

## Planning Board Minutes, 04252017

### Town of Lenox

### Planning Board

### Minutes

April 25, 2017

**Members in attendance:** Chairman Kameron Spaulding (KS), Pam Kueber (PK), Deborah Rimmner (DR), Tom Delasco (TD), Kate McNulty-Vaughan (KMV), BoS Liaison Ken Fowler (KF)

**Staff present:** Gwen Miller, Land Use Director/Town Planner (GM)

**Members of the public:** Clarence Fanto, Jim Biancolo, Rene Keator, Frederick Keator, Amy LaFave, Mary Jo Piretti, Mark Schapp, Peter Arment, Marc Bachman, Olga Weiss, (two or three others not identified)

### Public Hearing for Proposed Zoning Bylaw Amendments

KS opened the public hearing by reading the notice as published in the Berkshire Eagle. He explained the intent of the proposed zoning amendment, which would allow for RMDs (Registered Marijuana Dispensaries) to open by-right in the Commercial C district, the Commercial C-3A and C-1A district, and in the Industrial "I" zoning district subject to site plan review. He explained the nature of the state regulations, and what aspects of RMD operations and siting the Town can regulate through zoning.

The members of the community present were largely against allowing an RMD to operate in the village center, or in the center of Lenox Dale.

They raised a number of concerns, including:

- Vulnerability of an RMD to security threats due to the contents for sale and the amount of cash likely stored in the building;
- Promoting access to and use of a substance such as marijuana;
- The ability of an RMD to obtain a license for recreational marijuana sales in the future;
- Preservation of the village center if uses such as a medicinal marijuana dispensary were to be allowed.

Members of the community also voiced support of an RMD in the village center, stating that the perception of marijuana as a criminal substance was unfortunate and unrealistic.

PK commiserated, noting her own personal experience with a terminally ill family member and how great a need easy access to medicinal marijuana would have filled.

After hearing additional comments from the public, the Planning Board voted to amend the proposed medicinal marijuana bylaw so that the following schedule of use would be adopted:

|   | R3A | R1A | R30 | R15 | C3A | C1A | C | I | Reference    |
|---|-----|-----|-----|-----|-----|-----|---|---|--------------|
| Registered Medical Marijuana Dispensary | N   | N   | N   | N   | Y   | Y   | N | Y | Section 8.12 |

The Planning Board adjourned at 8:30 p.m., reminding the public that the Town Meeting would take place on May 4 at the Duffin Theater.