

TOWN OF SHELBURNE  
**Minutes of Meeting and**  
**Public Hearing Relative to Proposed Regulations**  
**“TO ENSURE THE SANITARY AND SAFE OPERATION OF MARIJUANA ESTABLISHMENTS**  
**AND THE SALE OF MARIJUANA”**  
**Board of Health**  
Tuesday, June 19, 2018

A duly posted meeting and public hearing of the Shelburne Board of Health was held on Tuesday, June 19, 2018 at 6:30 pm in the meeting room at Shelburne Town Hall, 51 Bridge St., Shelburne Falls, MA.

**Present:** Deb Coutinho, Chair

Bob Gonzalez

Rob Hicks

**Administrative Assistant:** Liz Kidder

**Absent:**

**Audience:** John W. Richardson, Ellen Jenkins, Jennifer Hale, Norm Davenport

The meeting was called to order at 6:30 pm.

**Motion to approve the minutes of June 5, 2018 was made by Bob and seconded by Rob.**

**Vote: 3 in favor, 0 opposed, 0 abstentions**

Motion to recess the Board of Health meeting to convene a public hearing relative to proposed regulations “To Ensure the Sanitary and Safe Operation of Marijuana Establishments and the Sale of Marijuana” was made by Bob and seconded by Rob.

Vote: 3 in favor, 0 opposed, 0 abstentions.

The Public Hearing relative To Ensure the Sanitary and Safe Operation of Marijuana Establishments and the Sale of Marijuana was called to order at 6:44 pm.

Deb reviewed the purpose of the hearing and the handouts: a copy of the proposed regulations with possible revisions in bold typeface, a copy of the Adult-Use Marijuana Establishments recently adopted zoning bylaw definitions and use table, and a map showing a 500 foot setback from the Buckland Shelburne Elementary School and a preschool on Water St.

Deb asked for comments by Section:

- A. Statement of Purpose and Authority:
- B. Definitions
- C. Marijuana Sales to Persons Under the Minimum Legal Sales Age Prohibited
- D. Marijuana Operating Permit
- E. Incorporation of 105 CMR 500.000 and 105 CMR 590.900
- F. Incorporation of 935 CMR 500.000

- G. Out-of-Package Sales
- H. Self-Service Displays
- I. Vending Machines
- J. Marijuana Accessories
- K. Compliance with All Laws
- L. Enforcement and Penalties
- M. Variances
- N. Severability
- O. Effective Date

No comments were made by those in attendance.

Moved to adjourn the Public Hearing relative to “**REGULATIONS TO ENSURE THE SANITARY AND SAFE OPERATION OF MARIJUANA ESTABLISHMENTS AND THE SALE OF MARIJUANA**” was made by Bob and seconded by Rob.

**Vote: 3 in favor, 0 opposed, 0 abstentions**

**Motion to reconvene the Board of Health meeting was made by Rob and seconded by Bob.**

**Vote: 3 in favor, 0 opposed, 0 abstentions**

The meeting of the Board of Health was recalled to order at 7:03 pm

Review of Public Hearing: it was noted that no public comments had been received even though the meeting had been duly posted.

Adult-Use Marijuana Health Regulations – the consensus of the Board was to incorporate all revisions they had developed that had revised the model regulation to meet the needs of the Town of Shelburne. All of these modifications had been included in the materials distributed during the public hearing.

A Motion to adopt the Town of Shelburne “Regulation to Ensure the Sanitary and Safe Operation of Marijuana Establishments and the Sale of Marijuana” effective immediately as revised was made by Bob and seconded by Rob. Vore: 3 in favor, 0 opposed, 0 abstentions.

The Board noted that they were to pleased to have adopted these regulations before the Town’s zoning moratorium was due to end on June 30<sup>th</sup>.

**Poll of audience:** no one present.

**Appointments:** none scheduled.

**Special Permit Applications/Variances** none

**Review of phone messages, mail and emails** – no discussion

**Budget for FY 2020 / planning for future years** – Deb and Liz will continue to work on this project. They plan to meet with Phoebe Walker at the FRCOG and clarify exactly what services the FRCOG Community Public Health program can provide and what services the local Board of Health would still have to carry out if the Town decided to join that program.

**Inspections** – none reported.

**Invoices** – Liz will issue the latest invoices; most people have been responding.

**Other Business not reasonably foreseen 48 hours prior to the meeting** - nothing presented.

**Schedule next meeting:** Tuesday, September 11<sup>th</sup> 2018 at 6:30 pm

**Adjournment**

**A motion to adjourn the meeting was made by Bob and seconded by Rob.**

Vote: 3 in favor, 0 opposed, 0 abstentions

**The meeting was adjourned at 7:05 pm**

**Respectfully submitted by:**

Liz Kidder

Administrative Assistant

**List of Documents:**

Attorney General Letter on student use of electronic cigarettes

Draft Shelburne Marijuana Regulations