NEEDHAM PLANNING BOARD MINUTES

May 3, 2017

The regular meeting of the Planning Board held in the Highland Room, Needham Town Hall, was called to order by Martin Jacobs, Chairman, on Wednesday, May 3, 2017, at 6:45 p.m. with Messrs. Alpert and Owens and Mmes. McKnight and Grimes, as well as Planning Director, Ms. Newman.

Correspondence

There was no correspondence.

Discuss Town Meeting Warrant Articles.

Mr. Jacobs noted the motion to amend Article 31(recreational marijuana moratorium). Ms. Newman stated she is trying to make sure it is clear, make sure the moratorium does not capture medical marijuana and that the medical marijuana facility this Board may approve cannot sell recreational marijuana. Ms. McKnight commented she feels the Attorney General will approve this but the law says medical marijuana dispensaries can sell recreational marijuana. She does not feel the Board can say in the Zoning By-Law recreational marijuana cannot be sold. Ms. Grimes stated the Board should say the moratorium was requested by the Board of Health. All agreed.

Upon a motion made by Mr. Owens, and seconded by Mr. Alpert, it was by the five members present unanimously:
VOTED: to approve the motion to amend Article 31.

Mr. Owens stated if Article 24 is defeated the Board may or may not want to proceed with Article 25. It should not be decided now but in the heat of the moment it may need to be considered. Mr. Alpert asked why losing Article 24 has anything to do with going forward with Article 25. Mr. Owens stated it does not have anything other than if the discussion of Town Meeting is getting hostile the Board may want to consider that. He feels the Board should be prepared for a quick discussion after Article 24 to see if they should go forward or not. Ms. McKnight stated she agrees with Mr. Alpert Article 24 is separate and should not affect Article 25. Ms. Grimes commented the Board might want to consider it if the feeling of Town Meeting is really against the articles. Mr. Owens noted there does not need to be a decision now. He feels it is just something to think about.

Mr. Jacobs asked the Board to think about if Article 23 is defeated. Mr. Alpert stated if Article 23 does not pass all other amendments do not make sense. Ms. Grimes suggested she say "the framework for the following articles and its passing by 2/3 vote is necessary for this process to continue." She plans to say that at the beginning and at the end. Mr. Alpert suggested she should say "that passing Article 23 makes no substantive changes but makes the Planning Board By-Law more readable."

Mr. Jacobs stated Selectman Moe Handel made a comment of how he is getting hammered with calls about Article 24. He asked if any of the Board members knew anything about this. No one has heard anything about calls. Mr. Jacobs stated he believes Article 27 will be referred back. Ms. Grimes noted she would say the Planning Board and the Large House Study Review Committee spent years studying this. She feels the proposals were well thought out and she feels it is important for Town Meeting to voice their votes. The Board members discussed the options.

A motion was made, with respect to any of these articles where there is a motion to refer, the Planning Board state the Board is opposed to the motion to refer. Ms. Grimes commented she would prefer to wait until they see how the conversation is going. Ms. McKnight stated she was going to add to the motion the Board will not adjourn the meeting and can revote at the table if necessary. Ms. Grimes noted if the conversation starts to get messy the Board will have this discussion again at the table. Mr. Jacobs stated this is subject to change dependent upon what happens upstairs.

Upon a motion made by Ms. McKnight, and seconded by Mr. Alpert, it was by three of the five members present (Ms. Grimes abstained and Mr. Owens voted in the negative):

VOTED: with respect to any of these articles where there is a motion to refer, the Planning Board state the Board is opposed to the motion to refer.

Mr. Owens stated he would never use the language that the Board is opposed. He would say the Planning Board prefers this not be referred back but he feels "opposed" is hostile and combative. He is opposed to recording split votes and strongly opposed to this vote. Mr. Jacobs asked Ms. McKnight if she would revise the motion to say the Board is not in favor of a referral back.

Upon a motion made by Ms. McKnight, and seconded by Mr. Alpert, it was by four of the five members present (Ms. Grimes abstained):

VOTED: with respect to all zoning articles, if there is a motion to refer back, if asked, the Planning Board is not in favor of referring back.

Mr. Jacobs noted the meeting was recessed at 7:12 p.m.

Respectfully submitted,
Donna J. Kalinowski, Notetaker

Paul Alpert, Vice-Chairman and Clerk