



**Cannabis Advisory Committee
APPROVED Minutes
Remote Participation via Zoom
October 19, 2023 @ 1:00pm**

Board Members: Barry Rector (Chair), James Cooper, Abby DeMolina, Dorothy Hertz,
Dawn Hill-Holdgate, Joe Plandowski, Jacques Zimicki

I. Call to Order

Chair Rector called the meeting to order at approximately 1:03pm.

In Attendance:

Board Members:

Barry Rector (Chair) *Present*

Abby DeMolina *Present*

Joe Plandowski *Present*

Jacques Zimicki *Present*

Quorum was established.

Public:

Dan Berger

II. Remotely Conducted Open Meetings Statement

Chair Rector denoted and summarized the prepared statement in accordance with Governor Baker's March 21, 2020, order regarding open meeting law, which outlines how the meeting is conducted via remote participation and states the ground rules for any discussion.

III. Approval of Agenda

Mr. Plandowski made a motion to approve the agenda, seconded by Ms. DeMolina.

Vote taken by Roll Call:

Abby DeMolina Aye

Joe Plandowski Aye

Jacques Zimicki Aye

Barry Rector (Chair) Aye

IV. Approval of Draft Minutes

Tabled by Chair.

V. Public Comment

None.

VI. Election of Officers

The Chair requested that this matter be continued until the entire committee is present.

VII. Informal Dialogue of potential Citizen's Warrant Articles for Annual Town Meeting 2025 (ATM25) by Dan Berger

Mr. Berger requested the Committee members some time to explain his thoughts on a warrant article that he might propose for ATM25. Mr. Berger's proposed article(s) encompassed three major areas: 1 – Updating Chapter 95 of the Town's bylaws (local cannabis bylaw); 2- modernizing zoning definitions and the zoning use table; and 3 – preparing for new license types (delivery, courier, and social consumption.)

Under section 1 - updating Chapter 95 of the Town's bylaws, he proposed four key changes: A - to consolidate and simplify license categories so as to align local definitions with the new CCC regulatory categories, which are broader and more flexible, B - clarify co-location rules to decrease the difficulty for multiple cannabis uses to operate on the same parcel, C - update home-occupation language to align the existing local bylaw language is restrictive and doesn't reflect with the more permissive new state allowances, D – to remove or revise outdated operational requirements regarding host community agreements, fees, and equity requirements.

Regarding section 2 - modernizing zoning definitions and the zoning use table, Mr. Berger recommended to A – change the 2,000-foot separation requirement between cannabis establishments and replace it with the CCC's new standard: distance measured between the closest accessible entrances, not parcel lines, B- update definitions in the zoning bylaw by modernizing the current zoning code still uses legacy terms that no longer match CCC categories., C - expand allowable zones for cannabis uses, such as allowing more cannabis uses in commercial and industrial districts, and, D- prepare the zoning for social consumption sites. Lastly on section 3 – preparing for new license types (delivery, courier, and social consumption) he suggested: A – advocated for the addition of definitions for both delivery and courier

operations, and to allow them in appropriate zones, B – create a zoning definition for social consumption and the identification of potential districts for operations.

In summary, Mr. Berger stated that these initiative-taking changes would , bring Nantucket’s bylaws into alignment with the CCC’s sweeping 2023 regulatory overhaul; allow operators to adapt to market changes, especially in a small, isolated community; and reduce unnecessary barriers by eliminating local rules that are overly restrictive, making it impossible to site cannabis businesses on Nantucket.

The Committee members thanked Mr. Berger for the extensive work and insights provided for his proposed warrant article. The Committee members further state that they would take this information under advisement and there may be an opportunity to partner with him on revisions to the current local cannabis bylaws.

VIII. Proposed Changes by Cannabis Control Commission to 935 CMR 500.000: ADULT USE OF MARIJUANA. [Meeting-Book-Cannabis-Control-Commission-Regulatory-Review-Public-Meeting-230728.pdf \(masscannabiscontrol.com\)](#)

Mr. Rector stated that the changes proposed by the Cannabis Control Commission (CCC) were very broad-sweeping and profound. Mass Municipal Association (MMA) had major concerns on the impact of these changes to cities and towns. Mr. Rector requested if committee members had not reviewed the meeting, that they do so at their earliest convenience.

IX. MMA Webinar reviews draft CCC regulations on Host Community Agreements. [MMA webinar reviews draft CCC regulations on host community agreements](#)

Mr. Plandowski noted a few topics of interest – future contributions, as well as charitable contributions by cannabis facilities. He also expressed concerns over the feasibility of implementing on Nantucket local rules on equity standards and charitable contributions. He stated that the CCC will want these rules in place by May 1st, 2024. Additionally, he noted that from the 300+ page document from CCC, the majority of changes to focus on were in the section on Host Community Agreements (HCA). Mr. Berger mentioned that the CCC is meeting to make additional changes. He also spoke to fees that may be able to be collected as long as they were itemized and documented by the Town. Mr. Plandowski asked if there were samples available of the revised HCA. Mr. Berger stated he had worked on a few HCA’s for other towns and cities and the CCC would be providing a model template of the revised HCA by March 2024. Mr. Rector advised waiting on rewriting HCA’s until the CCC had finalized their template. Mr. Plandowski asks about the status of the HCA’s, one of which is coming close to the 5 year renewal period. Mrs. Holdgate-Hill stated that the time to address that particular HCA was still about 1 year away. There was discussion on the CCC reviewing all HCA’s here forward, however for a variety of reasons, the implementation may be several months away.

X. Update on Administration review of draft Social Equity Policy for the Town

The Chair expressed thanks to the committee members who contributed in drafting this document. He stated that the document was an amalgam of work by the committee members,

the CCC and a sampling of other local Social Equity Policies (SEP) from across the state. The Select Board would be the final implementing body on this policy. Mr. Plandowski expressed some concerns over equity versus non-equity cannabis establishments. The Chair began the review of each section of the draft SEP. He denoted that the Select Board may need to establish two additional licenses in order to comply with the SEP. He stated that there could be a number of different options for licensure. Mr. Plandowski & Mrs. Hill-Holdgate expressed concern over the financial viability of adding more cannabis facilities. Mr. Berger stated it may help to change the verbiage to marijuana establishments versus retailers. Mr. Rector reiterated that the Select Board may wish to completely remove the cap on the number of licenses. Mr. Berger agreed this was a promising idea. The Chair denoted that even with the removal of a cap, there were still a number of reviews that would take place on a local level before a facility could become operational. Mr. Plandowski commented on the new mail order facility called MOOD. A motion was made by Mrs. Hill-Holdgate and seconded by Mr. Plandowski to forward the draft document to the Town Manager for review and have the Select Board finally review pending additional revisions.

Vote taken by Roll Call:

Dawn Hill-Holdgate Aye

Joe Plandowski Aye

Jacques Zimicki Aye

Barry Rector (Chair) Aye

XI. Next meeting

- a. Meetings are held on the third Thursday of each month at 1:00PM
- b. Next tentatively scheduled meeting November 16, 2023

XII. Adjournment

A motion was made by Mr. Plandowski and seconded by Mrs. Hill-Holdgate to adjourn the meeting at approximately 1:58pm

Vote taken by Roll Call:

Dawn Hill-Holdgate Aye

Joe Plandowski Aye

Jacques Zimicki Aye

Barry Rector (Chair) Aye

