



William F. Martin
Mayor

City of
GREENFIELD, MASSACHUSETTS

PLANNING BOARD

Town Hall • 14 Court Square • Greenfield, MA 01301
Phone 413-772-1549 • Fax 413-772-1309
EricT@greenfield-ma.gov • www.greenfield-ma.gov

Members:
Twarog, Eric
Director, Planning & Dev.

Allen, Jim (2019)
Desorgher, Virginia (2019)
Pottern, Jamie (2018)
Roberts, Charles (2020)
Smith, Linda (2019)
Touloumtzis, George (2018)

GREENFIELD PLANNING BOARD
Minutes of June 12, 2018

Department of Planning and Development
114 Main Street, Greenfield

The meeting was called to order by the Planning Board Chairperson at 6:20 p.m.

MEMBERS PRESENT: Linda Smith, Chair; George Touloumtzis, Vice-chair; Virginia Desorgher; Charles Roberts; and Alternate Jim Allen

ABSENT: Jamie Pottern, Clerk

James Allen, alternate board member was moved up as a voting member in Pottern's absence.

EDC MEMBERS PRESENT: Daniel Leonovich, Chair; Timothy Dolan; Sheila Gilmour; Otis Wheeler; and Wanda Muzyka-Pyfrom

ALSO PRESENT: Dan Desrochers of the Greenfield Recorder, Town Council Vice-President Penny Ricketts, Councilor Doug Mayo, and members of the public

Joint EDC/Planning Board Public Hearing:

- a. Amend the Greenfield Zoning Ordinance by adding the following new definitions to Section 200-2.1: Cannabis or Marijuana, Craft Marijuana Cooperative, Commission (CCC), Hemp, Host Community, Host Community Agreement, Marijuana Cultivator, Marijuana Establishment, Marijuana Micro-Business, Marijuana Independent Testing Laboratory, Marijuana Research Facility, Marijuana Retailer, Marijuana Product Manufacturer, Marijuana Standards Testing Laboratory, Marijuana Transporter, and Medical Marijuana Dispensary.

Amend the Greenfield Zoning Ordinance by replacing Section 200-7.17, Medical Marijuana Dispensaries, in its entirety with a new ordinance regulating all Marijuana Establishments.

Daniel Leonovich, chairperson of the Economic Development Committee called for a roll call vote of the EDC to open the Joint Public Hearing. Present were: Daniel Leonovich, Timothy Dolan, Sheila Gilmour, Otis Wheeler and Wanda Muzyka-Pyfrom.



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Linda Smith called for a roll call vote to open the public hearing for the Planning Board. Present were: Linda Smith, Virginia Desorgher, George Touloumtzis, Charles Roberts, and Jim Allen. Jamie Pottern was absent.

The meeting was opened up to public comment.

Roxann Wedegartner, 85 Hastings Street, Greenfield

Ms. Wedegartner spoke in favor of the ordinance as written except that she would like to see the 5,000 square foot limit for a marijuana cultivator increased.

Renee Robinson, Greenfield

Ms. Robinson spoke in favor of a 500 foot buffer zone between marijuana retailers and schools, churches and other retailers.

Maria Burge, Greenfield

Ms. Burge spoke in favor of the ordinance, but was in favor of a 300 foot buffer between marijuana retailers and schools and houses of worship.

Bob Mayerson, Patriot Care, 7 Legion Avenue, Greenfield

Mr. Mayerson of Patriot Care spoke in favor of creating a buffer zone between marijuana establishments as there are in Boston and Lowell.

Jackie Thibodeau, Greenfield

Ms. Thibodeau spoke in favor of the ordinance as written.

Councilor Doug Mayo, Precinct 8

Councilor Mayo spoke in favor of the ordinance as written.

MOTION: Moved by Roberts, seconded by Desorgher, and voted 4:0:1 (Touloumtzis abstained) to close the public hearing at 7:00 p.m.

The EDC also voted to close the Public Hearing.

Action Items:

- a. Planning Board Deliberation on the proposed zoning amendment to replace the existing Section 200-7.17, Medical Marijuana Dispensaries, in its entirety with a new ordinance regulating all Marijuana Establishments.

Both the EDC and the Planning Board agreed to continue their deliberation along with each other.



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Charles Roberts discussed the Planning Board's rationale for the 100 foot buffer zone and comparisons to other towns in our area. Wanda Pyfrom spoke in favor of increasing the buffer zone. Otis Wheeler spoke to the cleanliness and of the excellent security measures in place at the Patriot Care Facility. George Touloumtzis spoke explaining the Board's rationale for the ordinance. He stated that when the original ordinance was written for Medical Marijuana dispensaries, we compared them to pharmacies. In the case of Adult Use Recreational Retail businesses, we compared them to liquor stores where there is no buffer zone in place from schools. He mentioned that currently there is a liquor store less than 200 feet from the Greenfield High School. Tim Dolan was opposed to any buffer zone. He noted that security for recreational marijuana retailers is much stricter than security at liquor stores. Daniel Leonovich spoke in favor of an increase in the buffer zone. He asked that Patriot Care give some input concerning security measures. Bob Mayerson said that their security system meets and may go beyond the state requirements. Linda Smith noted that the 100 foot buffer zone was a number chosen as a compromise and that at the time there was discussion about moving from a zero foot buffer zone so as to allow for some wiggle room in determining a buffer zone from public and private schools. Virginia Desorgher pointed out the buffer zones of the towns near to us. They ranged from 200 feet to 500 feet, the average being 250 to 300 feet. She pointed out the map on the wall created by Eric Twarog showing the outline of various buffer zones around every school in Greenfield. Linda Smith noted that a 500 foot buffer zone would have a significant impact on the number of locations in Federal Street commercial district. Jim Allen said that although he initially was in favor of a 500 foot buffer zone, that he was considering a smaller number after looking at the map. Wanda Pyfrom suggested a 250 foot buffer zone. Leonovich agreed. There was also discussion about the buffer zone shown around the virtual school on Main Street where students are not actually in attendance. Town Councilor Ricketts noted the number of outreach meetings that had been held by potential retailers and their excellent security measures. She also mentioned the in-depth study that was done by the planning board in crafting the ordinance. She also noted that children of all ages were brought into grocery stores where alcohol was sold. Sheila Gilmour noted that she actually has teenage children and was not concerned about children walking by. She was in favor of the ordinance as written. Otis Wheeler had a concern regarding Section E#6. He expressed concern that mixed use buildings would be eliminated from having marijuana retailers because of the inclusion of the words "residential units".

The EDC concluded their meeting. Planning Board deliberation continued.

MOTION: Moved by Touloumtzis, seconded by Roberts, and voted 5:0 to amend Section 200-7.17 (F(1)(g)) of the proposed new ordinance by inserting the words "an approval letter from the Greenfield Chief of Police regarding the" before the words "proposed security measures for the Marijuana Establishment, including lighting, fencing, gates and alarms, etc., to ensure the safety of persons and to protect the premises from theft."



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The rationale for this addition was so that only the police and the business should be aware of all security measures in place.

Touloumtzis brought up Councilor Otis Wheeler's concern about Section E (6) and the mixed use buildings. He agreed with Wheeler's concern that making it impossible for retail marijuana establishments to be located in mixed use buildings could make it less attractive to developers and that encouraging mixed use development should be promoted. Some concern was expressed about whether this could be considered a substantive change. Touloumtzis made a motion, seconded by Roberts to alter Section E (6) by leaving out the words "residential units including". The vote failed. Touloumtzis and Roberts (Yes), Desorgher and Allen (No), Smith abstained.

MOTION: Moved by Desorgher, seconded by Allen, and voted 3:2 (Touloumtzis and Roberts voted against) to amend Section 200-7.17 (E(4)) of the proposed new ordinance by increasing the buffer from 100 feet to 250 feet from a pre-existing public or private school providing education in kindergarten or any of grades 1 through 12.

The rationale was that it was an issue brought up at the public hearing and, that although there was also sentiment expressed in favor of the 100 foot buffer as well it seemed to be a reasonable compromise. Touloumtzis disagreed and expressed concern about it being considered a substantive change.

MOTION: Moved by Allen, seconded by Desorgher, and voted 4:0:1 (Touloumtzis abstained) to forward a positive recommendation to the City Council on the proposed Amendments to Sections 200 – 2.1, Definitions, and Section 200-7.17, Marijuana Establishments, of the Zoning Ordinance with the following two recommended amendments:

- 1) Amend Section 200-7.17(F1(g)) of the proposed new ordinance by inserting the words "an approval letter from the Greenfield Chief of Police regarding the" before the words "proposed security measures for the Marijuana Establishment, including lighting, fencing, gates and alarms, etc., to ensure the safety of persons and to protect the premises from theft."; and
- 2) Amend Section 200-7.17(E4) of the proposed new ordinance by increasing the proposed buffer from 100 feet to 250 feet.

Approval of Minutes:

MOTION: Moved by Roberts, seconded by Allen, and voted 4:0:1 (Smith abstained) to approve the meeting minutes of June 7, 2018 as amended.



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Adjournment:

MOTION: Moved by Roberts, seconded by Allen, and voted 5:0 to adjourn the Planning Board meeting at 8:38 p.m.

Respectfully Submitted,
Virginia Desorgher
Greenfield Planning Board