TOWN OF BELCHERTOWN
BOARD OF SELECTMEN’S MEETING MINUTES
MONDAY, JULY 27, 2020
Selectmen’s Meeting Room, Lawrence Memorial Hall

Present: Gail Gramarossa, Jen D. Turner, James A. Barry, Ed Boscher
Absent: Nicholas O’Connor

Call to Order: Chairman Gramarossa called the meeting to order at 6:30 p.m.

2) Sign Documents:
   a) Warrant #2104 was signed for $1,098,232.66. Mr. Boscher had concerns regarding the warrant as it is not available electronically and he was not able to get to town hall this weekend to review it. He understands the need to vote on them but will not vote on tonight’s warrant as he didn’t see it and it is not available electronically.

   Mr. Barry commented that if there are three yes votes then the bills can be paid.

   Ms. Turner commented that since Mr. Boscher has brought it up she is rethinking everything. She questioned if the Board members could come in tomorrow to look at the warrant. She doesn’t want to hold up anything either but now has concerns.

   Ms. Gramarossa questioned Mr. Brougham what the Board can do to expedite the warrant so they are not holding up bill payments. He commented that it is important that the warrant be signed in a timely matter. Tonight should just continue as we’ve been doing and look at how to amend the process going forward.

   Mr. Boscher agreed that tonight we should continue as we have in the past. Ms. Gramarossa will sign tonight’s warrant.
   b) Routine documents
   c) Approval of Minutes: None.

3) Discussion/Action Items:

   b. Appointment of Building Custodian: Per the recommendation of Steve Williams, Director of Public Works, Mr. Boscher moved to appoint Destiny Gamache to the position of building custodian, effective immediately. Motion seconded by Mr. Barry. Roll call vote: Gramarossa – yes, Turner –yes, Barry – yes, Boscher – yes. Motion passes.

   c. Acceptance of Cultural Council Resignations (2): Ms. Gramarossa presented the details to the Board. April Jasak-Bangs submitted her resignation from the Cultural Council, effective immediately. Sarah Maroney has also resigned from the Cultural Council, effective immediately. A letter will be sent to both Ms. Jasak-Bangs and Ms. Maroney thanking them for their service to the Town.

   d. Cannabis Control Commission (CCC) Request Re: E and J Supply, LLC: Mr. Brougham presented the details to the Board. The Cannabis Control Commission has submitted documents indicating that E & J has applied for and is under review for an adult use marijuana establishment/cultivation license. They are requesting final acknowledgement that E & J is in compliance with the Town.
He reminded the Board that E & J has previously come before them, they have a ratified host agreement with the Town, they held their community outreach meeting, and have obtained site plan approval from the Planning Board.

Mr. Barry moved the Board authorize the Chair to endorse the Municipal Response from the Cannabis Control Commission regarding E & J Supply, LLC. Mr. Boscher questioned if they are still in compliance as it's been a long time since they came before the Board. Mr. Brougham confirmed that they are still in compliance. Motion seconded by Ms. Turner. Roll call vote: Gramarossa – yes, Turner – yes, Barry – yes, Boscher - yes. Motion passes.

e. Review/Ament Host Community Agreement – High Peaks Dispensary, LLC: Ms. Gramarossa mentioned that this was another cultivation application that had come before the Board previously. They do have some changes to their organizational structure. They are requesting to modify their host agreement.

Mr. Brougham presented the details to the Board. This cultivator came before the Board under the name High Peaks and two of the partners signed off on the host agreement which the Board ratified. They also held their community outreach hearing. They had gone before the Planning Board but there were some concerns with the plan and then everything stopped because of Covid-19. Recently the office was notified by William Douglas (partner) that Jeremy Moon (partner) was no longer part of the organization. He submitted a certificate of amendment from the Commonwealth of Massachusetts to the office that shows that Jeremy Moon is no longer part of the corporation. The two partners are now William Douglas and Daniel Douglas. They are asking the Board to amend the host agreement and the only change is to remove Jeremy Moon’s name and add Daniel Douglas to the agreement. They have agreed to keep all of the terms and conditions that were agreed to with the original host agreement. Mr. Brougham questioned how the Board wishes to go about changing the name on the host agreement as they will need the amended host agreement before they can go back before the Planning Board. He can ask the partners to dial into a future meeting, we can ask for further information from their attorney or accept the paperwork that was documented with the Secretary of State’s office. He asked the Board how they want to handle this.

Ms. Gramarossa questioned what the Board members wanted to do. The business partners are based in New York. Mr. Barry, who was not on the Board when the original host agreement was signed, felt that as long as the name change is the only change being done that the Board shouldn’t second guess the agreement. The only concern he had was removing Jeremy Moon’s name from all the documents. He is fine with moving forward with Daniel Douglas’s name on the host agreement.

The Board requested that a new pages be signed by William Douglas and Daniel Douglas on the host agreement. Once they sign them they should forward to the Board of Selectmen for their signature. The new agreement will supersede the original agreement.

f. ZBA Special Permit Request – Stephens, 466 Federal Street: Mr. Brougham presented the details to the Board. This is a special permit application seeking approval to build an addition on their home. They have provided different scenarios as to which side of the house they should build which would be the least challenging. The one that they believe is would require a side-yard set-back and is in close proximity to Lake Arcadia. It will probably require conservation approval. The home is within the service area of Belchertown services - town water and sewer and if it is not hooked up to those services
the Board of Health should be involved. He did encourage the ZBA to pay attention to any comments or concerns of other boards, committees or abutters. They are asking from a variance to go from a 20 ft. to an 8 ft. variance. There will still be plenty of clearance on the other side of the home in the event of some type of emergency.

Mr. Barry commented that they are asking for a special permit as well as a variance. They are asking for the special permit because it is a pre-existing, non-conforming situation. If you already have a non-conforming usage and you want to building onto the non-conforming building the building inspector must approve that it will not increase the non-conforming nature of the structure. In his opinion it would be problematic for him to vote yes if he were on the ZBA. In regards to the variance he has learned that they are almost impossible to grant. A variance is permission to disobey an existing by-law. He went into great details explaining side yard set-backs and why they are important and how variances can be allowed as well as special permits.

Mr. Brougham will do a letter to the ZBA regarding Mr. Barry’s comments as well as the comments that Mr. Brougham brought forward.

Ms. Turner questioned how we can assist these boards to learn about trainings especially in these complicated issues. Mr. Barry commented that there is a Citizen Planner Training Collaborative run out of UMass and they offer education to municipalities, boards on planning, zoning, appeals, how to have public hearings. On their website there are a number of courses they can take. The town will pay for this training. He suggested that she speak with the town planner about these trainings.

g. Update on Green Communities Program: Mr. Barry presented the details. Both Mr. Williams and Mr. LeBeau were able to contact vendors to see if the town could do both projects. It looks like we can do both. The grant applications will be coming before the Board prior to the August 27th deadline.

h. Miscellaneous Matters: Ms. Gramarossi commented that the Board had agreed to August 15th for a Goals & Objectives session with a start time of 9:00 am. She questioned if the Board wants to set an end time and also the location of the meeting. She questioned if it should be some physically distanced space or done remotely.

Ms. Turner is very concerned about safety moving forward. She questioned if a white board session can be done remotely. She feels it is safer to do it remotely.

Mr. Boscher feels as it is a limited group he thinks its okay for the board to be together but he is okay for remotely also.

Mr. Barry is okay with being in the same room, physically distanced. He is not sure how a white board would work if done remotely. He feels the end time should be when they are done. He thinks that 12ish would be an end time but if the discussion is done earlier that's okay too.

It will be posted on the GoToMeeting link, the board will think about screen sharing and if any board members are willing to be in the same space they can do that too. Mr. Barry doesn’t think the end time should be posted – only the start time needs to be posted.

It was agreed that the end time will not be posted. The Board will still consider if it should be held remotely or if members will meet in person. It will be an open ended agenda.
4) **Town Administrator’s Report:**

- Mass Development will soon submit a plan for the next road construction after Carriage Drive. It will new road. There have been a few preliminary discussions and reviews. The next meeting will be on Wednesday.
- There have been several discussions regarding food trucks. We have circulated the formal request to use the public space. The Director of Public Health has submitted comments, most other department heads have signed off. The fire chief has concerns that this is not the right time to do this. He will send a letter to the applicant on behalf of the Cultural Council. The Board has agreed to review each event to make sure the guidelines have been followed.
- State and Maple Street construction is moving forward. He hopes the majority of the work can be finished on the hill before school begins in September.
- He needs to establish some policies for Covid prevention and hygiene in town hall. They should be finalized and posted this week. Some concerns have been brought to him. We need to be aware of the potential of unintended consequences of forcing people to wear mask when not in close proximity to others. We are trying to balance complaints with enforcement. The Director of the Board of health made him aware of the hotline that was opened by the governor’s office for people to file complaints.

5) **Individual Board Members’ Reports:**

**Mr. Boscher:** He has been trying to help different departments regarding the Covid responses in the Governor’s phase three. He’s also been working on the basketball courts.

**Mr. Barry:** He continues his tour of his new liaisons. When he met with Chief Pronovost there was some concern regarding the new laws that are being worked on in Boston. After it has been signed and the chief has had time to review it Mr. Barry will get together with the chief to see how it might affect our police department. He met with Jay Whelihan this past week. He will be meeting with Anna Fenton, ACO and Kyle Thibeault this week.

**Ms. Turner:** She sent around the press release about the EDIC and all the monies they got for the State School.

She got back the final scope of the DLTA project. The planning board is meeting tomorrow as well as the school committee.

The Belchertown Cultural Alliance (BCA) is looking to firm up a meeting and asked anyone invited to look at it prior to the meeting.

**Ms. Gramarossa:** She is still exploring guidelines around inserting a public comment period to the board’s agenda. Anyone can submit a suggestion regarding the public comment period.

The School Department and Reopening Committee have been working very diligently. There is a meeting tomorrow about reopening. The draft document is on the school’s website.

Pioneer Valley Planning Commission received funding to work on age friendly Pioneer Valley.
Legislation was recently signed that when restaurants are doing curbside pickup it is now legal to get cocktails to go. ABCC has come out with guidelines for it. The Board may want to discuss this further at a future meeting.

6) **Questions from the Press:** Melina Bourdeau from the *Sentinel* asked for the paperwork from the two marijuana facilities as she is just getting acquainted with them. The office staff will send it to her.

7) **Adjournment:** Meeting adjourned at 7:45 p.m.

Minutes submitted by Gary L. Brougham, Town Administrator

Board approved/endorsed: *August 31, 2020*

Board of Selectmen - Town of Belchertown

Endorsed by a majority:

Gail Gramarossa, Chairman

James A. Barry

Jen D. Turner

Ed Boscher

(Absent)

Nicholas O’Connor