

# **Town of Princeton, MA Planning Board**

## **Meeting Minutes January 5, 2022**

### **Town Hall Annex and GoToMeeting**

*Board Members present in-person at Town Hall Annex:* Tom Sullivan (TS), Rud Mason (RM), John Mirick (JM),

*Board Members present via remote:* Ann Neuburg (AN), Ian Catlow (IC), Alternate Corey Burnham-Howard (CBH), Alternate Lisa Drexhage (LD)

*Town Clerk:* Nathan Boudreau, attended in-person to coordinate the Go-to-Meeting logistics.

*Public Attendees present via remote and in-person* (those who participated in meeting discussion are named in the minutes). By informal head count, there were 18 people present in-person and 16 participating via remote. Many participants made multiple comments, these are combined in these minutes.

**Call to order:** 7:32pm

JM presented comments on the background and previous Planning Board (PB) meetings regarding marijuana cultivation, processing and manufacturing bylaws and the legal posting of the proposed Zoning By-Law Amendments. Copies of the proposed Amendments and a letter to the Town were posted on the Town website. Hardcopy of these documents were available at the in-person PB meeting and displayed on a screen.

### **Public Hearing on Proposed Zoning By-Law Amendments**

Chairman John Mirick opened the Public Hearing at 7:37 pm:

JM noted the publication of the Notice of Public Hearing and posting of information at Town Hall and on the Town website. Meeting is being recorded on Go-to-Meeting.

The three PB proposed Amendments and two Citizen proposed Amendments were displayed. JM asked participants to state their name and address when recognized. All participants stated Princeton addresses.

Comments and questions from Participants:

Jerry Gannelli: Asked who is the Cannabis Control Commission and have they proposed regulations related to odors, noise, etc. from marijuana cultivation, processing, and manufacturing. JM replied.

Neil McInnis: Commented that concern over marijuana cultivation was Town-wide, not just from Beaman Road residents. Over 350 people signed the petition presented to the Selectboard. He noted that impact to abutters is a major issue with cannabis cultivation, processing, and manufacturing – in all zones. He posed the question – why in Princeton? Proposals to date have been a corporate opportunity – not local farming. He later added, there is no economic benefit to the Town from commercial cultivation – so why have it?

Tim Canfield: Asked for clarification that PB and Citizen proposed Amendments only apply to commercial cultivation, processing and manufacturing, not personal cultivation, or retail sale of marijuana. JM concurred the proposed Amendments are directed at commercial cultivation operations, not personal cultivation, or retail sales. Tim commented that he supports the 3 PB proposed Amendments. He commented that many Towns in central Mass have passed prohibition of commercial marijuana cultivation. Princeton is one of the few that have not. He later stated his support for passing the PB Amendments to protect the Town.

Robert Cummings: Supports PB proposed Amendments. Asked about timing and process going forward and effective date of any bylaw changes that may be approved by the Town. JM replied the Amendments would need Town Meeting (TM) approval and General Election approval. Effective date would be the date of publication of this Public Hearing, December 20, 2021.

Ann Walsh: Questioned whether other industries should be banned in certain zones and how other agricultural operations such as corn or growing poinsettias are regulated. JM responded. She commented that the PB proposed Amendments are clear and to the point for all three zones.

Chad Steiner: Noted that other agricultural operations are encouraged in Town and that Princeton passed a "Right to Farm" bylaw in 2007. He read the definition of a farm from the bylaw. Production of agricultural commodities is encouraged in the bylaw. Why should we regulate or ban cannabis cultivation? He encouraged mitigation through regulation as an alternative to a ban. He spoke in support of the process being conducted by PB and Selectboard. He thanked fellow residents for their participation. He also expressed concern over unintended consequences of conflicting bylaws.

CBH: Noted the Town cannot legally prohibit most agricultural uses but the cannabis law does not give this protection to cultivation of marijuana cultivation.

Andy Brown: Noted that Princeton is a Right to Farm community and he read from the bylaw. He commented that this is a NIMBY reaction and he does not support bylaw amendments to ban cannabis cultivation in any zones.

Tim Hammond: Stated he does not support the Citizen proposed Amendment to allow in Business Industrial Zone. He noted that in reality, Princeton's BI zones are primarily residential.

Stan Moss: Questioned why the PB is doing this? How would changes affect cultivation of hemp? Is there revenue potential for the Town. JM addressed these questions.

Phil Gott: Noted that cannabis cultivation, processing and manufacturing is not a typical agricultural practice – very different from what is envisioned under the Right to Farm bylaw. Odor is "skunk like" and extends to at least a one mile radius. Cultivation is continuous over an extended season – odor would be present for months. Stated there is evidence that revenues to Town would decline due to reduced property values.

Claire Golding: Stated support for business in Town. Complimented the process and supports presenting the three PB proposed Amendments to TM – let the Town decide.

Larry DuBlois: Stated there is no revenue stream from cannabis cultivation. Supports others comments that cannabis cultivation is not a typical agricultural operation. Questioned TM process if all proposed Amendments go to TM. JM replied.

Franny Hartnet: Stated she works at Fernside and noted that recovering marijuana addicted patients at Fernside would be negatively impacted by odors from marijuana cultivation.

Daniel Hodgkins: Supports comments that marijuana cultivation is not typical agriculture. Proposals for cultivation have been at an industrial scale.

Al Pearson: Stated that marijuana is not the kind of farming Princeton residents envision. Picture agriculture with an eight foot fence topped with barb wire. Citizen proposed Amendments were written before residents understood this agricultural activity was not protected by law. Selectboard forwarded Citizen proposed Amendments and asked the PB to consider banning in all zones in fairness to all residents. He stated strong support for PB proposed Amendments to ban in all zones. Posed the question – why should Princeton even have a BI zone? He later commented that the business model for cannabis cultivation to date has been get a license then sell it to large corporate growers.

Bob Hood: Stated he moved his family to Princeton for small Town environment and small local agriculture.

Margaret Armstrong: Stated it is prudent for the Town to update by-laws related to right to farm by-law. Supports PB proposed Amendments.

Dave Farrell: Spoke to limiting impacts not banning commercial cultivation.

Steve Jones: Property tax assessment to commercial cultivators would not be based on revenue or value of the crop – no benefit to the Town. Steve offered to share all the research gathered by the citizens group that proposed amendments to the Selectboard.

JM asked all participants for any final comments, suggestions, etc. There were none.

JM closed the Public Hearing at 8:50 pm.

JM invited comments from PB members:

RM: Commented that he joined the PB primarily to bring a pro-business voice. The business of commercial cultivation of marijuana isn't the kind of business that fits in Princeton and provides no benefit to the Town. Supports the PB proposed Amendments.

TS: Princeton is governed by volunteers – we do not have the capacity to regulate, oversee and enforce mitigations that would be in permits for the type of commercial operations that have been proposed. There doesn't appear to be any financial benefit to the Town. No one would want a large commercial/industrial cannabis cultivation, processing, and manufacturing facility in their neighborhood regardless of the zoning district. Princeton's Business and Business/Industrial Zones are largely occupied by residential homes. There is no place to locate a cannabis facility without directly impacting people's homes and quality of life. Al Pearson's comment about agriculture with an 8 foot fence and barb wire to keep people out paints a perfect picture of how this type of agriculture and is not what was intended in the "Right to Farm" bylaw.

IC: Agreed with previous comments. Governance of these types of facilities is an issue. Risk with no benefit is not worth it. I support PB proposed Amendments.

CBH: Supports considering indoor cultivation in Business and Business/Industrial zones with conditions. This approach needs further consideration by PB.

LD: Supports the PB proposed Amendments.

There was no further discussion by the PB. Deliberations on PB proposed Amendments and Citizen proposed Amendments will take place at the next PB meeting scheduled for January 19, 2022.

### **Minutes of PB December 15 meeting**

Minutes were discussed. **MOTION** to accept: TS; 2d: RM; Vote: 5-0.

### **Next Agenda Items**

#### **Public Meeting**

- Administrative Business
  - o Review and approve regular meeting and Public Hearing minutes of January 5, 2022
  - o Review any mail
  - o Deliberations on proposed Zoning Bylaw Amendments
- Consider any ANR plans
- Consider public feedback and possible revisions to PB-proposed marijuana bylaw
- Consider Recommendations with regard to Citizen proposed marijuana bylaw
- Consider Long-Term Planning Projects:
  - o Town Master Plan update
  - o Noise Bylaw
  - o Housing Production Planning

**Meeting adjourned** at 9:05p.m.

**MOTION** to adjourn. TS; 2d: RM; Vote: 5-0.

Respectfully submitted,

Tom Sullivan

PB Vice-Chair

See attached resident-proposed and Planning Board-proposed zoning by-law amendments

## Proposed Zoning By-Law Amendments (From Residents)

Pursuant to G.L. Ch. 40A Section 5, residents have proposed two amendments to the Zoning By-Laws. Each proposed amendment would be a separate warrant article

ARTICLE \_\_\_\_\_. To see if the Town will vote to amend SECTION III, RESIDENTIAL-AGRICULTURAL DISTRICT, by deleting the existing Section III.1.(E) and replacing it with the following provision, or take any other action relative thereto:

Farm, nursery, truck garden or greenhouse, including the display and sale of products or plants raised in the town, but specifically excluding the use of land and/or buildings for planting, growing harvesting, storing, processing, or packaging marijuana (cannabis) by a person or entity licensed by the Cannabis Control Commission, or any other use or facility which involves the storage, processing, transportation, or cultivation of marijuana (cannabis), which is not (a) for personal use or (b) conducted by a licensed caregiver, in amounts not to exceed the state imposed limits for individuals or caregivers ("Cannabis Cultivation"). For avoidance of doubt, Cannabis Cultivation and Processing shall be considered a manufacturing use covered by Section V, Article 1(B) hereof.

ARTICLE \_\_\_\_\_. To see if the Town will vote to amend SECTION V, BUSINESS-INDUSTRIAL DISTRICT, by inserting onto the existing Section V.1(B) the following language indicated in italics, or take any other action relative thereto:

Any manufacturing or industrial use, including processing, fabrication and assemble, *and including Cannabis Cultivation as defined in Section III, Article 1(E)*, provided that no such use shall be permitted which would be detrimental or offensive or tend to reduce property values in the same or adjoining districts by reason of dirt, odor, fumes, smoke, gas sewage, refuse, noise, excessive vibration, or danger of explosion or fire.

## Proposed Zoning By-Law Amendments (From Planning Board)

The Planning Board is proposing three amendments to the Zoning By-Laws. Each proposed amendment would be a separate warrant article

ARTICLE \_\_\_\_\_. To see if the Town will vote to amend SECTION III, RESIDENTIAL-AGRICULTURAL DISTRICT, by adding as Section III.1.(R) the following provision, or take any other action relative thereto:

Notwithstanding any other provisions in these by-laws, commercial cultivation, processing, and/or manufacturing of marijuana is not a permitted use in a Residential-Agricultural District.

ARTICLE \_\_\_\_\_. To see if the Town will vote to amend SECTION IV, BUSINESS DISTRICT, by adding as Section IV.1.(K) the following provision, or take any other action relative thereto:

Notwithstanding any other provisions in these by-laws, commercial cultivation, processing, and/or manufacturing of marijuana is not a permitted use in a Business District.

ARTICLE \_\_\_\_\_. To see if the Town will vote to amend SECTION V, BUSINESS-INDUSTRIAL DISTRICT, by adding as Section V.1.(D) the following provision, or take any other action relative thereto:

Notwithstanding any other provisions in these by-laws, commercial cultivation, processing, and/or manufacturing of marijuana is not a permitted use in a Business-Industrial District.

