

Town House

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TOWN OF HAMPDEN MASSACHUSETTS



Planning Board

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Tel: (413) 566-2151 Ext. 109

Phillip Schneider, Chair
Judge Robert Howarth
John Matthews
Edward Loiko
Richard R. Green

HAMPDEN PLANNING BOARD PUBLIC HEARING MINUTES – CASE 2018-B Temporary Moratorium and Prohibition of Marijuana Establishments Wednesday, March 14, 2018 Town House

Approved 4/11/18

Phillip Schneider, Chair, opened the Public Hearing at 6:12 PM. This hearing was scheduled on whether (1) to amend the Zoning Bylaws by adding a new Section 6.2 to Prohibit Marijuana Establishments within the Town of Hampden and/or (2) to amend the Zoning Bylaws by adding a new Section 6.21 for a Temporary Moratorium on Marijuana Establishments. Neither Amendment shall be construed to affect Registered Marijuana Dispensaries or Off-Site Medical Marijuana Dispensaries or the use of Medical Marijuana

Members Present: Phillip Schneider, Chair; Judge Robert Howarth, John Matthews, Edward Loiko and Richard Green.

Introduction of Board Members: Mr. Schneider introduced the Planning Board Members.

Statement of Authority: Mr. Schneider read the Statement of Authority.

Legal Notice: Mr. Schneider read the Legal Notice.

Reports from Other Agencies: Both the Board of Health and the Historical Commission replied with no comment.

Applicant's Presentation/Board Questions: Richard Green made a motion to wave the reading of the Amendments as copies were provided to those in attendance. Judge Howarth seconded the motion. All in favor so approved (4-0).

Audience Questions/Comments: Nickolas Alston of Carmody Road commented that he strongly encourages the Moratorium. He stated the tax money can be used to benefit the town along with farmers. He is against a ban on marijuana establishments. Phillip Schneider indicated a public safety issue and that the Police would need funds. John Matthews stated the State has not come up with the tax and doesn't specify where it goes, i.e. General Fund. Phillip Schneider stated the deadline for the Cannabis Control Commission to adopt their regulations for licensing retail marijuana facilities is March 15, 2018. As of April 1, 2018, applicants can begin filing an application for a license from the CCC. As of June 1, 2018, the CCC is expected to start issuing facility licenses.

Edward Loiko stated he is totally pro cannabis, however, he is worried about the Police due to this being a strictly cash business. Judge Howarth stated he is in favor of the ban and moratorium. Phillip Schneider is in favor of a ban. He feels there is no place in the Town of Hampden for this. There is not sufficient security and water. It would be overwhelming for our Town.

Decision: Richard Green made a motion to Amend the proposed Zoning Bylaw to Prohibit Marijuana Establishments from Section 6.2 to Section 6.13. Judge Howarth seconded the motion. All in favor so approved (5-0); and made a motion to approve the Zoning Bylaws by adding a new Section 6.13 to Prohibit Marijuana Establishments within the Town of Hampden. Judge Howarth seconded the motion. All in favor so approved (5-0).

Richard Green moved to approve the Zoning Bylaw for a Temporary Moratorium on Marijuana Establishments with the addition of a New Section 6.13, Temporary Moratorium on Marijuana Establishments and amend the Table of Uses in the Zoning Bylaws to reflect the Temporary Moratorium described in this motion and chart printed in connection with this motion. Judge Howarth seconded the motion. All in favor so approved (5-0).

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Temporary Moratorium/Prohibition of Marijuana Establishments

Judge Howarth made a motion to approve the General Bylaws by adding a new Chapter XVI, Prohibition on Marijuana Establishments. Richard Green seconded the motion. All in favor so approved (5-0).

Phillip Schneider declared the Public Hearing closed at 6:35 PM.

cc: Assessor's Office

Building Dept

Conservation Commission

Highway Dept.

Moderator

Selectmen

Zoning Board of Appeals

Office Files

Submitted by: Joanne Fiore, Adm. Assistant