

# Montague Planning Board

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October 22, 2013 6:30 PM  
Town Hall Upstairs Conference Room

## MEETING MINUTES

**Members Present:** Ron Sicard – Chair, Bruce Young, Fred Bowman and George Cooke

**Members Absent:** Bob Obear

**Staff Present:** Walter Ramsey, AICP- Town Planner and David Jensen Building Inspector

Meeting was called to order at 6:30 PM by Ron Sicard-Chair.

### Approval of Minutes:

Tabled: September 24, 2013 Planning Board minutes are not available at this time.

*Ron Sicard – Chair opened the continuation of a public hearing for the Registered Marijuana Dispensaries.*

### CONTINUATION OF A PUBLIC HEARING- Proposed zoning bylaw text change- Registered Marijuana Dispensaries

Pursuant to new state law legalizing the medical use of marijuana, The Board proposes to allow Registered Marijuana Dispensaries (RMD) by special permit and site plan review from the Zoning Board of Appeals in General Business, Industrial, Central Business, and Historic Industrial zoning districts and prohibit the use in all other districts. In addition, such facilities may not be permitted within 200 feet of schools and playgrounds. The purpose of the amendment is to provide for the orderly placement of RMDs in areas where such a facility is not inconsistent with the neighborhood character.

**Guests:** Kara McLaughlin – Gill Montague Community School Partnership, Chris Curtis – Greenfield Recorder and Chris Sawyer-Laucanno – Montague Reporter and David Jensen – Building Inspector.

The Planning Board members went over the planner's revised version of the zoning language regulating the citing of medical marijuana dispensaries. Most of the discussion surrounded 200 foot setback or buffer. David Jensen – Building Inspector noted that the setbacks address the proximity to young children rather than the population most vulnerable which would be people in their early teens and 20's. The Planning Board was not comfortable leaving considerations of placement relative to other facilities up to the discretion of the Zoning Board of Appeals through the special permit process, which includes abutter notifications and public hearings. This setback was a reduction from the 500 feet included in the Department of Public Health regulations and would be the default regulation in the absence of marijuana specific town regulations. After much discussion the board opted to do away with a 200 foot setback from any public school, playground or day care center. The main reason for this decision according to Bruce Young is the lack of strong definitions for day care center and playground.

As the permitting authority, the Zoning Board of Appeals would have to consider detailed building plans, waste disposal procedures, copies of security, home delivery and other plans required of any potential dispensary developer this would also require approval from the Department of Public Health.

David Jensen felt that it appeared the Board of Health would be responsible for enforcing the Department of Public Health regulations in the town.

These changes in the zoning language regulating the citing of medical marijuana dispensaries would have to go to a town meeting vote. There currently is no special town meeting scheduled, but there may be one in January or February 2014. In the meantime, the planner said that any potential applicant would likely work with the draft regulations due to the fact the state requires town endorsement.

**Motion** made by Bruce Young to close the public hearing and submit the proposed zoning amendment to the Selectmen with a recommendation for adoption at Town Meeting. Seconded by, Fred Bowman. ***Motion passed unanimously.***

**Motion** made by Fred Bowman to adjourn the October 22, 2013 Planning Board meeting. Seconded by George Cooke ***Motion passed unanimously.***

*Meeting adjourned at 7:54 PM.*

Approved by: \_\_\_\_\_ Date: \_\_\_\_\_