

Town of Chesterfield Planning Board
P.O. Box 299
Chesterfield, MA 01012
Planning Board Public Hearing re: Proposed Cannabis Bylaw Amendment
Thursday, November 9, 2023
Meeting held at the Chesterfield Community Center

Call to order: The Planning Board Public Hearing re: Proposed Cannabis Bylaw Amendment was called to order at 7:04pm by Chair George Sturtevant.

Members Present: George Sturtevant (Chair), Fred Drake, Mark Klitzke, Eileen McGowan, Sarah Hamilton, Dan Henshaw

Members not present: Jack Lyons

Public Present:

- Michael Alterman of 125 Bryant Street
- Rick King of Bryant Street
- Peter Erbland of Bryant Street
- Greg Meister of 237 Ireland Street
- Denise Cormier of 250 South Street
- Jennifer Abromowitz of 202 Sugar Hill Road
- Sarah Aftab of 1 Bissell Rd
- Amy Gavalis of 178 Bryant St
- Tim McElroy of 178 Bryant St
- Rita Harris of 75 Munson Rd
- Laura Dimmler of 67 Munson Rd
- Susan Silva of 67 Munson Rd

Minute-taker: Nancy Doucette

Welcome by Chair Sturtevant:

Chair Sturtevant welcomed the public to the hearing, and noted that the purpose of this meeting was for public comment only. The Planning Board members would listen to the public statements, but would not be answering questions or engaging in dialogue. Members of the public were asked to limit their speaking time to five (5) minutes per person; if there was time left at the end of the meeting, the Planning Board may open the floor again for additional comment. It was announced that the hearing was being recorded by a member of the Planning Board, and any attendee who wished to speak was asked to clearly state their name and address before commenting.

Brief Overview

Mr. Klitzke provided a brief overview of the purpose of the hearing, which was to collect input and comments from the public on proposed modifications to the existing cannabis bylaw, which were made based on changes from the Attorney General and the Citizen's Petition voted on at Town Meeting pertaining to Public Warrant Article 24.

Public Comments on Proposed Amendment

Michael Alterman, 125 Bryant Street

Mr. Alterman thanked the Planning Board for their attention to this issue. Mr. Alterman stated that he is generally in favor of the proposed amendments as consistent with the citizen's petition at the town meeting to reduce the establishments to 0 except for retail, which should be allowed consistent with state law and as potential for tax revenue for the Town. He was concerned that in Section 6.4.2.1 - *Use*, subsection H - *Use Limitations*, the number of each type of establishment permitted, has not been changed. Mr. Alterman stated that he is not sure why that wasn't changed, as that's the section most directly affected by warrant at town meeting. He remembered that there was some discussion about it, but can't remember if not changing the language was deliberate, or an oversight. He noted that it is changed in the Table of Uses so that except for retail, all other uses are not permitted, but that contradicts the section referenced above. His concern is that the inconsistencies might lead to legal challenges, though other than that he is happy with the changes and recommended that the Planning Board vote to send this to a special town meeting vote.

Rick King, Bryant Street

Mr. King thanked the Board for the work that they've done. He had submitted via email a marked-up and clean version of the proposed bylaw amendment with additional suggested edits to more fully reflect the intent of the amendment. The edits include adding the phrase "no marijuana uses except retail," and removing language regarding uses that were no longer permitted.

Greg Meister, 237 Ireland Street

Mr. Meister said that he was happy with the amendments being made, and the additional suggestions already offered by other members of the public. He hopes the Planning Board would support the article at town meeting to adopt this.

Denise Cormier, South Street

Ms. Cormier thanked the Board for working on this issue. She pointed out that the Table of Uses and the verbiage in the bylaw don't match, though she assumes they are supposed to match. Her concern was which version would be implemented - the verbiage, or the table. She also noted in section 6.4.4.4 *Reporting Requirements*, there were no specifics regarding assuring compliance.

Jennifer Abronowitz, Sugar Hill Road

Ms. Abronowitz opined that retail use should not be permitted in zones AR1 nor AR2, and should only be by special permit in the Town Center. Otherwise, she thought the changes are great, and much better than the current bylaw.

Sarah Aftab, Bissell Rd

Ms. Aftab said that she was happy to see the restrictions that have been added as these bylaw revisions have progressed in their development. She also does not support having marijuana retailers in AR1 or AR2, but she does not support marijuana retail in the Town Center. She opined that it would compromise the culture and beautiful surroundings that the residents enjoy in Chesterfield.

Feedback on Advertisement of the Public Hearing

After all present members of the public had been given an opportunity to comment, Chair Sturtevant noted that the Planning Board had received some feedback regarding the advertisement of the public hearing, and asked if anyone present was willing to make a statement about how they heard about the meeting.

Rick King stated that he had read the notice in the Hampshire Gazette, exactly two weeks prior to the hearing. Jennifer Abronowitz said she had not seen the newspaper notice, but had received the recorded phone call two days prior to the meeting; she also stated that she would have appreciated a call sooner than that. Denise Cormier said that she also received the call, went to the Town website, and found the timing adequate. Amy Gavalis of Bryant St saw the notice at the post office. Jim Mc Elroy said he had seen the electronic sign.

Sarah Aftab said she happened to check the town website last week and saw it on there, and that otherwise she wouldn't have been able to plan it into her schedule. She said she also then got the call about the hearing, and noticed the DOT sign by Public Works advertising other meetings, but not this one.

Ms. Gavalis opined that communication in this town is difficult, though the robo calls help a lot. She opined that the chances of people seeing it in the Gazette are slim, and it can sometimes be hard to find things on the town website if you have to page through the updates. She felt the Planning Board had done enough for this meeting. Ms. Cormier noted that while there are DOT signs by the Highway Department and in West Chesterfield, there are no signs on South Street or North Road. Rita Harris, of 75 Munson Rd, suggested that the Transfer Station would be a good place for a sign.

The meeting was closed at 7:39pm.

Date Approved 9 12-4-2023

Approved By (sign)  Print Name George R Sturtevant