

Buckland Planning Board
Meeting Minutes
August 30, 2018 6:00 p.m.
Buckland Town Hall

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Agenda:

1. Open the meeting.
2. Review and approve meeting minutes.
3. 6:10 p.m. - Agricultural Commission Re: Information on Agricultural Commission position regarding marijuana growing establishments.
4. Continue recreational marijuana bylaw discussion.
5. Review of Ishi solar installation application.
6. Other topics not reasonably anticipated by Chair 48 hours prior to meeting.
7. Public comment.
8. Adjourn the meeting.

Attendees:

John Gould, Planning Board Chairman
Michael Hoberman, Planning Board Co-Chair
Andrea Donolan, Planning Board
Clarissa Spawn, Planning Board
Gabriel Colwell-Lafleur, Planning Board
See also attached attendance list

Meeting:

1. Open the meeting - John Gould opened the meeting at 6:01 p.m. He explained the format of the meeting and the manner in which speakers would introduce themselves, be recognized, and address the board. Meeting was video taped by two separate parties. Alex Meade and Sean Robinson, Buckland residents, operated one camera, and K. Jefferson (cannot read signature), who identified himself as a marijuana lobbyist also filmed the meeting.
2. Review and approve minutes. Previously approved June and July minutes were signed again (had already been approved, signed, posted, then were missing). August 2nd meeting minutes approved pending one correction made by Clarissa Spawn.
3. 6:10 p.m. - Agricultural Commission Re: Information on Agricultural Commission position regarding marijuana growing establishments - Chris Rose read a statement drafted by the Agricultural Commission and signed by its members in support of the Right to Farm Bylaw relative to marijuana growing establishments. See attachment. Brief discussion followed particular to statement.

4. Continue recreational marijuana bylaw discussion - Following statement by the Agricultural Commission was an in depth debate over allowing/not allowing the cultivation of marijuana in areas of Buckland currently zoned Rural Residential. Areas of discussion were:
 1. Concerns that RR does not have the infrastructure to sustain marijuana cultivation.
 2. If marijuana cultivation were allowed and a resident's water supply were to be affected, what assurances would they have for damages?
 3. Prior to start up of a cultivation establishment where town water is not available, testing for flow rates would have to be done. Would flow rate also be tested after? Who would be financially liable for testing? Would insurance policies be required? Peggy Sloan advised consulting legal counsel.
 4. Concern expressed over nuisance suits.
 5. Would/could applications/businesses be limited to persons living on/owning property?
 6. Given CCC regulations and town bylaws, are there too many layers of regulations? Will it discourage business? Other perspective is, if anything in our bylaws is in conflict with CCC, AG's office will advise. Better to be well covered, than not covered well enough. Also, better that bylaw is explicit when it goes to vote so voters know exactly what they are voting for.
 7. Conversations of SP and SPR and how they apply.
 8. Matters of increased traffic.
 9. Voting to decriminalize marijuana was not a vote to re-zone Buckland.
 10. Debate over property values relative to proximity to grow houses.
 11. Discussion over current C, I and HI zones and the possibilities/pros/cons of marijuana cultivation businesses being established there. Creamery Avenue discussed as site for marijuana cultivation because it is zoned I. Presence of hydroelectric power plant is a concern in restricting weight of vehicles because of penstocks beneath road.
 12. Minimum acreage requirements and setbacks.
 13. Some in attendance feel process is too slow while others support taking the necessary time to draft a bylaw that is worthy of taking to town meeting for vote. Resident spoke to lengthy process of putting land in CR and subsequent experience.
 14. Issue not about marijuana, it is about zoning.
 15. Who limits or determines number of establishments in town?
5. Review of Ishi solar installation project - Board members reviewed material submitted with application for said solar installation and set date of Wednesday, September 12, 2108 for SPR.
6. Other topics not reasonably anticipated by Chairman 48 hours prior to meeting -
 1. Gabriel Colwell-LaFleur read a statement relative to his appointment to the Planning Board . Several requests have been made for a copy of the statement as an attachment to these minutes. To date, one has not been received.
 2. Clarissa Spawn read a statement submitted by Marilyn Kelsey which was addressed to the Buckland Select Board, Town Administrator Andrea Llamas, and Planning Board Co-Chairs. See attached.
 3. Clarissa Spawn read a statement she submitted to the board. See attached.
 4. Tentative date for next meeting set subject to Peggy Sloan's schedule.

7. Public comment - N/A
8. Adjourn the meeting - Clarissa Spawn moved to adjourn. Michael Hoberman seconded the motion. Vote to adjourn unanimous. Meeting adjourned at 8:30 p.m.