

**RECORD
TOWN OF GRANBY
SPECIAL TOWN MEETING
AUGUST 27, 2018**

In accordance with the foregoing warrant, the inhabitants of the Town of Granby qualified to vote in elections and town affairs, met at the Granby Jr. Sr. High School at 385 East State Street on Monday, August 27, 2018, at 7:00 p.m. then and there to act on the following articles, to wit:

The Moderator, Lynn Snopek Mercier opened the Special Town Meeting at 7:02 p.m. with a quorum present (30 or more) 89 were in attendance at the time of opening. The Pledge of Allegiance to the Flag was lead by Select Board Chairman, Stephen A. Chojnacki, and the Town Officials along with the residents joined in.

The Moderator calls on the Town Clerk, Katherine A. Kelly-Regan, to certify that all the warrants were posted in accordance with the law.
The Clerk responds they have. The warrant for this Special Town Meeting was declared to be in order.

The Committees and Boards present at this STM:

Select Board: Chair, Stephen Chojnacki, Members, Glen Sexton, and Jay Joyce, All Present, sitting with the Select Board was the Acting Town Counselor, Brian O'Toole, and the Town Administrator, Christopher Martin.

Finance Committee: Chairman, John Libera, Jr., and members Robert Glessmann, III, and Scott Wilson, Not Present, Robert Cannon, and James Hartley.

Planning Board: Chair, Glen Sexton, and Lillian Camus, Not Present Robert Sheehan, Jr. and James Trompke.

Bylaw Review Committee Chairman, Police Chief, Alan Wishart

Vote Counters & Checkers: Maureen Bail, Patricia Banas, Kristin Kwisnek, Elaine Lafleur, Sophie Majchrzak, Earl Owen, Debra Plath, and Emily Reed.

GCAM-Filming the meeting- Alex LaMarche-

Microphone Runner: Oliver Mercier, and Charles Mercier

Police Officer: Eric Jorgenson

The Moderator Lynn Snopek Mercier calls for Article 1 of the STM at 7:03 P.M.
Motion 2nd

The Moderator calls on Alan Wishart to present Article 1

ARTICLE 1. move the Town vote to amend the Bylaws of the Town of Granby Volume I by inserting Chapter XVII Section 8 Public Consumption of Marijuana.

*2/3 Votes Required
Short discussion*

Motion 2nd

Passed Majority-Declared by Moderator- Show of Hands

**BYLAWS OF THE TOWN OF GRANBY
VOLUME I
CHAPTER XVII. PUBLIC HEALTH AND SAFETY**

Section 8. Public Consumption of Marijuana

a. Restrictions on Marijuana Public Use and Consumption

No person shall smoke, vaporize, ingest or otherwise consume marijuana, medical marijuana or delta-9-tetrahydrocannabinol (THC), while in or upon any public way or any way to which the public has a right of access, street, sidewalk, footway, passageway, stairs, bridge, park, playground, recreation area, boat landing, public building, schoolhouse, school grounds, cemetery, parking lot, or any area owned by or under the control of the Town of Granby, or any place to which members of the public have access as invitees or licensees, or private land, building, structure or place without the consent of the owner or person in control thereof.

b. Violations and Penalties

This by-law (section 1b) may be enforced through any lawful means in law or in equity including, but not limited to, enforcement by criminal indictment or complaint or by a no criminal disposition as provided in Chapter 40, Section 21D of the Mass. General Laws, by the Granby Board of Selectmen, or their duly authorized agents, or any police officer. The fine for violation of this by-law shall be two hundred dollars (\$200) for each offense.

Alan Wishart asks for an Amendment on Article One Section (a), Restrictions on Marijuana Public use & Consumption, and explains that the town cannot dictate Public use on Private property, and therefore before we vote we need to remove the last sentence in this Article under section(a).

He also mentions we need to Amend a typo in Section 8 (b) Violations & Penalties By changing the wording from (section 1b) to (section 8a).

Alan Wishart reads the proposed Amendment Article 1- Section 8

Section 8. Public Consumption of Marijuana

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b. Violations and Penalties

This by-law (section 8a) may be enforced through any lawful means in law or in equity including, but not limited to, enforcement by criminal indictment or complaint or by a no criminal disposition as provided in Chapter 40, Section 21D of the Mass. General Laws, by the Granby Board of Selectmen, or their duly authorized agents, or any police officer. The fine for violation of this by-law shall be two hundred dollars (\$200) for each offense.

Lynn Snopek Mercier, Moderator, explains to the voters that they must first agree and vote on these Amendments to Article 1.

She calls for a Vote to see if the Voters are willing to vote on this Amendment.

By show of Hands it passes Unanimous to take a vote on Article One as Amended
Motion 2nd

Passes- Unanimous

The Moderator now calls on the voters to vote on Article One - *Main Motion as Amended.*

Motion 2nd

2/3 Votes Required

Article 1- as Amended Passes by Majority- Declared by Moderator- Show of Hands

The Moderator explains that the Town is Moving Articles 2 & 3 that we will not vote on these Articles due to the outcome of the Ballot Vote held on August 20, 2018.

The Town voted in favor to allow the operation of all types of marijuana establishments as defined in M.G.L. Chapter 94G, section 1, including marijuana cultivators, marijuana testing facilities, marijuana product manufacturers, marijuana retailers or any other type of licensed marijuana-related businesses within the Town of Granby.

ARTICLE 2.

I MOVE the Town vote to amend the Bylaws of the Town of Granby Volume I by inserting Chapter XVII Section 9 Ban on Marijuana Establishments.

Article 2 was MOVED and Not voted on

ARTICLE 3.

I MOVE the Town vote to amend the Granby Zoning Bylaws by revising SECTION III – USE REGULATIONS Table 1 SCHEDULE OF USE REGULATIONS by inserting a new land Use Classification for retail/commercial cannabis.

This Article 3 was MOVED and Not voted on

Glen Sexton, Chairman, Planning Board Presents Article 4:

ARTICLE 4. move the Town vote to amend the Granby Zoning Bylaws by revising SECTION III – USE REGULATIONS Table 1 SCHEDULE OF USE REGULATIONS by inserting a new land Use Classification for retail/commercial cannabis with the definition of Cannabis Retail/Commercial Operation to include marijuana retailer as defined in M.G.L. Chapter 94 G Section 1 and Commercial Growth/Operation to include all other marijuana establishments as defined in M.G. L. Chapter 94 G, Section 1.

Motion 2nd

Long Discussion

2/3 Votes Required

Passed by 2/3 Required Votes-Declared by Moderator-Show of Hands
4 against

Article 4 - Handout

ARTICLE 4

**BYLAWS OF THE TOWN OF GRANBY
VOLUME III
CHAPTER XXI - ZONING BYLAWS
SECTION III- USE REGULATIONS
TABLE 1- SCHEDULE OF USE REGULATIONS**

Land Use Classification	Standards and Conditions	Zoning District					
		RS	Rm	GB	I	I-2	VC
Retail and Services							
Cannabis Retail Operation	Distance shall be measured in a straight line from the nearest point of the property line in question to the nearest point of the property line where the cannabis establishment is or will be located. No closer than 500 ft. property line to property line straight line to public or private school to include any licensed daycare. In any case, where the measurement is determined to be in question, the Planning Board may require verification of distances by a Registered Land Surveyor at the expense of the applicant.	N	N	SP/PB - SPA	N	N	N
Wholesale, Industrial, Transportation							
Commercial Growth/Operation	Distance shall be measured in a straight line from the nearest point of the property line in question to the nearest point of the property line where the cannabis establishment is or will be located. No closer than 500 ft. property line to property line straight line to public or private school to include any licensed daycare. In any case, where the measurement is determined to be in question, the Planning Board may require verification of distances by a Registered Land Surveyor at the expense of the applicant.	N	N	N	SP/PB - SPA	SP/PB - SPA	N

*After a long discussion on Article 4 there is a request to Move the Question. The Moderator Moves the question and a vote is taken on Article 4.
This Vote Requires a 2/3 Votes to Pass.
A Show of Hands is taken and the Moderator Declares this Article Passed by the 2/3 Votes.
She notes that only 4 were against this Article.*

Glen Sexton, Chairman, Planning Board Presents Article 5:

ARTICLE 5. move the Town vote to amend the Granby Zoning Bylaws by revising SECTION V – SPECIAL USE REGULATIONS AND PERFORMANCE STANDARDS by inserting Section 5.12 Cannabis Retail/Growing and Distribution.

Motion 2nd

**Long Discussion
2/3 Votes Required**

**Passed by 2/3 Required Votes-Declared by Moderator-Show of Hands
4 against**

Article 5 - Handout

ARTICLE 5

**BYLAWS OF THE TOWN OF GRANBY
VOLUME III
CHAPTER XXI - ZONING BYLAWS
SECTION V- SPECIAL USE REGULATIONS
AND PERFORMANCE STANDARDS**

5.12 Cannabis Retail/Growing and Distribution

5.12.1- Cannabis retail/commercial will only be allowed in General Business (GB)

5.12.2 Distance shall be measured in a straight line from the nearest point of the property line in question to the nearest point of the property line where the cannabis establishment is or will be located. No closer than 500 ft. property line to property line straight line to public or private school to include any licensed daycare. In any case, where the measurement is determined to be in question, the Planning Board may require verification of distances by a Registered Land Surveyor at the expense of the applicant.

5.12.3 All cannabis retail/commercial operations are subject to special permit and site plan approval by the Planning Board.

5.12.4 Commercial growth/operation shall be indoor facilities only and allowed only in Industrial (I) and Business Park Overlay District with special permit and site plan approval by the Planning Board.

After another long discussion there is a request to Move Article 5.

The Moderator Moves the question and a vote is taken on Article 5.

This Vote Requires 2/3 Votes to Pass.

A Show of Hands is taken and the Moderator Declares this Article Passed by the 2/3 Votes.

ARTICLE 6.

I MOVE the Town vote to amend the Bylaws of the Town of Granby Volume I by rescinding Chapter XVII Section 7 Temporary Marijuana Establishment Moratorium.

Article 6 will NOT be Presented tonight – No vote was taken

At this time the General By-law Section 7-Temporary Marijuana Establishment Moratorium will Not be removed – No Motion was taken on Article 6

Stephen Chojnacki, Chairman, Select Board Presents Article 7:

ARTICLE 7. move the Town vote to transfer from account 30-171-5801-ART Dufresne Dam Repair \$50,000 for the purpose of funding an investigation/evaluation of the Forge Pond dam and dike.

*Only Majority Vote Required
Short discussion*

Motion 2nd

Passed Majority-Show of Hands

Jay Joyce, Select Board Presents Article 8:

ARTICLE 8. move the Town vote to transfer from account 30-171-5801-ART Dufresne Dam Repair \$20,000 for the purpose of funding a limited site investigation by a licensed site professional as required by MassDEP.

*Only Majority Vote Required
Long discussion*

Motion 2nd

Passed Majority-Show of Hands

A question was asked why are we transferring this money and Mr. Joyce explains that under State regulations we have to perform this process, and priorities must be handled in the most important order, and this is a priority that's why the transfer.

Another Question on who would be doing this work? Tighe & Bond will be doing the testing on the six shallow wells at the schools.

After a long discussion on Article 8 there is a request to Move the Question. The Moderator Moves the question and a vote is taken on Article 8.

This Vote Requires only a Majority Vote.

A Show of Hands is taken and the Moderator Declares Article 8- Passed by Majority Votes.

**The Moderator motions to adjourn this STM
All in favor to adjourned:**

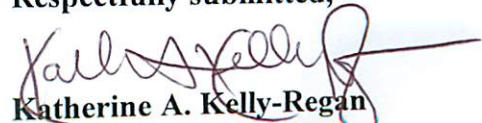
Motion 2nd

Passed: Unanimous- By Voice

The business for this STM held on August 27, 2018, has been completed, all Articles have been voted on and the Moderator officially dissolves this STM at 8:14 P.M.

In attendance were 93 voters, and 7 non-voters that showed up to support and contribute to this meeting.

Respectfully submitted,


**Katherine A. Kelly-Regan
Town Clerk, CMMC**

Stephen Chagnon, Chairman, Select Board Present Article 2

ARTICLE 2. move the Town vote to transfer from account 24-171-281 to the Town Dam Repair \$250,000 for the purpose of funding an investigation of the Forge Pond dam and dike.

Only Majoring Town Reported
Short discussion

Passed Majority-Shown at Hand

For Joyce, Select Board Present Article 3

ARTICLE 3. move the Town vote to transfer from account 24-171-281 to the Town Dam Repair \$250,000 for the purpose of funding a limited site investigation by a licensed site professional as reported by MWDOP.

Only Majoring Town Reported
Long discussion

Passed Majority-Shown at Hand

A question was asked why we are transferring this money and not just paying for the investigation. The answer was that we have to pay for the investigation and the investigation is a very important order, and this is a pretty thick with the money.

Another question on who would be doing the work. The answer was that it would be done by the MWDOP.

There is a long discussion on Article 3 there is a request to share the Grant. The question is whether the question and a vote is taken on Article 3.

The Town Reporters only a majority vote. The question is whether the question is taken on Article 3.

Moderator motions to adjourn this TMI
It is in favor to adjourn.

Passed: Unanimous - By Voice

The meeting for this TMI held on August 27, 2014, has been completed. The meeting was held on August 27, 2014, and the Moderator officially dissolved this TMI at 8:14 PM. Attendance was 13 voters, and 7 non-voters that showed up to support the meeting.

Stephen Chagnon
Chairman
Select Board