

SELECTMEN'S WORKSHOP MEETING AGENDA

Wednesday, July 10, 2013

TOWN HALL, MAHOGANY ROOM, 1st FLOOR

1. CALL TO ORDER – 7:00 PM

2. WORKSHOP DISCUSSION

- Discussion – Town Zoning Bylaws

3. BUSINESS ITEMS

- Appointment of Visitor Center Seasonal Staff

4. EXECUTIVE SESSION

- To consider the purchase, exchange, lease, or value of real property, if the Chair declares that an open session may have a detrimental effect on the negotiating position of the public body.

5. ADJOURNMENT

RECEIVED-POSTED
14 MAY 16 AM 11:15
TOWN CLERK
ADAMS MASS.
CLERK

July 10, 2013

On the above date the Board of Selectmen held a meeting at Town Hall at 7:00 PM. Chairman Duval presided, present were Michael Ouellette, Arthur Harrington, Joseph Nowak, Richard Blanchard and Jonathan Butler, Town Administrator.

Chairman Duval called the meeting to order at 7:00 PM

Chairman Duval stated that the Board would be discussing bylaws, solar, wind and medical marijuana dispensaries. Jonathan Butler, Town Administrator asked Chairman Duval if he could present a layout to the Board as to what they are seeking from the Board first in terms of the priority of the bylaws. Chairman Duval asked to stick to these three bylaws for discussion tonight and to start with the medical marijuana bylaw. He read from an article in the Boston Globe, - Cities rezoning for marijuana law, it has indicated that some communities have voted to ban the dispensaries. The Attorney General, Martha Coakley in March ruled that the city of Wakefield could not ban the dispensaries. There are other communities that are moving forward with rezoning or putting a moratorium on having the dispensaries for one year at this time it is not clear if this is legal, the town has asked Town Counsel for an opinion. If it is, this would have to be approved by Town Meeting. Also before a discussion on a bylaw that the State and Federal Government haven't even sorted out between themselves yet, it is the belief of the Community Development Department and the Administration that this would require a Special Permit in any of the Zoning Districts. Whether there is a bylaw or not it can be controlled, it isn't like Solar where it is a By Right activity where only site plan approval is required. Member Ouellette commented that more information regarding the medical marijuana dispensaries is needed he feels that this can wait there are other issues that need the attention. Member Nowak gave a copy of the City of Pittsfield Bylaw to Members as a reference to work from; he feels this will help with the ground work on writing this bylaw. He feels it will be a viable business in the community and we should move forward with the bylaw. The Board did not take a formal vote but four Members are in favor of the moratorium to be placed on the warrant for the Town meeting. Member Novak opposed the moratorium and felt this bylaw should not wait. It was decided by the Board to collect more information and to bring this topic back to a Workshop in a few months.

The Board also discussed the Solar Bylaw. Jonathan Butler stated that there are models for the Solar Bylaws, there is currently about 30 communities that have these bylaws. The issue with solar is it's by right and then it's a matter of how you classified how large scale verses small scale. Some communities allow 750 plus other are 250 plus, in comparison the site being built on the landfill is about 1.1 megawatts and the site at the High School is about 450 Kilowatts which is less than half that size. Community Development can incorporate these Solar Bylaws for Adams; it just needs to be decided by the Board the size. Donna Cesan, Community Development Director suggested a couple things, structure we have a personal wireless service facilities bylaw. That's really the model, they have worked very hard on that and it has worked very well. It's a lot of the same siting issues that are with wireless are the same as solar. She would like to hear more from the Board about the process, what she would propose is working with the Green Committee getting them to look at the draft bylaw, get comfortable with it. There will have to be meetings both formal public hearings; the Planning Board has to have one. More

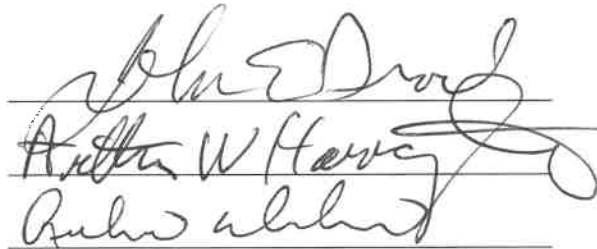
define the process. It is easier looking at a draft bylaw and defining it. There is a consensus from the Board to have a working group come with a draft bylaw for Solar to be brought before the fall Town Meeting.

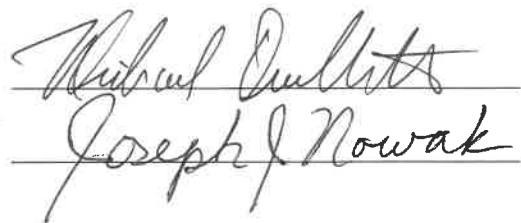
Chairman Duval asked the Board about a Wind bylaw, there was consensus by the Board to use the state bylaw due to its strict regulations.

Ms. Cesan wanted to bring another bylaw to the attention of the Board regarding a DOTA grant where Berkshire Regional staff supports the Town. This will help the Town examine 40R which is concentrated housing and the compact neighborhood, they are trying to create housing across the Commonwealth there is a need for a minimum of 10,000 new housing units every year for the state to meet its demand. There might be the density required in the down town, 40 R will actually pay a community to create by right housing in their Town centers. The Board gave their consensus to move forward with this bylaw.

A motion made by Member Harrington, seconded by Member Ouellette to enter into executive session at 8:15 PM only to come out to adjourn – Roll Call Vote – 5 Yeas, motion passed

Respectfully Submitted
Melissa Schaffrick
Recording Secretary


Arthur W. Harvey


Michael Ouellette
Joseph J. Nowak