



### **Planning Board Minutes – October 23, 2017**

A meeting of the Town of Freetown **Planning Board** was held on October 23, **2017** at the Freetown Elementary School 43 Bullock Rd Freetown, MA **Present:** Keven Desmarais, Robert Jose , Deb Robbins, Nicolas Velozo

**Absent:** Mark Rogers

#### **A. Continued Public Hearing for recreational marijuana articles for Special Town Meeting**

The Chairman called the public hearing back to order at 6:00 PM. The Board met jointly with the Board of Selectmen, Town Administrator David DeManche, and Town Counsel Atty. Mark Reich to discuss the articles related to marijuana. There are identical general and zoning bylaws proposing to allow retail recreational marijuana to 20% of package store licenses issued (5 are issued, and 20% would be 1 retail store). There are also identical general and zoning bylaws proposing to completely prohibit retail recreational marijuana in town. Atty. Reich states that the Attorney General's office is encouraging towns to pass both a general and zoning bylaw if they are looking to regulate marijuana. The article which would allow for a retail store is first on the warrant, and the prohibition article is second. Atty. Reich states that the Town could pass them both, keeping in mind that the prohibition article must also be supplemented by a ballot question at a Town Election. If the ballot question passes, the more stringent bylaw (prohibition) would prevail; if the ballot question fails, the bylaw allowing for 20% of the package store licenses would survive. He states that if the Town does not pass the first article tonight, and the ballot question ultimately fails, then the Town would be open to any number of recreational marijuana retail stores, within the Marijuana Overlay District. The Town also has a temporary moratorium on the siting of a recreational marijuana establishment, in case of ballot failure, but Atty. Reich cautions that it is anticipated that the marijuana industry may begin legal challenges of those moratoria. Atty. Reich states that it is his recommendation that the Town adopt both articles, as well as Article 19, which would provide an area (Marijuana Overlay District) to site such establishments.

After some discussion, the Board of Selectmen voted unanimously to recommend all marijuana articles. Mr. Velozo motioned for the Planning Board to close the public hearing; Second: Debra Robbins; all in favor. Motion to recommend all articles: Nicholas Velozo; Second: Debra Robbins; all in favor. Motion to adjourn: Debra Robbins; Second: Nicolas Velozo; all in favor.

Meeting adjourned at 6:15 PM

Respectfully submitted,  
Lauren Moreau, Planning Technician

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