

**Minutes of Meeting**  
**Board of Selectmen & Grafton Planning Board**  
**March 08, 2016**

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A joint meeting of the Board of Selectmen and the Grafton Planning Board was held on March 08, 2016 in Conference Room A at the Grafton Municipal Center, 30 Providence Road, Grafton, MA. Board of Selectmen Members present for the meeting was Chairman Craig Dauphinais, Vice Chair Jennifer Thomas, Clerk Bruce Spinney, Brook Padgett and Dennis Flynn. Planning Board Members present for the meeting was Chairman Sargon Hanna, Vice-Chair Michael Scully, Clerk Robert Hassinger, David Robbins, and Linda Hassinger. Staff present was Town Administrator Tim McNerney, Town Planner Joseph Laydon, Building Inspector Robert Berger and Planning Department Office Manager Nicole Larson.

Chairman Dauphinais called the meeting to order at 7:00 p.m. and began by reading through the agenda items.

**1: Discussion of Medical Marijuana Zoning Bylaw and additional language**

Mr. Hanna recused himself from the discussion.

Tim McNerney began the discussion with a general review of the topic and noted that the goal for this article is to be presented at Spring Town Meeting. Mr. Laydon noted that the Planning Board has made some progress in reviewing this article over the last few meetings. In addition, he noted that the proposed language is solely based on previous application review and permits. The Board Members reviewed the proposed use table language which was voted on by the Planning Board at their open meeting on January 11, 2016. Due to the current bill before the Senate for recreational marijuana, there is no language included in the existing amendment proposal, as state regulations are expected in November of 2016. Mr. Laydon noted that the Boards need to look at zoning from a map perspective, due to some of our Industrial areas having such close proximity to residential areas in Town. Mr. Hassinger asked if other Board members would like to allow for Community Business use allowed by Special Permit for Registered Marijuana Dispensaries (RMD). Members of the Board of Selectmen pointed out that there isn't really the physical space for this type of facility in the Community Business areas in town. Mr. Laydon will submit the proposed language to Town Counsel and request feedback.

Mr. Robbins noted that the Planning Board did previously discuss taking a closer look at the indications of the State Regulations to determine what to incorporate for the Town of Grafton, what to omit and other aspects that may be included in addition to the current regulations. Mr. Laydon elaborated on the distinguishable differences and specifications between the requirements of a special permit and a site plan approval. He noted that with justification, a special permit can be denied to the applicant, whereas with a requirement of site plan approval, a use is permitted with site regulation. Mr. Robbins added that the goal is to develop standards for Grafton by including the best language and rules we wish to see applied. Mr. Hassinger suggested using the proposed amendment for Off-Site Medical Marijuana Dispensary as is for the upcoming Public Hearing and amend it, per public demand, as needed at the Town Meeting to become Special Permit under Community Business, Industrial and Office Light Industrial zones.

Mark Johnson of 19 Hilltop Street was present for the hearing. He addressed the board with the following questions:

- What are the restrictions to go along with a change from a Site Plan Approval requirement to a Special Permit requirement?
- What type of benefits of regulations fall under Special Permit Requirements?

- Have Neighborhood Business (NB) or Village Mixed Use (VMU) zones been considered for these uses?

Mr. Johnson also suggested that the Boards look into setbacks with in the NB and VMU zones with buffers from surrounding zones, or use an overlay zoning as other surrounding towns have done. He expressed his preference to see the town use a local specialized land use company to draw up suggested zoning in place of proceeding with the proposed article. Mr. Laydon added that this article was meant as a place holder to get language in place with the understanding that other actions could be taken down the road in addition to the proposed language.

Ms. Thomas instructed Mr. Laydon to get clarification from Town Counsel to find out more on the future of medical facilities and the possibility of transition if recreational use of marijuana is passed in November. The Board Members discussed the Senate's Report released the previous day and speculated on the possible direction which the proposed state legislation may progress as it pertains to the recreation use of marijuana.

## **2: Discussion of Preparing for Recreational Marijuana:**

The Board Members discussed adding a line 24 to the proposed amendment for Recreational Use and changing the Site Plan Approval (P) guidelines to Special Permit (S) in Community Business Zone (CB), Neighborhood Business Zone (NB) and Office Light Industrial Zones (OLI). Mr. Hassinger noted that that added use will need a definition and proposals should be held until the state defines quality and quantity guidelines for recreational use. Mr. McInerney added that this would likely happen in time for Spring Town Meeting of 2017. Mr. Robbins suggested that in the interim, the Boards Members get a better understanding of where the residents stand on this issue. Mr. Laydon noted that in addition, Board Members and Staff should also get better familiarized with the Senate's Report. State Representative David Muradian of 34 Gordon Circle spoke to the Board Members about the details of Senator's Moore's recent fact finding trip to Colorado. He also gave a brief description of the Senate Report released the previous day.

The Board Members discussed the possibility of enacting a moratorium on the topic of recreational use and decided that the best timing for possibly taking that action would be in November of 2016, once state legislation is released. It was agreed that this discussion be revisited for the Fall Town Meeting 2016.

## **3. General Discussion of Economic Development Goals and Initiatives**

Mr. Hanna rejoined the panel of Board Members. Mr. Flynn left the meeting.

Mr. Laydon noted that since fall of 2015, the Planning Board has been discussing the 9 bylaw changes mentioned in his memo.

**Fisherville Mill Smart Growth Amendment:** He noted that ZBL 2016-3 for the Fisherville Smart Growth Amendment does need comments from the Department of Housing and Community Development (DHCD) in order to be finalized for the Board's review. There was discussion of the obstacles for developing the Fisherville Mill Site including the potential economic challenges of developing the commercial and residential aspects of the property under current guidelines.

**Village Mixed Use District:** Mr. Laydon informed the board that he believes that additional language was needed after a Development Team Meeting. He noted the need to include an affordable component and add special permit processes for granting increases in density and relief from commercial space requirements as well as clarifying project review processes. He noted that the

Planning Board will be discussing this proposal in greater length at the upcoming March 14, 2016 meeting.

**Frontage, Corner Lot, Corner Lot Rear Yard Definitions:** Mr. Laydon gave a brief review of the need for an amendment.

**Institute Road:** Mr. Laydon gave a brief review of the need for an amendment.

**Use Table Additions:** Mr. Laydon gave a brief review of the need for an amendment. Mr. Spinney requested clarification on the Contractor's Yard portion of the Proposal. Mr. Berger explained to the Board the need for defining this use and how its lack of definition has created difficulties with reviewing certain applications in the past.

The Board discussed and distinguished a need for expanding the use for Neighborhood business to encourage expanding its current use availabilities.

**Other Eating and Drinking Establishments:** Mr. Laydon gave a brief description of this amendment and explained the benefits of changing the table to make the use allowed by special permit. He also noted that it impacts the Breweries Amendment.

**Breweries/Microbrewery/Nanobrewery/Brewpub:** Mr. Laydon explained that this article has been discussed by the Planning Board at length and due to the late hour, if anyone of the attending Board Members have concerns or see any stand out language that should be amended before Town Meeting in May, to pass comments along to him at a later time.

The Board Members then engaged in a general discussion on how to come up with creative ideas to make Grafton more friendly and welcoming to new businesses. Mr. Dauphinais noted that expanding the Community Business Zone would be good for increasing tax revenue for the town as well. The Board Members agreed that along Providence Road south of the Police Station would be a good area to focus on. Mr. Spinney noted the need for determining how to plan to allow for the best development combination prior to the start of development. Mr. Laydon noted the need for new infrastructure.

## **ADJOURNMENT**

**MOTION** By Mr. Spinney, **SECOND** by Ms. Thomas to adjourn the meeting. **MOTION** carried unanimously 10 to 0.

The meeting was adjourned at 9:40 p.m.

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Robert Hassinger, Clerk

## **EXHIBITS**

- Correspondence Email; Subject: Public Comment Form: Proposed Amendment to ZBL – Medical Marijuana – May 2016 Town Meeting; submitted by James Gallagher of 31 Hollywood Drive; dated February 16, 2016; received February 16, 2016; 1 page.
- Memorandum from Joe Laydon, Town Planner to Tim McInerney, Town Administrator; Subject: Article for Spring Town Meeting Warrant; dated January 15, 2016; 2 pages.
- Report to the Board of Selectmen and Planning Board; submitted by Joe Laydon, Town Planner; Re: Potential Articles for Consideration for Spring and Fall Annual Town Meetings; revised date March 8, 2016; 8 ½” X 11”; color; 17 pages.
- Correspondence Email; Subject: ZBL 2016-1: Proposed Change to the Zoning By-Law: Medical Marijuana; submitted by Pamela Renzoni of 7 Jordan Terrace; 2 pages.
- Agenda Summary with attached draft article proposals; Re: Potential Articles for Consideration for Spring and Fall Annual Town Meeting; from Joe Laydon, Town Planner; dated March 8, 2016; 12 pages.