

Buckland Planning Board  
Meeting Minutes  
November 8, 2018 6:30 p.m.  
Buckland Town Hall

## **AGENDA**

1. Open Meeting - Preamble, process
2. Continue Recreational Marijuana Bylaw Discussion
3. Set Public Hearing Date
4. Review and approve meeting minutes
5. Other topics not reasonably anticipated by Chair 48 hours prior to meeting
6. Public comment
7. Adjourn meeting

## **ATTENDANCE**

See attached

## **MEETING**

1. Open meeting, preamble, process - Michael Hoberman opened the meeting at 6:32 p.m. He introduced himself as chair for the meeting, explained the agenda, format of the meeting and process by which to be recognized and to address the board. He also introduced Peggy Sloan and described her role in the marijuana bylaw process for the Town of Buckland.
2. Continue Recreational Marijuana Bylaw Discussion -
  1. Recap given at last meeting that there was a consensus to not include marijuana cultivation in Rural Residential, but as a result, the idea of pursuing cultivation as a home based business was raised. Peggy Sloan researched that possibility.
  2. Peggy reported performance standards dictate that marijuana cultivation does not fall within the parameters of a home based business. It would be considered "small scale industrial."
  3. Peggy was asked what performance standards were used to evaluate marijuana as a home based business. Her response was it was a combination of current manufacturing standards and home based business standards per Buckland Bylaws. She pointed out that marijuana is not a typical home based business.
  4. The Board was directed to the use tables and a discussion followed.
  5. Andrea raised the question of Village Commercial and Village Residential. It was her understanding that marijuana cultivation as a home based business (small scale industrial) was not to be discussed solely as a possibility in Rural Residential zones.

If an exemption was being considered, it should be across the board, not only in Rural Residential.

6. Water usage was discussed and what “per person” number should be accepted as the daily average to use in calculating water consumption
  7. Illumination was another topic of discussion and the availability of “dark sky” studies to measure the affects of lighting, gather specific data. Same concern and suggestion for engineering studies for sound/noise.
  8. Specific language also important in drafting bylaws or any agreement regarding a marijuana establishment ( i.e., shall vs should) . Choose clear, decisive choice of words as opposed to more ambiguous.
  9. Question raised about height restriction in an effort to attain square footage. Peggy Sloan answered, 35 feet, which is the existing building height in Buckland.
  10. Public comment supporting Andrea’s position on “why only Rural Residential”. Another member of the public concurred further stating Rural Residential is agricultural and is only zone currently being discussed for small scale industrial, so why not include Village Commercial and Village Residential?
  11. Andrea Donlon questioned noise and proximity to neighbors.
  12. Member of public asked if there would be any provisions for checking on marijuana establishments after their businesses start, regarding issues such as water usage, waste water, etc. John Gould replied that the only mechanism he has seen is the agreement with the select board. He questioned Peggy as to whether those restrictions of “follow up” can be incorporated into a bylaw. Peggy asked if a water meter can be installed on a well to which Jeff Rose replied that it can. Short discussion.
  13. Gabe asked for clarification “why” marijuana cultivation cannot qualify as a home based business. Peggy gave detailed explanation based on history of home based businesses. Solution would be to either add more performance standards to current home based business guidelines or set marijuana aside as a separate entity. Michael Hoberman further stated that marijuana has an entire commission (as opposed to other home based businesses) setting parameters.
  14. Andrea posed the question of are we giving special dispensation to a business that does not fit standards for a home based business, or from the marijuana business perspective, are they being discriminated against? Are we putting ourselves at risk? Brief discussion followed.
  15. Discussion continued regarding small scale cultivation in Village Commercial and Village Residential zones. SPP and SPR discussed as well as setbacks. John referenced maps to have visual of houses and buildings in Industrial zone on Creamery Avenue. Consideration also given to scenic byway of Route 112. In considering setbacks, Peggy suggested that often they are more important than acreage because they help in buffering. Also discussed was subject of contiguous lots; if one is sold, do setbacks change?
3. Set Public Hearing Date - No Public Hearing date can be scheduled at this time. Next regular meeting set for Thursday, December 13, 2018 at 6:00 p.m.

4. Review and approve meeting minutes - October minutes approved with edits. Michael moved to accept. John seconded. Vote to accept with edits unanimous.
5. Other topics not reasonably anticipated by Chair 48 hours prior to meeting - N/A
6. Public Comment - N/A
7. Adjourn the meeting - John moved to adjourn. Michael seconded. Vote to adjourn unanimous . Meeting adjourned at 9:00 p.m.