

**Norwell Board of Selectmen
Open Meeting Minutes
March 15, 2017**

TOWN OF NORWELL
TOWN CLERK

2017 APR 26 PM 3:59

Present: Jason Brown, Ellen Allen, Gregg McBride, Alison Demong, Peter Smellie, Peter Morin

Open Session

The meeting was called to order by Chair Jason Brown at 7:30. Mr. Brown updated all on the open meeting discussion prior to 7:30.

*Motion; made by Ellen Allen, seconded by Peter Smellie, to approve the agenda as amended.
Unanimously voted*

Citizen Comments - None

BOS Announcements

The board extended their condolences to the family of Spencer "Skip" Joseph and his wife, long-time residents of the Town. Both Skip and his wife passed away this week. They had many friends in the Town. Mr. Joseph was an active participant in multiple areas of Town government for over 50 years and a strong supporter of our community. He was elected Citizen of the Year a few years ago. Skip and his wife will be very much missed.

Town Administrator Announcements

Mr. Morin received the Town's risk profile from MIIA. The report indicates that the Town is running about average for the state. Last year went very well, with a ratio of incurred workers' comp claims to property and casualty loss of 17%, which was very good. There are some areas for improvement such as workers comp in the DPW.

The Town was successful in obtaining another \$25K grant from the state to look at combining the school department and Town offices into one building. A consultant will be chosen in the near future.

Regrettably, the grant application for the special needs recreation chairs (applied for by Con Com) was not awarded to the Town.

Applicant for Senior Tax Committee

Robert Monahan was present to give a summary of his background and reasons for applying to this committee. He has an extensive financial background.

Motion; made by Ellen Allen, seconded by Peter Smellie, to appoint Mr. Monahan to the Senior Tax Committee for a term ending June 30, 2019. Unanimously voted

All welcomed Mr. Monahan, and expressed the hope that he will help spread the word about the existing tax relief measures that are available to senior Town residents.

Norwell Housing Authority and Community Housing Trust – Update on Current Programs

Nancy Dooley, NHA Chair and Peter Shea, CHT Chair, were present at the meeting. Ms.

Dooley gave a presentation of the rehab plans for the group home at 27 Assinippi Ave., along with funding sources and an overview of prospective residents. Project funding will come from both the CPC and DHCD. The finished project will be a 6-unit Affordable Housing residence, reduced from the original house's 8 units because of the new rule requiring one resident to a bedroom. The CPC funds will be used for the preservation of the exterior structure. The other funds will be used for the interior rehab projects. The project, assuming approval at Town Meeting, will start in the spring and continue into the summer. \$123.5K is CPC funding, with the remainder coming from DHCD. The DMH has given the NHA a letter of intent to rent space for

DMH residents, but they also have the option to allow the NHA to find a better tenant "fit". All are excited that this group home will be occupied again.

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CHT Chair Peter Shea added his congratulations and good wishes for this project. He said that the CHT regretted not being able to get involved in this rehab due to the enormity of the 40 River Street project. Mr. McBride, also a CHT member, reviewed Sources and Uses of the CHT trust fund. Mr. Shea summarized the CHT's senior grant project and gave an update on the 40 River Street Senior Housing project. The project developer, Metro West Development, met with the Trust and DHCD last week to review the plans. The meeting went very well, and Metro West should receive the "official" DHCD letter by the end of the month. At that point, the process of permitting with the ZBA can begin. Ms. Allen would like to thank the CHT for all their hard work and taking on this big complicated project. There will be a community info session about 40 River Street on April 8th at the Cushing Center.

Jacobs Farmhouse De-leading Project

Norwell Historical Commission (NHC) Chair Noel Ripley was present for this discussion. Ms. Demong summarized last week's meeting and vote of the CPC to approve this application in the amount of \$150K. Mr. Brown asked if the NHC had other priorities to consider instead of this project. Is there anything else on the radar? Per Mr. Ripley, there is already a large amount of approved CPC funding set aside for the farm buildings, as well as the Sgt. Samuel Stetson house move and rehab. Mr. McBride is concerned about the other farm buildings that need painting, but would like to solve this issue first. There is currently \$208K in the Historical Reserves before the de-leading expenditure.

Mr. Ripley is in favor of renting the unit, adding that he is hopeful that this rental will be as successful as the Stetson Ford rental revolving fund. The farmhouse unit has been vacant for almost a year, but the NHC is still using the balance of the rent money to perform required maintenance. All discussed the pros and cons of spending this money. Mr. McBride recapped the history of this property acquisition by the Town in 1988, when the Town put together a plan to save this complex.

Mr. Brown reminded all that the CPC Historical Reserve funds can only be spent on historical projects, so if not this, then something else that might not generate rental income. He added that it is important to remember the Town's commitment to saving this property, and the Town now has an obligation to preserve this landmark.

Ms. Demong updated all on the proposed license agreement with Norwell Farms, with specifics included in the license agreement. The BOS will be prepared to vote next week. This will be on next week's BOS agenda as "Approve the Jacobs Farm license with Norwell Farms".

Recreational Marijuana discussion with Town Counsel

Town Counsel Bob Galvin attended the MMLA conference last week and updated all with respect to the current and anticipated municipal issues. Mr. Galvin was specifically looking for information on the new marijuana law with respect to the future of recreational use and medical licensing. Mr. Galvin gave all highlights of sections of the new law:

1. The Town can adopt reasonable controls over the time, place and manner for recreational marijuana. The Town can also adopt additional regulations, but none that conflict with state regulations. Mr. Galvin thinks that the Town will have a fair amount of say in addition to the state regulations. This law will be similar to alcohol licensing. Town regulations can expand or reduce the licensing a little bit, but won't be able to prohibit sales in any "area" that allows medical marijuana. Town already has an overlay district or "area", which would apply to this discussion.

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2. The Town can limit the licensing of recreational sales establishments to fewer than 20% of the number of alcohol licenses or to the number of medical marijuana treatment centers. It is unlikely that the Town will be able to impose a complete ban due to the medical marijuana facility, but it is still worthwhile to try to do so.

There is a possibility that 10% of the voters could file a petition at the next biennial state election to allow consumption of marijuana on the premises of a sales establishment. There would need to be a proactive approach by voters to get this on the ballot, otherwise it wouldn't be allowed. The Town can still ban consumption in public places and buildings, similar to the bans on smoking.

Per Mr. Galvin, it is the consensus of the Mass. Municipal Lawyers Assn. that towns should do everything possible if they want to prevent recreational marijuana facilities in their communities. The Town has to decide whether to limit the recreational facility license number to one, or none. Sales of recreational product will be legal after June 1, 2018. A moratorium can always be cancelled if a regulations framework is put in place. The vote to ban could be a ballot question. Marshfield is opting for a moratorium, Duxbury is not. Mr. Galvin would recommend a moratorium effective until Oct./Nov. 2018. It can always be lifted sooner. A moratorium requires a Town Meeting vote with a 2/3 majority to pass.

A ballot question would be needed for outright prohibition. The BOS would have to vote 35 days prior to the election to put it on the ballot. This would exclude medical facilities and just apply to recreational sales. Ms. Allen read a sample bylaw from the town of Lynnfield.

All discussed limiting the recreational sales facilities to 20% of the number of package stores, which would mean 2 facilities. If limiting to the number of medical facilities, it would be 1. Per Mr. Morin, the existence of the agreement for medical sales with Mass Medi Spa creates no presumption for permission to establish a recreational sales facility.

Questions were asked and answered about the moratorium. To put one in place would allow more time to research options as nothing can happen while the moratorium is in effect. In all probability another town will be a test case before Norwell needs to make a decision. Questions were asked and answered about Mass Medi Spa and possible recreational licensing. Mr. Morin stated that they are acquiring land in western Massachusetts for cultivation but has no other updated information from them. All discussed proposed approaches by surrounding towns, and Mr. Galvin updated the board on which towns were filing moratoriums. Per Mr. Galvin, the law is not well written, which would argue for the 4 pronged approach to cover all the bases. These would be (1) a ballot question to ban recreational marijuana, (2) a moratorium on zoning for recreational marijuana (should the town be forced to create a permissible area and at least one license), (3) a general bylaw prohibiting marijuana not medically prescribed, and (4) a zoning by-law prohibiting marijuana not medically prescribed in all zoning districts. Mr. Galvin recommended and the Board agreed to proceed in this way. The Planning Board will now have to hold public hearings on the proposed moratorium and zoning bylaw. All would like to talk to Mass Medi Spa and update them with the Town's approach.

Grange Discussion

Mr. Brown updated the board on the discussion about this Town building and asked Mr. Galvin about the Town's obligation/requirement to purchase it. Per Mr. Galvin, there is no requirement, only an option to purchase for \$1. The BOS could convey the purchase option to another party, along with the current historic restriction to maintain the exterior appearance. The state grange organization apparently has some vested interest in the building, but not the right to buy it. This discussion will be continued next week in Executive Session with the American Legion.

Open and Close the Annual Town Meeting Warrant

Motion; made by Ellen Allen, seconded by Peter Smellie, to open the Town Meeting warrant for the 2017 Special and Annual Town Meetings. Unanimously voted
Mr. Morin reviewed additions to the Warrant Articles, including an update by the Com Com to the flood plain bylaw for the Annual Town Meeting with respect to reports including appropriate maps and coordinates.

Motion; made by Ellen Allen, seconded by Peter Smellie, to allow the Articles addition to the Special Town meeting and Annual Town meeting Warrants, as read by Mr. Morin. Unanimously voted

Motion; made by Ellen Allen, seconded by Peter Smellie, to close the Warrants for the Special and Annual Town meetings. Unanimously voted

Adjournment

Motion; made by Ellen Allen, seconded by Peter Smellie, to adjourn at 9:01pm. Unanimously voted

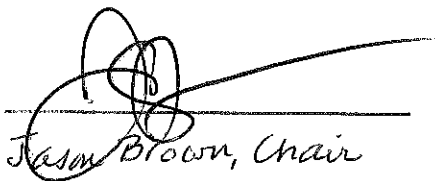
Upcoming Meetings

3/22 – Jacobs farm license approval with Norwell Farms

- Website review
- Exec. Session on the Grange status and option to purchase

Other Meetings:

1. Dissolution of non-active committees; closer to year-end
2. Discussion of appointing a Town auditor; Mr. Morin will double check dates.
Town would have to do an RFP. Discussion needed, but all restated that Melanson Heath did a great job.
3. Girls softball has requested a meeting with the BOS. They are meeting with the Recreation Director tomorrow at 5:30.
4. Meeting 3/29? Don't know yet.


Jason Brown, Chair