

SELECT BOARD & PLANNING BOARD MEETING MINUTES
NOVEMBER 26, 2018 at 7:00pm
TOWN HALL GYM

Note: This meeting has been scheduled outside of the usual 48-hour notification period for public meetings as required by the Open Meeting Law.

According to the Open Meeting Law Guide, published by Attorney General Maura Healey, dated October 6, 2017: ***“Except in cases of emergency, a public body must provide the public with notice of its meeting 48 hours in advance, excluding Saturdays, Sundays, and legal holidays. Notice of emergency meetings must be posted as soon as reasonably possible prior to the meeting.”***

This emergency meeting has been called to address potential traffic, parking, and public safety concerns experienced in the area of 1764 Main Street, as a result of a new business opening. These concerns became relevant only after it was determined the initial rush of customers to the business would be greater and longer in duration than initially forecast. This meeting is called to discuss options to address said concerns in a timely basis.

CALL TO ORDER/OPENING

Chairwoman Provencher called the meeting to order at 7:04pm. Chair Dianna Provencher, Vice Chair Sandra Wilson, 2nd Vice Chair Brian Green, Selectman Harry Brooks, Selectman Rick Antanavica, Town Administrator David Genereux, Assistant to the Town Administrator Kristen Forsberg, Planning Board Chair Jason Grimshaw, Vice Chair Deb Friedman and Planning Board Members Andrew Kularski and Sharon Nist were in attendance.

1. PUBLIC COMMENT PERIOD

No members of the public provided comment

2. OTHER BUSINESS

a. Discussion of potential traffic, parking, and public safety concerns (1764 Main Street)

Town Administrator David Genereux discussed the meaning of an “emergency” meaning and posting requirements under open meeting law as detailed above. The purpose of the meeting is to discuss traffic, parking and public safety issues in the vicinity of Cultivate’s recreational marijuana dispensary at 1764 Main Street. Mr. Genereux noted recreational marijuana was legalized by the voters of Massachusetts in 2016 and the Cannabis Control Commission (CCC) was created to develop regulations for the sale, cultivation, testing, etc. of recreational marijuana. Cultivate is one of only two recreational marijuana facilities open east of the Mississippi at this time. The CCC gave the green light to Cultivate to open on Tuesday, November 20th which was a difficult time due to the Thanksgiving holiday and impacted traffic severely. Mr. Genereux noted the current situation is not permanent.

Rob Lally with Cultivate discussed measures taken to address public safety concerns including expanding the parking lot at Everlast, working to keep cars from parking on Route 9 and stopping people from walking down Route 9.

Chief Hurley described the situation down at Cultivate and the special operations plan that was developed to handle traffic and parking. Chief noted the plan worked fairly well for the first two days; however, the number of cars far exceeded what anyone could have anticipated. There are issues of “cannabis tourism” with people driving by and stopping to take pictures and see what is going on which is contributing to the traffic. The main issue is that Route 9 does not have the capacity to handle the volume of cars coming into Town. At 6pm this

evening there were five cars waiting to get into the parking lot and the lot had been significantly expanded. Chief stated that there have been no issues with emergency vehicles getting through. Each day the officers go over the issues from the previous day and determine how to address them. Cultivate has paid the entire bill for all of the police details. Average daily costs with 3 police officers, 3 cruisers and light tower for 36 hours is \$2,245 on weekdays and \$3,245 on weekends. Town makes money as a 10% processing fee is charged on top of the detail rate. The processing fee amounts to \$180 weekdays and \$270 weekends.

Residents expressed concerns including shuttles racing up and down the street, no privacy, blocked driveways, noise and bumper to bumper traffic 12 hours a day, 7 days a week, the resources expended by the Police Dept (which Chief stated are none), loud music, communication issues with customers regarding wait times, impacts on local businesses, customers urinating in residents' shrubs while waiting in traffic, the need for a better way of moving customers along especially when they are turned away at the end of the road and don't know where to go, foot traffic on Route 9 (e.g. parking at Walmart and walking down the street), safety concerns for strangers walking past residential homes, customers crossing Route 9, customers throwing trash out their doors in the neighborhood, Cultivate not returning calls from residents and issues with getting out of Burncoat Street onto Route 9.

Suggested change included making Watson Street open to one-way traffic only, putting up wait times up on social media/website that are constantly updated, hiring additional employees to speed up the turnover of customers, using a tag system for residents so they can access their streets more easily, putting cars in the breakdown lane on Old Main, shutting Cultivate down until other recreational marijuana dispensaries open, developing a plan to address customers who are dropped off, increasing the number of porta-potties, ensuring expanded parking meets all regulations, holding another follow up meeting in a month and compensating the neighbors for their troubles such as traffic and noise.

Chief Hurley noted that he has received calls today from the Cannabis Control Commission and the Lieutenant Governor offering any assistance they can provide.

Cultivate discussed increasing staff and adding bathrooms, a ban on foot traffic, doing a better job of keeping the neighborhood clean and orderly, adding additional parking at Everlast Nursery, adding additional sign boards, turning customers away that won't be able to get in that day due to the wait, education being provided to customers including asking them to be respectful and leave in a timely and safe fashion and trying to move customers in and out of the business as quickly as possible.

Jason Grimshaw, Chair of the Planning Board, discussed the traffic impact analysis prepared for Cultivate by Land Planning Inc. which states the business will not impact Route 9. Residents expressed concerns that the study was not accurate. Mr. Green noted this study was not designed for the opening week, especially in light of the fact that only two dispensaries were allowed to open during the week of Thanksgiving.

Ms. Provencher noted that three other dispensaries are slated to open in Wareham, Sudbury and Salem on December 3rd and towards the end of December/beginning of January, Hudson's dispensary will open which should help alleviate some of the traffic. Rob Lally with Cultivate stated the Cannabis Control Commission has informed him that at least 20 more dispensaries are slated to open by the end of the year.

Andrew Kularski with the Planning Board noted that the Town was mandated to have at least one dispensary because the Town voted in favor of recreational marijuana and the Planning Board mandated certain conditions in Cultivate's special permit including traffic control measures which Cultivate is following. Mr. Grimshaw noted that many of the issues brought up this evening were discussed at length before the Planning Board.

Town Administrator David Genereux discussed the revenue coming to the Town from Cultivate which consists of the 3% local sales tax passed by Town Meeting plus an additional 3% of sales with a floor of \$75,000 to be paid within 3 months of opening and a ceiling of \$250,000 per year through a Host Community Agreement. Mr. Genereux noted Cultivate is the only business required to pay the Town through a host community agreement. The funds received will be used to offset Town and School capital needs and operating budgets. Mr. Genereux noted the funding does nothing to alleviate the issues neighbors are facing but that this will die down and the Town will continue to work with Cultivate and the police department to mitigate the impact as best as possible. Mr. Genereux stated there should be a drop-off in traffic during this week due to the thanksgiving holiday having passed but the Town will watch the situation closely this weekend to see what the impacts are.

A motion was made by Ms. Friedman and seconded Ms. Nist by ask Chief Hurley and the Town Administrator to look at options for additional parking for Cultivate. The motion carried unanimously.

A motion to adjourn the Select Board meeting was made by Ms. Wilson and seconded by Mr. Green at 8:52pm. The motion carried unanimously.

A motion to adjourn the Planning Board meeting was made by Ms. Friedman and seconded by Ms. Nist at 8:52pm. The motion carried unanimously.