping out at about 50-60 employees when all is in place. A discussion ensued regarding bylaw language options and zoning ordinances specifically regarding the interpretation of a "marijuana facility" as well as on site security and public education. Mr. Gin said they will comply with all Department of Public Health and Cannabis Control Commission's stringent requirements and regulations and are willing and eager to work with the Town and any local guidelines that are established.

Sel. McCaffrey opened the meeting up to questions from meeting attendees. Nicole Riley, Chair of the RMC, asked for details on the timeline for the build out. Mr. Gin said the first three months would be for construction, and then move on to growing and cultivation. The plan would be to make the first sale approximately eight months after the construction first begins. Mr. D'Agostino addressed safety and security and said both in and out of the building the security of the product growth and transmission is extremely tight and akin to a bank facility. A concern about ventilation and the smell that could come from the facility was posed by a member of the RMC and Mr. Gin said the technology for ventilation has been greatly improved and includes the use of negative air space.

Ellen Rosenfeld, CommCan Owner, spoke about her intent to apply for a retail marijuana sales license in addition to her medical license. Ms. Rosenfeld explained the process of applying including obtaining a letter of approval from the Board and a host agreement with the Town. Ms. Rosenfeld, she is looking to

build a co-dispensary for both medical and retail. Ms. Rosenfeld asked that the Town use counsel to draft a host agreement.

18-091 Update on Cannabis Control Commission (CCC) Final Regulations from Town Counsel

Sel. McCaffrey said the Town adopted a marijuana moratorium through December 31, 2018. Lisa Whelan, special town counsel, addressed the Board and reviewed the status of marijuana regulations as set forth by the Cannabis Control Commission. Ms. Whelan reviewed her memo to the Board dated March 26, 2018 (attached). Ms. Whelan spoke about the Board's preference to regulate marijuana establishments through a zoning amendment by creating an overlay district. Ms. Whelan suggested doing a full comprehensive planning process to put forth a zoning bylaw for November town meeting instead of rushing to do one for the May town meeting now that more information has been provided by the CCC. Sel. Barnes expressed concerns about waiting until November noting that the Retail Marijuana Committee has been diligently researching and working on a zoning bylaw. Ms. Whelan said it might confuse voters to vote on a similar bylaw in the spring and again in the fall if a bylaw doesn't pass initially. A discussion ensued regarding possible setback distances and other zoning provisions. Nicole Riley spoke as a member of the Planning Board regarding the I-P-2 District. Ms. Riley said she is in agreement with counsel's suggestion to hold off on an article until November. Per counsel, under the existing medical marijuana bylaw the setback would be 1000' schools, public parks, etc. A discussion about G. L. c. 94G developed. Mr. D'Agostino suggested specifying different setbacks for different purposes. Discussion included varying options for setbacks, medical vs. adult use and the potential smell that could be emitted.

18-092 Discuss 05/14/18 Draft ATM

The Board asked counsel to provide language to reduce the setbacks for cultivation and growth in the proposed zoning bylaw and circulate a few scenarios to the RMC and Board prior to the Board's next meeting on April 9th. The Board agreed the article regarding the sales tax as well as the limitation article was acceptable as written.

ADJOURNMENT

Sel. McCaffrey made a motion to adjourn at 9:45 pm. The motion was seconded by Sel. MacInnes and passed unanimously.

Respectfully submitted: Karen M. Bouret