



Williamsburg Planning Board

141 Main Street, P.O. Box 447

Haydenville, Massachusetts 01039-0447

Phone: (413) 268-8400

Fax: (413) 268-8409

Minutes for meeting on **February 28, 2022**

Member	Present	Not Present	Member	Present	Not Present
Tariq Abu-Jaber	X		Jean O'Neil	X	
Amy Bisbee	X		Eric Schmitt	X [R]	
Chris Flory	X		Steve Smith	X	
Holly Hendricks	X				
Other attendees: [R] = remote Charles Dudek [R], William Sayre [R], Podge Thomas [R], Emily Cohen [R], George Lewis, Osa Flory, Jonas LaPointe, Gwen Blodgett, Steve Snow, W Barry Thompson, David Gabrielson, Luciano Barrios, Angela Otis, Lynn Gerlinser					

At 7:03 pm Chair Smith called the meeting to order.

Chair Smith moved through the slides below, pausing for comments, questions and discussion along the way. These included:

A comment from an Old Goshen Road resident regarding the 2021 Ember Gardens inquiry, and concerned with the possibility of a fairly large scale operation with significant traffic increase, uncertainty about structure, number of employees (perhaps 25-30), security, lighting, fencing.

A concern that additional buildings in the rural zone may change the character due to development, could be a snowball effect, and farms choose to sell.

A comment from an attendee who was involved in drafting original bylaw; in favor of allowing for outdoor cultivation, and in the reducing 500' buffer restriction; feels it may be an impediment to development in town center.

A question as to whether any other marijuana proposals have been made. Planning Board answered that while there may have been a handful of casual inquiries to the town, only the one Ember Gardens initiative has come to the Planning Board.



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A comment that Registered Marijuana Dispensaries - page 26 - seems all encompassing - not allowed in VR or Rural districts, and that there may be a possible contradiction in sections 9.25 and 9.26. Attendee comment in favor of exclusion altogether.

A concern about prior year Ember Gardens proposal. The commenter drives by a cultivation facility, doesn't want unwanted smells, noise, traffic, light.

A comment about the importance of maintaining rural character versus balancing with the ability to get a special permit in rural district.

A question as to whether there is a way to allow for a group of small farmers to form a co-op type of operation, with the comment that marijuana is a cash crop that can help farmers stay in business.

A question about water, both water volume and pesticide runoff into wells.

A question about the status of other communities with cultivation e.g., Cummington.

A concern about "nose under the tent" expansion scenarios, i.e., get an initial permit then expand.

A question about the nature of Williamsburg zoning: Village Mixed vs. Village Rural vs Rural/Residential.

A question about whether bylaw can preclude commercial use in a rural area.

A question about whether it is possible and a good idea to restrict edibles in the form of candies.

A question and discussion about odor.

Discussion of security, fences, and lighting.

A concern about tree clearing.

A concern about pesticide use and groundwater and drift.

A concern about the proposed bylaw change: the 10 employees limit is still too many.



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8:28 Flory motions to close meeting, Tariq seconds; motion passes unanimously; meeting adjourned

Respectfully submitted,

Eric Schmitt

Zoning for Marijuana Establishments

Listening Session
Williamsburg Planning Board
Feb. 28, 2022





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Agenda

- Why we're here
- Background
 - Changes to state guidelines about Marijuana Establishments
 - Cultivation in the rural zone
- Potential bylaw updates
- Your input



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What Brings Us Here

1. Our zoning bylaws are no longer current with the latest marijuana establishment guidance from the state
2. In 2021 we were approached about a prospective large-scale cultivation operation in the rural zone
3. The town has invited marijuana-related business proposals

This is a *listening session*. We are not proposing or voting on any changes tonight. If we draft specific bylaw changes, we will hold a public hearing on those changes.



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What Brings You Here?

- For starters, please share briefly what topics about marijuana are of interest to you.
- We will circle back a bit later in the meeting to hear more of your comments



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What's In It For the Town?

- Jobs and entrepreneurial opportunities
- Access to marijuana products
- Tax revenue:
 - Local option for 3% sales tax
 - Community Impact fee – up to 3% of gross sales
 - These expire in 5 years and must relate to actual costs the town incurs. Many towns are waiving these fees.
 - Gross sales figures from Cultivators will be much less than gross sales of Retail establishments.



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Cannabis Legalization in Massachusetts

2016 Voters approve recreational cannabis use and sale

- 2018**
- Cannabis Control Commission (CCC) takes authority from DPH
 - CCC issues guidance on Adult-use Marijuana and Establishments
 - Burgoyne voters approve Adult-use marijuana zoning bylaw amendments
 - First day of Adult-use cannabis sales

2021 CCC issues updated guidance for municipalities



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Changes to State Marijuana Establishment guidelines

Williamsburg's Zoning Bylaw will need to be updated

2018 guidelines

- Marijuana Cultivator (Tier 1 – 4)
- Craft Marijuana Cultivator Cooperative
- Marijuana Product Manufacturer
- Marijuana Retailer (various types)
- Registered Marijuana Dispensary (RMD)
- Marijuana Transporter
- Marijuana Research Facility
- Independent Testing Facility
- Marijuana Micro-Business

Updated 2021 guidelines

- [Marijuana Cultivator \(Tier 1 – 11\)](#)
- [Craft Marijuana Cooperative](#)
- Marijuana Product Manufacturer
- Marijuana Retailer
- Medical Marijuana Treatment Center (was RMD)
- [Marijuana Transporters & Delivery Licenses](#)
- Marijuana Research Facility
- Independent Testing Laboratory
- [Standards Laboratory](#)
- Microbusiness
- [Social Consumption](#)

[Items in blue should be addressed in an update to the bylaw.](#)



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Burgy's Three Zones

Village Mixed Use

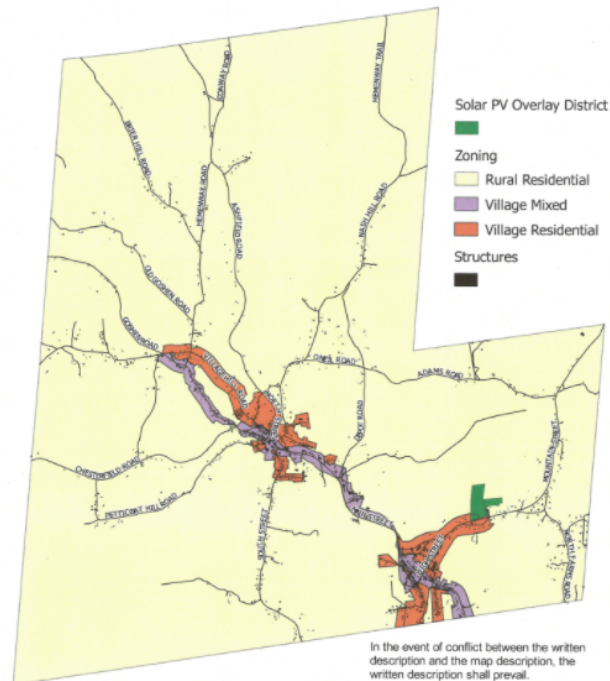
Mostly Route 9 corridor up to
Hyde Hill Road

Village Residential

Generally the side streets in
the village centers

Rural Residential

Everything else





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Current Marijuana Uses and Zones

Section	Use	VR	VM	RU	Notes
n					
	Industrial/manufacturing/sawmills	N	SP/SPR	SP/SPR	
	Kennel	N	SP	SP	See Definitions, Section 19
	Light industry	N	SP	SP	
	Lodging facility	SP	SP	SP	
	Independent Testing Facility, Marijuana Cultivator, Marijuana Product Manufacturer, and Marijuana Transporter	N	SP/SPR	SP/SPR	
	Marijuana Retailer	N	SP/SPR	N	
	Professional office	SP	P	SP	
	Recreational business	SP	SP	SP	
	Restaurant	N	P	SP	
	Registered Marijuana Dispensary	N	SP	N	
	Retail business	SP	P	SP	



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Community Input

- Your thoughts...?



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Parts of the Current Bylaw to Leave As-Is

- No change: continue to allow all Establishment types (including all sizes of Cultivators) in the Village Mixed Zone (along Route 9) -- by special permit
- No change: continue to disallow Marijuana Establishments in the Village Residential Zone



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ZONING BY-LAW LISTENING SESSION

Planning Board Seeks Zoning By-law Input

FEBRUARY 28, 2022 | 7:00 PM

TOWN HALL AUDITORIUM -SECOND FLOOR

The Planning Board would like your input on
the **marijuana bylaw:**

- Include the new establishments defined by the State
- New opportunities for small businesses
- Discuss cultivation in the rural zone

What do you think about these topics?

What else should be changed?

Let us know!