

**Memorial Town Hall, 1 Library Street, Georgetown, MA 01833**  
**Ph. (978) 352-5755 Fax (978) 352-5727**  
**BOARD OF SELECTMEN MEETING MINUTES**  
**Memorial Town Hall**  
**8/26/13**  
**5:30 PM – General Meeting, 3<sup>rd</sup> floor meeting room**

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**Selectmen Present:** Stephen Smith, Chairman; C. David Surface; Philip Trapani; Gary Fowler

**Others Present:** Michael Farrell, Town Administrator; Janet Pantano, Administrative Assistant

**Absent:** Stuart M. Egenberg, Clerk

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5:30PM Pledge of Allegiance

**Warrant & Minutes**

Warrant to be signed

Minutes of June 17, July 8, August 5, 2013 and the Executive Session July 8, 2013

**Mr. Surface moved to approve the minutes of June 17, 2013. Mr. Fowler seconded the motion and the motion was approved by a unanimous vote.**

**Mr. Surface moved to approve the General and Executive session minutes of July 8, 2013. Mr. Fowler seconded the motion and the motion was approved by a unanimous vote.**

**Mr. Surface moved to approve the minutes of August 5, 2013. Mr. Fowler seconded the motion. Mr. Fowler stated that there was a mistake on the time on the first page. Ms. Pantano to make the change to the final copy. The motion was approved by a unanimous vote.**

**Board Business**

*Medicinal Evolution presentation*

Elizabeth Holland and Brandon Tarricone were present

Mr. Smith stated that this presentation is informational. Ms. Holland passed out some additional information on Medicinal Evolution, Inc. Mr. Tarricone gave background information on how he and his aunt came to be working on this project. He explained their journey to be here looking in Essex County and that they are only looking in this area as they live in the area. He stated that they do not have a property site as the site they were looking at has sold. He stated that they know that town's can not ban a site and they would like to work with the community and be open and talk with opponents. Ms. Holland stated whether they are in Georgetown or in another community they may have patients from this area. Mr. Smith asked for a description of the business. Mr. Tarricone

explained cultivation facility indoors with organic supplies and would have casino type security and he described what is required by the State. He stated that if have both cultivation and dispensary at the same site then you do not have the transportation issue. He stated at the dispensary they may offer massages, support, etc. He stated before anyone enters the facility they will be scanned in. He stated that they will have Kevlar walls and bullet proof glass. He stated that there is no proof of increased crime with sites this is only a rumor. He stated that the main use of the product is by vaporizer, edible, or as oil, and not specifically smoking. Mr. Smith asked if they are looking at Georgetown for a cultivation center and now for sales also. He asked why Georgetown. Mr. Tarricone stated that he was looking for a home in the area and grew up in Hamilton and that his Aunt is from Beverly so looking in these areas. Ms. Holland stated that they are looking for an area that would be private for their patients. She stated that the regulations are highly regulated and they are looking for a central area and Georgetown has easy access to RT95.

Mr. Smith stated he would have the board ask questions and then ask the Town Planner to answer some questions on the Medical Marijuana bylaw.

Mr. Trapani asked the number of employees, the training, etc for a cultivation center. Mr. Tarricone stated employees would have to be felony free, have a Cori check. He stated they would employ 3 to 4 farmers for curing, drying and trimming, and then the product would be bagged and sent to a dispensary. Ms. Holland stated that the employees would be educated on the regulations. Mr. Tarricone stated that the dispensary will have counselors to teach patients how to use the product and someone to watch for drug abuse. He stated a social worker may also be employed. Ms. Holland stated that she would have a personnel handbook and will work with staff. She stated that they want to start small and plan to grow. She stated that they will use standard business practices. Mr. Trapani stated that this town has some interesting zoning and what will residents expect from their business. Mr. Tarricone stated that they need a lot of power and does not see any difference than any other business. He stated that they would need HP parking and a lot of security. He stated that they would not want to be near any homes. He stated that this will be a non-profit business and plan to help the community not hurt the community. He stated that Medical Marijuana has been approved in other States and hopes to have the Gold Standard in MA. Mr. Trapani stated that he has seen some documentaries and some in sites CA are like Hospitals.

Mr. Surface stated he has a list of questions and asked if they are building a cultivation center or dispensary. Mr. Tarricone stated that they have to do both under the license. Mr. Surface asked if they had a medical background. Ms. Holland stated she has worked in human services and gave some background information. Mr. Surface asked how he knows how it would be used and not used for smoking. Mr. Tarricone explained that vaporizer is used a lot and combustion is not used as much some still do but smoking is out. Mr. Surface asked what they are looking for in Georgetown. Mr. Tarricone stated that they were first looking for cultivation center but now looking for both. He stated 181 applications have been turned in to the State for 35 licenses. He stated that a lot are projecting a large project but they are starting small. Mr. Surface asked how they can put

in an application with out a space. Mr. Tarricone stated if awarded a license they have 90 days to find a space and they will find out in the middle of September if their application is accepted. Ms. Holland stated that they have been working to come in to a meeting since March. She stated any purchase will have to be contingent on them being awarded a license. Mr. Surface asked about sale of other products at the dispensary. Mr. Tarricone stated that there will be no logo and selling of t-shirts or hats, etc. Mr. Surface stated asked about waste, etc. Mr. Tarricone stated that the regulations are strict and only organic projects can be used and that this is not just for the environment but also for patients. He stated nothing beyond wastewater and a lot of electricity.

Mr. Trapani stated that there would be no consumption on property. Mr. Tarricone stated that there would not be any consumption at either site. Mr. Surface asked it there would be an odor from the plants. Mr. Tarricone stated that there would be no odors as they are required to use a closed system. Mr. Surface stated that they are a non-profit is this their idea or the States. Mr. Tarricone stated was their decision and that they would like to give back to the communities. Mr. Surface asked about a tax on the product. Mr. Tarricone stated that he feels that there should be a tax and that the tax can be allowed by the town.

Mr. Fowler asked if this building has to be a stand alone or can it be in a complex. Mr. Tarricone stated that the dispensary could in a complex but for the cultivation center there should be a separate building because of the farming. Mr. Fowler stated that he does not see an area for both in Georgetown. Mr. Fowler asked if the cultivation center would be co-op where individuals own a plant. Mr. Holland stated no the dispensary will own all the plants. Mr. Fowler asked if the security was the same for both centers. Mr. Tarricone stated all material will be kept in a safe at the dispensary when closed. Mr. Fowler asked if they use the whole plant and if not what happens to the unused plant parts. Mr. Tarricone stated that they do not use all of the plant and the unused would be burned off site or ground and disposed of. He stated that this is in the regulations and the State requires a sign off on any unused plant. Ms. Holland stated that they are taking this very seriously and putting their finances on the line. Mr. Fowler stated that this is a state law and approved in town and he is keeping an open mind on the issue.

Mr. Smith asked what their plan is now. Mr. Tarricone stated that they are looking to get the regulations set up in towns and look for a building. Ms. Holland stated that it is hard to move forward without the zoning.

Howard Snyder, Town Planner came forward

Mr. Smith asked what the Planning Board is doing. Mr. Snyder stated that the Planning Board is holding a public hearing on Wednesday, August 28 and the bylaw is to help the applicant to go through the process with the municipality. He stated that a lot of this bylaw gives the distances they have to be from schools, churches, etc. He stated that there is language on hours of operation to make sure the operation does not have a detrimental impact to the town. Mr. Smith stated that the bylaw will go forward to be approved at the STM. Mr. Snyder stated first they will have a public hearing with town residents and departments will weigh in and then approval at STM. Mr. Smith asked

what a moratorium is. Mr. Snyder stated that the moratorium gives the town 2 years to come up with a bylaw or how they want to handle an issue. He stated that the nature of the use will determine where a center can be located in town. Mr. Surface asked about traffic. Mr. Snyder stated that under a special permit that could include a traffic study. Discussion on if permitted before a bylaw adopted then they would be grandfathered. Mr. Fowler stated that the new bylaw combines both dispensary and cultivation in one place. Mr. Snyder stated that this is the model they are using and will look at more closely at the public hearing.

Mr. Smith stated that the board has received two letters one in favor and one against. He stated that the letters would be available in the office. He stated that residents present who would like to speak please state your name and address for the record.

Pam Lundquist, 10 Hawk Way stated that she is speaking as a resident but is also on the School Committee. She thanked both for the presentation and stated that this is a community with a lot of families and young teens and is in favor of patients getting the medicinal effect. She stated there are stats of teens that become addicted and she stated that there is a lot data on the centers in CO and CA and the increased use in these states. She stated that with the increased use of young adults and if non-profit how can help the community. Ms. Holland stated that as a mother she has the same concerns and stated that no children are allowed in the facility. Mr. Tarricone stated they are not qualified to teach drug prevention but would support and fund this type of education. He stated that the product would be packaged in childproof containers. Ms. Holland stated that for a child you need two prescriptions from two doctors and must be supervised by a parent.

Ben Sylvanowicz, 80 Jackman St He stated that he worked near a methadone clinic and this brought a different element of people to get the drugs. He stated as a homeowner he stated that property values would go down and this would devalue your property. He stated that they have to be concerned on traffic and residents need to be involved in the process. Mr. Smith stated that this does speak to the zoning and where to allow a facility in town.

Jill Osborn, 18 Lisa Lane stated that she has a 6 year old daughter who needs this medicine. She stated that she has a lot seizures and they have no where to get this medication. She stated that the have oil type that can be put on a tongue and is low THC and the patient does not get high. She stated that you have to separate the recreational use and realize this is for medical use.

Josh Shaul, 21 Pillsbury Lane stated he came when he heard a lot of regulations are being put in place and asks the town to support this type of project for the town and to get in early and to not miss out on the tax revenue.

David Grossi, 40 Lakeshore Drive stated that the State is more aware and has regulations and it is inevitable to be sold and that Georgetown should get their foot in the door. He stated that kids can be educated on use and a plant to be used medically he is all for it.

Mr. Surface stated that the town will have no additional tax revenue unless a new building is built. Mr. Tarricone stated that an excise tax is allowed in the regulations. Mr. Trapani stated that this would also provide jobs for residents. Mr. Surface asked for a Performa with the sales tax. Mr. Tarricone stated that he would provide this to the board. He stated that this should not be a burden on the town and they do have insurance for the business and gave a copy to the board.

Mr. Fowler asked the Police Chief if he saw additional work for his department. Chief Cudmore stated he has talked to people and it is new and too early to say.

*BEST (Boxford Elementary Schools Trust) request for a One-Day Liquor License at Camp Denison, October 18, 2013.*

Heather Vaz, BEST member was present

Ms. Vaz described the event for a One-Day Wine & Malt permit for an Oktoberfest event at Camp Denison. She stated that they will have a cash bar with wine tasting and beer tasting. She stated that Newburyport Brewery will do the beer tasting and discussing with wine companies for the wine tasting. She stated that event will go from 7PM-10:30PM and will serve food. Chief Cudmore stated have had no issues with these companies. He stated that they have been at other events in town and have had not issues.

**Mr. Surface moved to approve a one-day wine and malt license for BEST-Boxford Elementary Schools Trust at Camp Denison on Friday, October 18, 2013 from 7PM – 11PM. Mr. Fowler seconded the motion.**

Mr. Trapani asked the capacity or attendance to the event. Ms. Vaz stated that they expect about 90 – 100 attendees. Mr. Fowler asked the cut off number for a detail as would want to save funds for the applicant. Chief Cudmore stated that the board has required the detail with the alcohol service and is number driven. He stated there is an element of control and medical concerns when serving alcohol. He stated that there were many concerns with allowing alcohol at the camp when they first requested to add this service and that was when a police sign off was required.

**The motion was approved by a unanimous vote.**

*Partnership Agreement with Fish and Wildlife-ConCom*

Steve Przyjemski, ConCom Agent and Anne Gagnon, Fish and Wildlife were present Ms. Gagnon explained that Fish and Wildlife are applying for a Federal grant and it is a very complicated application and not many communities go out for it. She stated that they are requesting to use the dollar match from a project that the town already has acquired. She stated that if they are successful a document would have to be recorded and the land would have to be used as Conservation property. Mr. Smith asked if the land is already designated Conservation land. Mr. Przyjemski stated that the land is the Driftway Farm property and it is already designated Conservation land. He stated that this is a way for the town to help out Fish and Wildlife. Mr. Smith asked if any of the grant funds would come back to Georgetown. Ms. Gagnon stated that it would depend on the projects in town and if they request funds for a project. Mr. Przyjemski stated that the

Fish and Wildlife have supported the town and this is a way to give back to them at no cost to the town. Mr. Trapani stated that with the investment what would the town receive. Mr. Przyjemski stated that this is just a give back. Mr. Fowler asked if more restrictions would be put on this land. Ms. Gagnon stated that it would not give any additional restrictions.

**Mr. Trapani moved to allow the Chair to sign the *North American Wetlands Conservation Act Proposal Partner Contribution Form for the Fish and Wildlife Grant Application Great Marsh II*. Mr. Fowler seconded the motion and the motion was approved by a unanimous vote.**

Mr. Surface stated that there is an issue with the Pond Street fence removal and if they are awarded the Grant can they help out with this project. He stated that it is along Pentucket Pond. Ms. Gagnon and Mr. Przyjemski stated that if awarded they can look at it.

*Conservation Restriction Wheeler Brook Farm-ConCom*

Steve Przyjemski was present

Mr. Przyjemski stated that he will come back in October for signatures for the Conservation Restriction for Wheeler Brook Farm. He stated that they are now finishing the paperwork and will go in front of the ConCom for approval and then the Selectmen.

**Old Business**

*Street Acceptance-Abbey Road & Cedar Lane-Planning Board*

Howard Snyder, Town Planner was present

Mr. Snyder stated that he had been before the board in the spring for the Street Acceptances and the streets were approved at the ATM. He stated that the town has 120 days after town meeting to record the deeds. He stated that all the paperwork is done and he needs signatures from the board on the Orders of Taking for both streets.

Abbey Road

Mr. Snyder explained that Abbey Road has two takings and they have to decide which one to sign. He stated that the first one has an easement and the second does not. He stated that the easement has to do with drainage. Discussion on the easement. Mr. Smith stated that there has to be discussion with the resident first and then go forward as to the maintenance of the drainage basin.

**Mr. Surface moved to accept the *Order of Taking for Abbey Road* without easement on lot 2. Mr. Trapani seconded the motion.**

Mr. Fowler asked why this has taken this long and did we not know who the owner was. He asked who will follow up on the project. Mr. Snyder stated that the Planning Board will follow up. He stated that the paperwork gets done after approval at the Town Meeting.

**The motion was approved by a unanimous vote.**

Cedar Lane

Mr. Snyder explained the taking and that this has two takings with one excluding lot 13 for a landscape easement. He stated that the easement has to do with a site line on one of the turns on the street.

**Mr. Surface moved to approve the *Order of Taking for Cedar Lane* excluding lot 13. Mr. Trapani seconded the motion.**

Mr. Fowler asked if the site line effects traffic going from Cedar lane to Andover St. Mr. Snyder stated that it is in the street a couple turns in and not on Andover St. Mr. Fowler asked what leverage the town would have to get the easement if we approve the taking. Mr. Snyder stated that the easement would be needed for site distance. Mr. Smith stated that if they do not go forward with the Street Acceptance in the next 10 days they would have to start over and go back to town meeting. Discussion on liability and the process. Mr. Snyder stated to go through the whole process would be an additional cost to the town. Mr. Fowler stated that this is not the first time Cedar Lane has gone to Town Meeting. He stated that this is the second time and still not done right. Mr. Snyder stated he was not here the first time but that involved a land case that the town won. Mr. Fowler stated that should this paperwork and easement be done before Town Meeting. Mr. Snyder stated that the title search happens after town meeting and the approval at town meeting.

**The motion was approved by a 3-1.**

### **Appointments & Approvals**

#### *Police Dept appointments:*

- Michael Goddu appointed as a Detective to expire 6/30/16
- Derek Jones appointed as Animal Control Officer to expire 6/30/2014
- Dean Julien as Assistant Animal Control Officer to expire 6/30/2014
- Keith Deguo as Assistant Animal Control Officer to expire 6/30/2014
- Reed Wilson as Assistant Animal Control Officer to expire 6/30/2014

Chief Cudmore stated final process of the PD changes and explained the changes. Reed certified in Wild Animals.

**Mr. Trapani moved to appoint Michael Guddo as a Detective term to expire June 30, 2016; Derek Jones as Animal Control Officer, Dean Julien as Assistant Animal Control Officer, Keith Deguo as Assistant Animal Control Officer, and Reed Wilson as Assistant Animal Control Officer with terms expiring June 30, 2014. Mr. Surface seconded the motion and the motion was approved by a unanimous vote.**

Chief Cudmore stated that they have been working on the unregistered dog licenses and that the list has been cut in half.

#### *Declaration of Surplus Property-Town Clerk*

**Mr. Surface moved to approve the surplus property request from the Town Clerk for old dog tags and a printer. Mr. Trapani seconded the motion and the motion was approved by a unanimous vote.**

### **Town Administrator's Report**

Mr. Farrell stated that they have some items for a STM and gave a list to the BoS.

- Because of the different accounting used this year Highway overtime was not in the budget at 16,181.
- Ambulance they need to recognize the budget 217,000.
- Assessors fund transfer to Free Cash of excess funds \$5,000 this year.
- Property & Liability and Workers Comp we needed \$20K in P & L and \$4,300 in WC. The FinCom did a reserve fund transfer last week and also a matter if we did not pay by the end of the week then we would of lost a \$15k discount. FinCom would like to replenish their Reserve Fund as this was a big hit early in the year and if the funds are not used then the funds would go back to free cash.
- Medicinal Marijuana Bylaw
- Town Counsel has draw up a draft Personnel Bylaw for town meeting as suggested by the DoR.

Mr. Farrell stated that the town will have all certifications well before October and he would like to open the warrant on September 9, close the warrant on September 23, and hold the STM on October 28.

Mr. Farrell stated that the accountant rolled the books last week and will have a budget expenditure report next week.

### *Community Preservation Committee Selectmen Appointment term to expire June 30, 2015*

Mr. Smith stated that they have not had any requests to fill the position so far and asked any resident interested to apply. He stated that he would like to see a new volunteer fill the position.

Mr. Smith stated that there will be an executive session at the next meeting at 6PM and the Fire Chief and Schools will be in to the general meeting to update the board on what is happening in their dept.

### **Next Meeting**

Monday, September 9, 2013 at 7:00PM, 3<sup>rd</sup> floor meeting room, Town Hall

**Mr. Surface moved to adjourn. Mr. Trapani seconded the motion and the motion was approved by a unanimous vote.**

Meeting adjourned at 7:50 PM.

Minutes transcribed by J. Pantano.

