

Buckland Planning Board  
Public Hearing Minutes  
April 17, 2018 7:00 p.m.  
Buckland Town Hall

JG  
MH  
8/2/18  
CES  
AD

**Agenda:**

1. Open Meeting
2. The Planning Board will conduct a Public Hearing on Tuesday, April 17, 2018 at 7:00 p.m, at Buckland Town Hall, 17 State Street. The hearing will solicit public comment regarding a proposed moratorium on recreational marijuana establishments in Buckland until December 31, 2018. Purpose is to allow Planning Board an appropriate period of time to examine recently promulgated regulations, to allow for public input, and to review existing bylaw examples to formulate a bylaw in a careful and deliberate manner. Copies of proposed language is available at Town Hall during regular business hours
3. Close the Hearing.

**Attendees:**

See attached list.

**Hearing:**

1. Open hearing. Chairman John Gould opened hearing at 7:03
2. John Gould read verbatim the handout *Section XV, TEMPORARY MORATORIUM ON RECREATIONAL MARIJUANA ESTABLISHMENTS*. He stated his reasons for supporting a moratorium. The floor was then opened for discussion.
  1. Initial questions and comments from floor were concerned with valuable time wasted resulting in lost revenue for Buckland and business going to surrounding communities with established bylaws. Michael Hoberman responded that the board was not trying to be subversive relative to the town's vote in favor of recreational marijuana, merely responsible in tackling the task at hand.
  2. John Gould then gave a description of each of the types of marijuana licenses available, saying that with these in mind, residents should weigh what they think best suits Buckland and what potential impact each may have. Attendees were reminded that historically wind and solar energy bylaws had moratoriums voted in, and that a moratorium does not give the Planning Board a vacation or lessen their work load.
  3. Resident spoke who is currently designing cultivation facility in W. Springfield. He presented solar vs electric energy data relative to cultivation, stated that a moratorium would cost local growers an entire growing season, or worse, cause some to seek other areas for their business. He also advised that anyone wanting to become a part of a cooperative would be unable to do so if their town had a moratorium. He inquired where

the bylaw process was at this point and Michael Hoberman showed him the template from Peggy Sloan. Given his background in the cannabis industry, he is willing to attend future PB meetings to help/advise on marijuana bylaws.

4. In response to a question regarding what in fact the Board had done to prepare for drafting marijuana bylaws, Andrea Donlon gave a time line of meetings and hearings to be proactive in addressing this responsibility. She also explained that in addition to all the public meetings and hearings, it has been a personal learning curve.
  5. Comparison was made to Montague and Bernardston and other towns attendees felt were "ahead" of us in establishing marijuana bylaws and businesses. The question was posed why we couldn't fashion ourselves after them? Andrea answered that we can't be a carbon copy based on zoning laws, citing the example that we don't allow stand alone ATM's; Buckland is different and we need to proceed as such.
  6. Attendee spoke giving his respect to all boards, committees and volunteer positions honoring the huge time commitment and responsibility. But he felt that the Planning Board had all the information necessary to go forward with drafting Marijuana Bylaws; that a moratorium was an unnecessary expense in terms of time and potential revenue.
  7. Several in attendance raised the question of what would happen if the moratorium is rejected. Where does Buckland stand without the moratorium? Michael Hoberman responded that marijuana businesses cannot fit into current bylaws as they now stand.
  8. A resident introduced each member of the Planning Board to those in attendance identifying them by their position on marijuana bylaws/the moratorium. A rebuttal was given in defense of the integrity and professionalism of the board.
  9. Question was raised if the special permit process could be used to bypass the moratorium. Michael Hoberman and John Goulad addressed that question, explained the special permit process, and that it would not apply.
  10. Board was asked where in town marijuana could be grown (cultivated). Andrea Donlon responded.
  11. Some attendees viewed a moratorium as micromanaging because the voters have already spoken, others as putting off the inevitable at the expense of a town that is in dire need of revenue. Another member of the audience who had worked for a non-profit and had experience in drafting bylaws which had to be re-written annually recognized the weight of the Board's responsibility.
  12. In summation, the Board heard all concerns. Michael recognized that the moratorium may limit the number of licenses and that it may impact the small grower; Clarissa could relate to the plight of the small business owner being one herself. Michael also explained that as timely and important as this issue is, it is not the only issue the Planning Board has on its agenda. The board reminded those in attendance that once written, the bylaws are not yet law but must be voted on by town and passed by 2/3 majority.
  13. John Gould resumed control of the hearing stating that discussion had become redundant. He reviewed the intent of the moratorium, restated his position on its value as a tool in the bylaw process, and thanked those in attendance for their input.
3. Close the Hearing - Hearing was closed at 8:40 p.m.