



TOWN OF AVON, MASSACHUSETTS

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TOWN OF AVON

2018 JUN -8 A 9:25

TOWN CLERK

BUCKLEY CENTER, Avon, MA 02322
Telephone: 508-588-0414

Avon Planning Board - Meeting Minutes

Date: April 19, 2018

Members Attending: Charles Comeau, Robert Pillarella, Jason Suzor, Charlie Marinelli

Absent: Charles Comeau Jr.

Visitors Forum: Elaine and William Briggs, Marci Kovick, Jennifer Mayo, Julie Burns and Robert Borden, Building Inspector

PUBLIC HEARINGS

- Acceptance of Crescent Ridge Lane as a Public Way
 - Review proposed bylaw changes – the potential adoption of a bylaw pertaining to the permitting of marijuana establishments.
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- **Acceptance of Crescent Ridge Lane as a Public Way**

Charles Comeau called the Public Hearing for Crescent Ridge Lane to order at 7:40 P.M.

Robert Pillarella read the Public Hearing notice:

Notice is hereby given that the Avon Planning Board will hold a Public Hearing on Thursday, April 19, 2018 at 7:15 p.m. regarding the acceptance of Crescent Ridge Lane, Map A4, Block 2 as a Public Way. The hearing will be held in the Avon Planning Board Office at the Avon Town Hall, Buckley Center, 65 East Main Street. Publication dates: The Enterprise- April 5, 2018 and April 11, 2018.

DISCUSSION & VOTE

Charles Comeau stated that the public hearing is in regard to the acceptance of Crescent Ridge Lane as a public way and that the Planning Board approached the Board of Selectmen to have lighting placed on the street. The Board of Selectmen cannot do anything until the town owns the road. Based on all inspections and second contractor competing the road according to plans, the Planning Board deems the road is in good condition for acceptance.

The Planning Board is holding the public hearing to vote to have the article on the Annual Town Meeting Warrant. Charles Comeau discussed the process of acceptance at town meeting and if approved by town vote, the acceptance by the Attorney General. Charles Comeau asked if there was any further discussion. See none. Robert Pillarella made a motion the Planning Board make a favorable recommendation toward the acceptance of Crescent Ridge Lane at town meeting, seconded by Jason Suzor, all in favor by roll call Robert Pillarella AYE; Jason Suzor AYE; Charles Marinelli AYE, Charles Comeau AYE.

ADJOURNMENT- Public hearing for Crescent Ridge Lane adjourned at 7:50 P.M. A motion was made by Robert Pillarella to adjourn the meeting of the Planning Board, seconded by Jason Suzor.
All in favor.

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- **Review proposed bylaw changes – the potential adoption of a bylaw pertaining to the permitting of marijuana establishments.**

Charles Comeau called the Public Hearing for the proposed bylaw changes for permitting of marijuana establishments in the Town of Avon to order at 7:50 P.M.

Robert Pillarella read the Public Hearing notice:

Notice is hereby given that the AVON PLANNING BOARD will hold a Public Hearing on Thursday, April 19, 2018 at 7:30 p.m. in the Planning Board Office at Town Offices, 65 East Main Street to review proposed By-Law changes in preparation for Annual Town Meeting on the following matters:

The potential adoption of a bylaw pertaining to the permitting of marijuana establishments in the Town of Avon. Publication dates: The Enterprise- April 5, 2018 and April 11, 2018

DISCUSSION & VOTE

Charles Comeau stated the town voted in favor of banning recreational marijuana facilities in the Town of Avon. The attorney general's office suggest that it is in the towns best interest to produce a bylaw which reinforces the town wide vote so that when people review the zoning bylaw book, they can see what is accepted and not accepted. Based on results of the town vote held on April 10, 2018, the planning board recommends the addition of zoning bylaws. Medical marijuana facilities are allowed in the Town of Avon because the state of Massachusetts has guided us in the fact that medical marijuana cannot be banned because we voted as a town to allow it at the ballot box. We zoned medical marijuana in the Commercial District which is Stockwell Drive. This area is furthest from residential, churches and schools and was voted and accepted at town meeting. Medical marijuana facilities can apply to the state as long as they were a medical marijuana facility prior to July 1, 2017 to sell recreational marijuana at their

facility. Regulations and legislation is adjusting and amending laws. Robert Pillarella says that this will prevent recreational facilities from coming into the center of town.

Marci Kovick asked for clarification as to what we are voting for at town meeting and Charles Comeau referred to Section 5-3 H(8) which is one of the proposed changes in which recreational facilities are not allowed in any district of the Town of Avon. It was asked what would happen if the proposed changes were not approved at town meeting and Charles Comeau noted that recreational facilities would not be allowed in the Town of Avon, the proposed bylaw changes will verify this and having these bylaws will make it simple for a person to find the information more easily.

There was discussion as to the loss or gain for revenue from taxation and it was noted that town could negotiate up to 5% of the gross sales and that this revenue stream could come into the town and be used but there is also the potential for the facility to move out and we could lose the revenue. This bylaw will not stop people from smoking and growing it in their own home but we are not allowing everyone to drive into Avon and get their marijuana, we could have accidents. There is no way of testing drivers. Robert Pillarella asked if we needed to include a definition of marijuana establishments and it was noted that the definition will also be proposed, along with the addition of Section 5-3 and 15 and it was noted by Jason Suzor where the bylaws could be found on the town website.

Charles Comeau asked if there was any further discussion or comments. See none. Robert Pillarella made a motion the Planning Board support the change of the bylaws of Section 15-1 Recreational Marijuana Establishments at the Annual Town Meeting, seconded by Jason Suzor. Robert Pillarella made a motion to support amending Section II, Definitions and Section 5-3H and Section 15-1, seconded by Jason Suzor, all in favor by roll call Robert Pillarella AYE; Jason Suzor AYE; Charles Marinelli AYE, Charles Comeau AYE.

ADJOURNMENT- Public hearing for proposed bylaw changes adjourned at 8:10 P.M.

A motion was made by Robert Pillarella to adjourn the meeting of the Planning Board, seconded by Charles Marinelli.

All in favor.

Respectfully Submitted,



Jason L. Suzor, Clerk
AVON PLANNING BOARD

