

Minutes of Zoning Board Meeting
Town of Whately, MA
Town Offices Building, 4 Sandy Lane
March 7, 2019

Members Present: Roger Lipton, Bob Smith, Debra Carney, Kristen Vevon
Members Absent:: Fred Orloski

Attending:

Tom Carlone, Ed Lally, Karen Gaston, Takisha Womack, Chris Godreau, Amy Rotchford, Steve Keyes, Mark Battey, Bob Fill, John P. O'Connor, James Golonka, Darlene Korpiewski, David Korpiewski, Richard Korpiewski, Lisa Korpiewski

Public Hearing: Gaston Retail Marijuana Establishment

Applications for both a special permit and a variance, to rehabilitate an existing building located at 13 State Road and reuse it as a marijuana establishment for retail sales

Chair Roger Lipton called the meeting to order at 6:45 pm.

Ed Lally, a friend of Karen Gaston who is also a retired civil engineer, submitted a 3-page project narrative and property owner Steven R. Keyes submitted a 5-page supporting document. Mr. Lally began to describe the proposed project, but Chair Roger Lipton noted that a Host Community Agreement had not been submitted with the applications and asked whether the applicant had one to submit tonight. Mr. Lally explained that they had discussed the matter with the selectboard and that they expect to get the agreement at the next selectboard meeting. Roger noted that the selectboard might still say "No" to the proposed agreement. Roger polled the board members and they all said they didn't want to proceed with any marijuana-related application before an approved Host Community Agreement has been submitted, as required by Whately Zoning bylaw ~ 171-28.6 (D) 20.

Roger said that since the special permit application had been submitted incomplete, the hearing couldn't be held. He explained the options available to the applicant, who chose to withdraw both applications without prejudice and plans to reapply (which will include payment of a new filing fee). The secretary wrote a statement of withdrawal without prejudice, which Karen Gaston signed. Once new applications have been received, a new hearing date will be chosen and publicized.

The board discussed how to handle rising costs to the town for public hearing advertising fees. The board will begin notifying applicants of the cost of their legal notice ad in advance of their hearing, and will begin accepting checks to cover the ad cost in advance of the hearings, up to the time that the hearing is scheduled to begin. The secretary will check with the Town Clerk on the details of how to accomplish this.

Minutes of January 3, 2019: the board voted to approve the minutes as amended.

2.

Minutes of January 31, 2019: review postponed until the next meeting, after the complete version has been received by all board members.

Documents Reviewed (kept in the ZBA files)

1. A 3-page document headed,

NARRATIVE
Proposed Marijuana Retailer Use
13 State Road, Whately MA

2. A 5-page document headed,
Applicant – KAREN GASTON,
15 AUSTIN BROOK DRIVE
EAST GRANBY, CT 06026

Property Owner – STEVEN R KEYES
5 STATE ROAD
SOUTH DEERFIELD, MA 01373

3. A handwritten statement dated March 7, 2019, and signed by Karen Gaston, withdrawing without prejudice her applications for a special permit and a variance

Mary McCarthy
Secretary
Zoning Board of Appeals
Town of Whately, MA