

BARNSTABLE
TOWN CLERK

18 DEC -5 P3:06

Town of Barnstable Notice
of Joint Public Hearing
Planning Board and Town
Council August 16, 2018 at
7:00 P.M.

APPROVED

Zoning Amendment TC Item No.
2019-015

AMENDING CHAPTER 240, THE ZONING ORDINANCES TO ADD REGULATIONS FOR
ESTABLISHING AND OPERATING REGISTERED RECREATIONAL MARIJUANA
CULTIVATORS, RESEARCH FACILITIES, AND INDEPENDENT TESTING LABORATORIES
AND PROHIBITING ALL OTHER NON-MEDICAL MARIJUANA ESTABLISHMENTS

Planning Board Deliberation
Selectman's Conference Room
Start Time: 8:40 PM

Mary Barry – Chair	Present
Stephen Helman – Vice Chair	Present
Steven Costello – Clerk	Absent
Paul Curley	Present
Jeffrey Swartz	Present
Fred LaSelva	Present
Patrick Foran	Present

Also present were Elizabeth Jenkins – Director, Paul Wackrow – Principal Planner, Ruth Weil – Town Attorney, and Carol Puckett – Administrative Assistant

Mary Barry states they are in deliberation and everyone should have map, application, etc. and opens it up for general discussion.

Paul Curley states that basically he is for this as the state passed the law. He eludes to New Haven and what happened there. He thinks that not allowing retail is a big mistake and supports the item as presented.

Fred LaSelva agrees with Paul Curley, states that this town needs revenue, high paying jobs, and helps to control it as written. We have the opportunity to regulate this much more than with liquor and it can be enforced.

Liquor comes with no ingredients on the label and marijuana has an ingredient that can be controlled. Young people can find pot on the streets and nothing stops edibles.

However, he has a problem with location and zoning and is open to collusion and corruption. It doesn't represent the craft people or the cannabis people. A moratorium will help to study it more but why not make the right effort right now. Add cultivation, add retail so that they can include farmers and large tracts of land. He believes it is too restrictive both geographically and from distribution point of view. He can't support it.

Patrick Foran goes back to how this was voted for and to go against the voters would be wrong. However, it is still illegal under federal law but would be in favor of this as proposed this evening.

Jeff Swartz states that he got to know other people and is conflicted. The letters from agencies are here to protect the town but sees how this could benefit the town. He is on the fence with supporting any of it. He spoke to some of his friends who voted yes and some of them still think they would vote yes but they thought they were voting to decriminalize it. Why he can't support this as written is because of traffic in horrible in this district. Also, the only cases that he has heard of is for the medicinal side of this and not for the recreational side of it. He can't see where that zone is beneficial to any of these real businesses. He is stuck on traffic and will abstain because he cannot support this.

Steve Hellman thinks they should call for a vote

Mary Barry believes that the ordinance is a good ordinance and is a small step. She would like to see more retail and cultivation and expanded manufacturing. This is a good compromise since March and understands that there also a deadline. She would like to keep the farming in West Barnstable and is important to expand the retail. She is in favor of this, see it expanded but will support it as written.

Fred LaSelva thinks that perhaps it is the Planning Boards place that this needs to be rewritten to include all of Barnstable so that farmers can be there and should consider limited retail. He thinks it would be their responsibility to suggest to Town Council to do a rewrite and expansion that represents what their collective thinking is. Fred would like the Planning Board to make a statement stating that, even though it can be changed and altered, they could present a timeframe for that altering or to be brought before a review committee to be created to assure that they have additional thought on the subject.

Paul Curley asks Ruth Weil that if they end up recommending to change it as presented, would that present a serious problem for the Town.

Ruth Weil states that there is a moratorium after which they would have no ability to regulate it and would lose planning privileges.

Patrick states that again the voters voted no, this is compromising and they are going against the will of the town.

A motion is made by Paul Curley and seconded by Patrick Foran to recommend approval of the item as written

Vote:

Aye: Paul Curley, Stephen Helman, Patrick Franz, Mary Barry

Nay: Fred LaSelva

Abstained: Jeff Swartz

Meeting closes at 9:10 PM