

Buckland Planning Board
Meeting
July 12, 2018 6:30 p.m.
Buckland Town Hall

MAH 8/30/2018
JEG CES
AD

Agenda:

1. Open the meeting.
2. Continue the Recreational Marijuana Bylaw discussion.
3. ANR - Cathleen Cunningham, 6/8 Pomeroy Terrace
4. Other topics not anticipated by Chair 48 hours prior to meeting.
5. Public Comment.
6. Adjourn the meeting.

Attendees:

See attached list.

Meeting:

1. Open the meeting - John Gould opened the meeting at 6:34 p.m. John gave an overview of the bylaw process from a work in progress, to final draft, to town meeting. He emphasized the need for the board to have a productive meeting and asked that when anyone spoke, they please state their name and address.
2. Agenda item #3 - ANR-Cathleen Cunningham, 6/8 Pomeroy Terrace - Petitioner was seeking two separate lots. John's first reaction was "no" because of lack of square footage and frontage. However, he cited a law, C41 S81 L, that states properties existing on site prior to subdivision law being written, are not subject to it. Ms. Cunningham may divide her lot as proposed.
3. Agenda item #2 - Continue the Recreational Marijuana Bylaw discussion -
 1. Resume the subject of setbacks. Daycare vs preschool was discussed. Zak Turner stated there is only one licensed daycare in Buckland, located on Pine Street, which is residential. Debated also was public vs private preschool/daycare and the threat, or not, of Valley Play School which though in Shelburne and across the river would fall within the 500' setback. Because the BOH had voted on their regulations the previous evening, some suggested that the Planning Board use the same 500' setback approved by the BOH. Others believed the Planning Board should establish their own setback, and if different from BOH, applicant would have to apply for waiver. Michael Hoberman felt strongly that the two boards should agree; Peggy Sloan said waivers

could apply to either. In the text of the setback, Peggy said she would add pre-school, and delete daycare.

2. Question had been raised about residence on cultivation property. Cultivation is allowed on property of “principle use building” or home.
 3. Resident from Upper Buckland had visited an agricultural facility with which he was not impressed and would not want that duplicated as a marijuana cultivation facility where it would be within his view. The aesthetics conversation morphed into security, noise pollution, and other issues and involved other attendees with differing opinions. Andrea Donlon read the parameters for security lighting and alarms and she and John addressed the various districts on the use table and how they differ.
 4. Relative to security, Dan Sullivan spoke in favor of security systems with which he is familiar; Andrea Donlon raised questions regarding infra-red security cameras, and Peggy Sloan outlined the process for seeking a waiver for less security than required by CCC regulations: must apply to CCC who in turn consults with local police chief. Providing his input, he then turns ultimate decision back to CCC.
 5. In the back and forth, give and take, of all issues it was noted by one attendee that we are trying to regulate something, but we are not sure what we are regulating.
 6. Lengthy discussion took place regarding setbacks for a marijuana establishment relative to a residence. The point was made that no matter what the linear footage, the impact would vary greatly from property to property. Because lot sizes differ greatly both for each potential establishment and abutter, as do the placement of the residence or potential building on each site, the distance from the edge of the abutter’s property to the building in question could vary significantly from case to case. John suggested the setbacks be in accordance with the current use table.
 7. Open growing was addressed. Security discussed, and fact that fencing was necessary for security reasons as well as some sort of visual buffer. Type of lighting is important so as not to impair growth cycle and flowering of marijuana plants. Must have infra-red, not some form of spot lights. Clarissa stated that those involved in outdoor cultivation are not looking for a financial windfall. John suggested bringing the case of outdoor growing to the attention of the agricultural commission to get their input as to feasibility because of the cost for small time growers. Dan Sullivan suggested that outdoor growers be tier 1 cultivators, the smallest designation.
 8. Peggy Sloan suggested that the cumulative impact of multiple 10,000 sq ft structures along Rt. 112 be considered. Home based businesses to be discussed at next meeting, in addition to further debate on outdoor cultivation and feedback from agricultural commission. Meeting scheduled for August 2, 2018 at 6:00 p.m.
4. Other topics not anticipated by Chair 48 hours prior to meeting - N/A
 5. Public Comment - N/A
 6. Adjourn the meeting - Michael moved to adjourn. John seconded. Vote was unanimous to adjourn. Meeting adjourned at 9:25 p.m.