

Meeting #3
CAHC
August 6, 2018

Meeting called to order 4:04 p.m.

Members present - Daniel Dorn, Rebecca Schreiber, Sandra Walker, Barbara Marchione, Barbara Kelly, Eugene Cleary, Bill Kelly, Michael Shocket, Jackson Liscombe. Richard Long has resigned .

Brian Reilly KP Law came to speak to us , attorney for several cities in town in the Commonwealth and has a great understanding of the new Marijuana Laws in our State. He has prepared a presentation for us.

Overview of the New Cannabis Law , which is only 12 months old. The licensing process just started two months ago, so this is a new and fluent law, as the CCC is realizing today.

Brief discussion of the Ballot Petition that was approved in the Commonwealth in November 2016. This was a citizens petition , not a State Legislative initiative. New Marlborough approved the petition by 65%.

On July 28, 2017 the State Legislature enacted the revised law. This will also affect the Medical Marijuana law that was enacted in 2012.

The DPH is the licensing authority for the Medical Marijuana, but the CCC will be taking that over soon.

Personal marijuana has become legal to possess in the commonwealth .

You may grow plants

You may carry up to an ounce if you are 21 or older,

but if you carry it in your car, it needs to be sealed, and not on your person.

More of a police matter.

What we are dealing with is the Recreational part of the law .

Chapter 94 G is the new part of the law

Cultivator - just growing

The retailer - selling to public

The manufacturer - taking the product, extracting product, and making edibles
For sale.

Independent testing facilities and laboratory.

The manufacturer must have the product tested before sales

The Craft cooperative allows under one license several growers to have up to 100000 sq feet total growing space.

Micro business - 5000 sq feet of cultivation

Manufacturers allowed to produce a maximum of 2000 lbs of product per year.

This is to attempt to allow micro business.

Some different allowances for cities to encourage lawful sites rather than illegal

Selling.

Marijuana transporter - brings product from one place to another.

Laboratory is an independent entity. A grower cannot have his own product tested.

Only a retail business can sell to consumers.

Also second type of transporter, and a resource facility.

Seed to store tracking for medical marijuana. You can be 18 to get medicinal, but 21 to purchase recreational.

Review of the ccc licensing process as attached in handout.

Very elaborate process by the state.

Cultivation can be indoor or outdoor.

Minimum energy requirements, DPH inspections and requirements,

and the DEP are going to have requirements for impacts of facilities.
Detailed Security requirements.

Mr. Kelly continued to review the handout (attached) with some
basic discussion of State Laws.

Business finds a location in New Marlborough
They have to verify if it is allowed in a town by right,
And they have to have a host agreement before applying to the State for a license.
Can you even have any kind of commercial entity in a town that is zoned
Only for residential.
Discussion about community impact fee which can be up to 3%,
however the town needs to document actual expenses , ie, additional
Police,fire,and possibly funding for local education. The host agreement lasts a max of 5
years.
A new host agreement will be negotiated after the five years is up.
HCA agreement was discussed.
More will be coming from the State.
Zoning bylaws can regulate time place and manner of establishment.
You can create an overlay district.
You cannot make the restrictions so difficult with zoning that
It is unreasonable in demands. Unless you opt out.
Can you require an environmental impact study before a permit is applied for.
Or storm water, wastewater study.
Discussion of traffic study, nuisance , odor, noise, and other possible requirements as a
condition before a special permit application is submitted.

State has regulated that no establishment can be within 500 ft of any school.
A town may prohibit one or more type of marijuana establishments, or completely opt out.
This is a two step process
Approve a bylaw at town meeting, then approve by ballot question.
Bylaw 2/3 @ town meeting. Majority @ election.
If the town allows everything, it is just a town meeting vote.
Marijuana cafe has been put on hold by the state for the foreseeable future.

The problem with opting out is you do need to address the marijuana permitting
specifically in your bylaw.
There is a requirement in the DPH application to have a letter of support from the board of
Selectmen to even consider licensing.
Thank you - Mr. Reilly
Motion and second for a 5 minute break all in favor 5:20
Motion to re adjourn. Motion and second. 5:27
Will read minutes @ next meeting
Discussion to set up first public meeting.
Date of September 24 th Time to be determined.

Discussing a hand out for Elihu Burritt day . With the three options.
Next meeting Monday August 13 @ 6 P.M.
Sandra spoke of getting in more speakers. AG lawyers,
We can do conference calls.
We talked about bringing in a speaker for public info meeting.

Meeting adjourned @ 6:02 p.m.

Barbara Marchione

