

APPROVED

**MINUTES
SELECTMEN'S MEETING
GRIFFIN ROOM, TOWN HALL
MONDAY, SEPTEMBER 11, 2017
6:30 P.M.**

SELECTMEN PRESENT: Ballantine, Brown, Howell, Kavanagh, MacAskill

OTHERS PRESENT: Town Administrator Christopher Clark, Chief Clarke, Chief Guillemette, Sgt. Brackett, Carolyn Carey, John Rendon, Mary Maslowski, Larry Cole, Ed McManus, Cyndi Williams, Sharon Pflieger, and others.

Chairman MacAskill reported that the Board just came out of Executive Session where they discussed negotiations on the Judah Eldredge property and the Board voted to continue discussion on pursuing that. He added that they also discussed 4 Central Avenue and the Board voted to enter into negotiations on that as well.

Chairman MacAskill called for a moment of silence for all who lost their lives and all who were affected by the events of September 11, 2001.

WEEKLY BRIEFING

Ms. Carey provided information on upcoming programs at the Community Center. Ms. Goodwin provided information on how to view broadcasts of several recent Town events.

PUBLIC COMMENT/ANNOUNCEMENTS

Mr. McManus announced the upcoming Harwich Cranberry Festival this weekend and related events.

CONSENT AGENDA

- A. Approve Minutes –
 - 1. August 21, 2017 Regular Session
 - 2. April 3, 2017 Executive Session
 - 3. July 24, 2017 Executive Session
 - 3. September 5, 2017 Executive Session
- B. Approve Chapter 90 Project request for paving of various roads
- C. Approve Ginger Plum Lane betterment assessment be levied in accordance with order

Mr. Ballantine moved approval of the Consent Agenda. Ms. Brown seconded the motion and the motion carried by a 4-0-1 vote with Mr. Howell abstaining from the vote.

PUBLIC HEARINGS/PRESENTATIONS *(Not earlier than 6:30 P.M.)*

- A. Public Hearing – Proposed Fee Amendments to Harbor Management Plan Appendix B - Marine Fee Schedule

Mr. Ballantine read the hearing notice into record and Chairman MacAskill opened the hearing. Mr. Rendon outlined the proposed changes to fees in Appendix B – Marine Fee Schedule of the Harbor

Management Plan (see attached). He noted that the last across the board fee increase was in 2009. He pointed out that the two major areas where fees are affected are slip permits and mooring permits. He noted that they did a survey of other towns and he provided a comparison indicating that we are slightly below average (see attached). He noted that it was decided to not offer winter boat storage so that has been lined out and the definition of such was removed accordingly. He added that he is recommending a new fee for Replacement Permit Sticker/Pass of \$5 as we are spending quite a bit of money on permits and more and more people are losing them. Mr. Rendon took questions from the Board. Mr. Ballantine moved to close the public hearing. Ms. Brown seconded the motion and the motion carried by a unanimous vote. Ms. Brown moved to accept the proposed harbor fee increases including the new fee for a replacement sticker permit pass. Mr. Howell seconded the motion and the motion carried by a unanimous vote.

OLD BUSINESS

A. General discussion on marijuana sales in Town of Harwich / By-Law

Chairman MacAskill explained that last week the Town Attorney came before the Board and provided a solid overview of what we'll have to do whether we approve or don't approve this. He stated that because either way it will have to go to the Planning Board, he thought he would bring it back this week instead of waiting and we have invited the Police Chief and Fire Chief to speak on this as well. He noted that first the Board has to decide whether they support or don't support the sale of marijuana in the Town. Mr. Clark outlined the 3 options as discussed in the memo from Ms. Greenhalgh of September 6, 2017 as revised by Town Counsel (attached). Chief Guillemette spoke against marijuana sales in the Town and stressed that it would have a negative impact on the youth of our community, on the community itself and public safety. He noted that the marijuana industry targets youth with products such as edibles which can be 95% THC and the medical community has no idea what long term exposures to these products does. He provided information from studies including effects on adolescents. He questioned if we want to risk even a single death of our youth for a potential revenue stream. He stressed that the community voted against legalizing marijuana and if this is approved there is the possibility that we would become the distribution hub for this part of the Cape. He explained that because it is still a federally prohibited drug, they can't do any banking business, it's all cash and that creates a security problem for us and could potentially could lead to violent crime. He noted that many times dealers are dealing drugs other than marijuana so we could be potentially providing a haven for drug traffickers. He noted that he expects to see an influx of drug related and disturbance calls if marijuana comes in as well as vehicle crashes and an increase in fire calls. He stressed that we are in the throes of an opioid crisis now and it is completely counterintuitive to try to make another mind altering substance more available. He urged the Board to support prohibiting retail sales. Chief Clarke concurred with Chief Guillemette's remarks. He stated that this is not an "I" or a "me" issue, but rather it is a "we" issue. He stated that we have had at least two recent fires as a direct result of grow operations. He commented that this is a really bad idea and hopes the Board will stand up and say no and he stressed that our youth is going to suffer. Detective Sgt. Brackett discussed increased rates of property crimes, traffic accidents, and homelessness in areas where retail establishments are allowed in other states. He commented that this is not going to be the financial boon that everyone thinks it will be. He said the back-up plan of extending the moratorium is a good idea.

Mr. Ballantine said there is no test for marijuana now for enforcement purposes as there is for alcohol and he is concerned for public safety for drivers. He said there is a relationship between marijuana and

opioid addiction. He stated that it is unlikely that the 3% tax will be a net gain for the Town considering the public safety issues and the ban and extended moratorium make sense.

Ms. Kavanagh said the more drugs that are out there, the more problems we will have as a community. She said we won't get a lot out of it and exposing ourselves to edibles is a huge concern and if other towns rule it out and we rule it in that will lead to a problem for us.

Ms. Brown agreed and said Option #1 is what she is going to vote for.

Mr. Howell stated that it should be in a more highly regulated environment and it is not being proposed that way by the State and it seems like a free for all. He commented that it is rigged because of the way the Attorney General has put it out. He said we could have both of these by-laws ready, one to ban and one to sell in certain conditions, but his problem is that the same Town Meeting could not achieve a 2/3 consensus on either one of them so where would we go with it as the State has no provisions for this. He said he would go along with whatever the Board decides but questioned how we are going to deliver this at a Town Meeting. He said whatever we do should wind up resulting in something that is orderly and he doesn't see that happening.

Chairman MacAskill said the book has been written on this in other states, you don't find any positive information as far as statistics go for car accidents, fires, etc. He said he has done extensive research on this and he cannot support it.

Mr. Ballantine moved we accept the Option 1 which prohibits the sales of marijuana in Harwich. Ms. Kavanagh seconded the motion. Mr. Howell said he is voting for this mainly because of what a horrible mess this has become on the State level, there is no clarity about us being able to exert any kind of Home Rule on this. The motion carried by a unanimous vote.

Mr. Clark said if the Board is going with Option 1, then a logical follow-up would be an extension of the moratorium until December. He recommended that the Board vote an extension. Ms. Maslowski of the Planning Board pointed out that the moratorium is really to get you through the administrative process at the Town Clerk's office and Attorney General's office which can take up to 120 days so that you don't have a lapse. She said the moratorium would be necessary either way. Mr. Ballantine moved to extend the moratorium through December 31, 2018. Ms. Kavanagh seconded the motion and the motion carried by a unanimous vote.

B. Harwich Energy Committee Charge and renaming of committee

Ms. Kavanagh moved to approve the Utility & Energy Conservation Committee charge as is and the renaming. Mr. Howell seconded the motion and the motion carried by a unanimous vote.

C. Municipal Revenue and Economic Development Committee Charge

Ms. Brown read the charge and said she would forward it to the Town Administrator. Ms. Brown moved to accept the charge of the Municipal Revenue and Economic Development Committee as amended. Mr. Howell seconded the motion and the motion carried by a unanimous vote.

D. Request to authorize the Chair to sign the representation letter regarding the audit of financial statements of the Town

Chairman MacAskill said he met with the Finance Director and this is something standard that we do with the auditors. Mr. Howell moved that we accept the agreement and have the Chair sign. Mr. Ballantine seconded the motion and the motion carried by a unanimous vote.

E. Recommendation on award of bid for 4 Central Avenue property

Chairman MacAskill reiterated that the Board discussed this in Executive Session tonight and the Town Administrator will pursue negotiations on said property.

F. Septic Loan Program

Mr. Clark provided an overview of the Septic Loan Program which is available through the County and the details and application are on the Town website. Mr. McManus commented that it is a well proven and effective program. Mr. Clark and the Board took questions and comments from Ms. Pflieger.

G. General discussion of Middle School / Cultural Center operations

Ms. Carey reported that there are 21 people on our waiting list for room rentals. She noted that she has met with Mr. Libby and they are getting the portable classrooms back in line for rental. She said they do have a draft of the wait list application to present to the Board as they would like to formalize the process. She noted that she is meeting with the Junior Theater Board and will be showing them some space as well and are reaching out to some dance studios for use of the auditorium. Ms. Carey took questions from the Board. Mr. Clark noted that they are looking at options for internet service in the building. Mr. Ballantine said he would like to have a quarterly review of revenue and expenses as transparency is important and he would like it to be as profitable and beneficial to the Town as possible. Chairman MacAskill thanked Ms. Carey for all her efforts. Chairman MacAskill requested to find out what revenue Recreation & Youth is generating by operating in the building.

Chairman MacAskill noted that the Yarmouth Cultural Center has requested that we change the name from Cultural Center to something else as they want to eliminate any confusion. Ms. Brown proposed the Harwich Cultural and Civic Center. Ms. Kavanagh said it is a Cultural Center and that she didn't know how we could better define it. She said she would lean toward calling it the Harwich Cultural Center as it says something about the Town. Mr. Howell said it is a cultural building and he doesn't think anyone would confuse the two for being the same thing. He said he does not want to drop the name cultural completely. Mr. Clark said he thinks that they were misinformed that we were private and non-profit and in direct competition with them. He added that we need to establish the identity of Harwich. He said typically civic centers are much bigger venues than what we have. Chairman MacAskill asked if anyone had a problem with Ms. Carey getting suggestions for names from the renters and Ms. Brown said she did as it's still a Town building and it shouldn't be up to the artists to approve the name. Mr. Ballantine said we should leave it as the Harwich Cultural Center and ask Yarmouth to monitor it and we could always change it later. Mr. McManus suggested calling it the Harwich Cultural Arts Center. The Board took no action on changing the name.

Chairman MacAskill stated that there is an email that went around from a neighborhood association meeting that led to some concern and it was forwarded to a lot of people. He said that a Selectman was named who had a lot of conversation about transparency and about the actual cost of running the building. He noted that the number which was used was \$300,000 to \$400,000. He stated that from the beginning the critics of this project have made up numbers and it was referred to that \$125,000 is

what the Town is saying it costs to run. He said this is the line item that has been in the budget and that number has come under more scrutiny than any other number in the budget. He stressed that projections and guesses shouldn't be being said by Selectmen but rather we should be deferring to Town Administration and we should be getting actual numbers. He stated that selective allocation of indirect costs, unless this Board is going to vote on a policy, really should stop and we should not be having conversations in public and embarrassing the Department Head that works tirelessly at building this center for us as well as embarrassing Administration. He stated that conversation of allocation of indirect cost should take place across the board. He also pointed out that we set up a revolving fund for the building. He stated that we approved this project as a Board, minority opinion doesn't matter, and we shouldn't be giving the public false numbers. Ms. Brown and Ms. Kavanagh concurred with Chairman MacAskill's remarks. Mr. Howell pointed out that we don't get a bill from the DPW to plow the parking lot at Town Hall or the Library and we seem to be picking and choosing people we think are cash rich and vulnerable to start assessing overhead fees. He commented that to start creating profit centers so other departments can profit is insane. Mr. Ballantine stated that it should be across the board but for decision making and management of the Town, we should know what the costs are in case we do get to the point where we are trying to prioritize activities and to not know leaves a gap in our operations and how we manage where we are going. Chairman MacAskill said he would take it up as a line item if Mr. Ballantine wanted to propose it across the board but we are not going to not clean our beaches because Recreation doesn't use them, and we are not going to not mow Brooks Park, and there are certain things that generate revenue and certain things that don't and our DPW is going to exist regardless. He said that until we take up this item we should have a practice of not projecting without fact and embarrassing Administration or a Department Head.

Chairman MacAskill stated that if we have several people renting a room we should have a fee schedule to increase the rent. He asked that Ms. Carey provide a proposal on that. Mr. Clark responded that we should look at the fee schedule regardless but could certainly look at that feature. Chairman MacAskill clarified that we want to keep it affordable for artists. Ms. Brown suggested having a conversation about term limits for renters.

NEW BUSINESS

A. Approve additional ballot question for Cape Cod Tech School

Mr. Clark noted that we have the warrant prepared with the language provided by the financial advisor which Ms. Doucette provided to the Board. Mr. Clark and Ms. Doucette took questions from the Board. After discussion, Ms. Kavanagh moved to approve the ballot for the debt exclusion for the Cape Cod Tech assessment as worded in this document. The motion wasn't seconded. Mr. Howell recommended approving "the warrant and a Special Town ballot on October 24th." Ms. Kavanagh withdrew her motion. Mr. Howell moved to approve the Town of Harwich Special Election Ballot for the purposes of funding the Cape Regional Tech School with the ballot language as provided by Town Counsel. Mr. Ballantine seconded the motion and the motion carried by a 4-1-0 vote with Mr. Brown in opposition.

B. Refer alleged violation of Liquor/Entertainment License to Administrative Officer to conduct hearing (Perks)

Chairman MacAskill stated that if the Board would like, they can refer this to the Town Administrator to conduct a hearing and report back with a recommendation. Mr. Howell moved to empower the

Town Administrator hold such a hearing and then come back with a recommendation. Ms. Kavanagh seconded the motion and the motion carried by a unanimous vote.

C. Dissolve Wastewater Implementation Committee

Chairman MacAskill reported that the current Wastewater Implementation Committee has fulfilled their charge, we are in the engineering and design phase, we have discussed a new charge for a new Wastewater Implementation Committee which should be quite different and Mr. Ballantine has been working on that and we will probably bring that back next week to start a new committee but we need to dissolve the current committee. Mr. Ballantine moved to disband the Harwich Wastewater Implementation Committee. Ms. Brown seconded the motion and the motion carried by a unanimous vote. Chairman MacAskill asked that letters of thanks be sent to the members with a special thanks to Mr. DeBakker who put a lot of time into this.

TOWN ADMINISTRATOR'S REPORT

A. Departmental Weekly Reports

Mr. Clark reported on the number of building permits. No action was taken on this item.

ADJOURNMENT

Mr. Ballantine moved to adjourn at 8:49 p.m. Ms. Brown seconded the motion and the motion carried by a unanimous vote.

Respectfully submitted,

Ann Steidel
Recording Secretary

**APPENDIX B
2012 Town of Harwich
Marine Fee Schedule**

A. Town-Owned Slip Rates

Type	Fee	Notes
Recreational Boats (5/1 to 11/15)	20' - \$77 /85 ft. 30' - \$95 /105 ft. 40' - \$148 /130 ft. 50' - \$160 ft.	All recreational vessels
Commercial Fishing Boats (1/01-12/31)	20' - \$85 /94 ft. 30' - \$85 /94 ft. 40' - \$142 /124 ft.	Vessels with A Permits
Charter Boats (1/01 - 12/31)	20' - \$77 /85 ft. 30' - \$95 /105 ft. 40' - \$148 /130 ft. 50' - \$160 ft.	Vessels with C Permits
Passenger Boats (1/01 - 12/31)	30'&40' - \$180 /200 ft. Ferry - \$253 /280 ft.	Vessels with D Permits & F Permits
Fall transient rate up to 35' LOA** (9/16 - 10/15)	\$1.25-1.40/ft./night	Power Extra***
Fall transient rate 36' LOA and over** (9/16 - 10/15)	\$1.50-1.65/ft./night	
Off-Season transient rate** (5/1 - 6/14; 10/16 - 11/15)	\$9.00 -10.50/ft./month \$3.00 -3.50/ft./week \$.60 -.70/ft./night	Power Extra***
Summer transient rate 36' LOA and over** (6/15 - 9/15)	\$2.50-2.75/ft./night	Power Extra***
Summer transient rate up to 35' LOA** (6/15 - 9/15)	\$1.75-2.00/ft. /night No minimum	
Winter transient short-term rates** (11/15 - 5/1)	\$7.00 -8.00/ft./month \$.30 -.50/ft./night	For commercial fishing vessels only must have a Town Offload Permit
Winter transient long-term** (11/16 - 4/30)	\$22.00 -24.00/ft.	Active commercial fishing boats only must have a Town Offload Permit

** Rate based on length of vessel or slip minimum. Price includes LOA. (Measured top of transom to foremost extension, includes pulpits or sprits).

*** Power charge is at nightly rate.

B. Mooring Rates - All Harbors and Ponds (All mooring fees are non-refundable)

Class	Boat Length	Fee
Class 1	Over 35' feet	\$280.00 \$305.00
Class 2	25' feet to 35' feet	\$220.00 \$240.00
Class 3	24' or less **	\$125.00 \$135.00
Private Fresh Water	All*	\$50.00 \$55.00

*All Boats with the exception of Board Boats as defined in Section 2.0: Definitions

** 21' maximum LOA and additional \$100.00 Fresh Water Mooring Service Fee assessed for Long Pond Public Mooring Fields (See Definitions).

**APPENDIX B
Marine Fee Schedule (Cont.)**

C. Town-Owned Short-Term Tie Up Rates

Boat Length	Fee
Up to 35'	\$20.00**
36' and over	\$30.00**

** Short-term tie up fees are for a two hour period. After two hours, boats will be charged the transient rate per Section A of Appendix B.

D. Trailer Rates

One day trailer permit (Recreational)	Saturday of Memorial Day Weekend to Monday of Labor Day Weekend	\$10.00/day
Seasonal trailer permit *	Saturday of Memorial Day Weekend to Monday of Labor Day Weekend	\$100.00/season
Boat Transportation Agent annual permit fee **	May 1 st to November 15 th of each year	\$200.00/season (\$125.00 ea. Additional)

* For use at Saquatucket Harbor, Allen Harbor, Round Cove and first landing at Long Pond.

All trailers, boats and R/V's must vacate the town-owned parking area between the hours of 12:00 a.m. and 4:00 a.m.

** A season Pass is required for all Commercial Boat Transportation Agents using any ramp within the Town of Harwich.

E. Offloading Permit Rates

Permit Class	Type	Fee
Class 'A'	Unrestricted (Renew 1/1)	\$50.00 \$55.00
Class 'B'	10/15 – 6/1 (Renew 10/15)	\$12.50 \$13.50/ft
Class 'C' (Attached & Unattached)	Unrestricted (Renew 1/1)	\$22.50 24.00/ft
Class 'D'	Passenger carrying boats for 6 or more (Renew 1/1)	\$3.00 3.50/passenger
Class 'E'	Unrestricted fueling – vessels with alternative Harwich dockage (Renew 1/1)	\$15.00 16.50/ft
Class 'F'	Passenger Ferry up to 80 passengers (Renew 1/1)	\$3.00 3.50 /passenger
Class 'R'	Trailer Day Boat Charters (Renew 1/1)	\$400.00 440.00/rig (boat w/ trailer) (ramp fee extra)
Class 'T'	Tuna landing permit (Renew 1/1)	\$100.00 110.00/vessel

F. Buyer Permit Rates

Number of Vehicles	Fee
Tuna buyer – per vehicle	\$25.00 30.00

G. Town-Owned Slip and Mooring Waiting List Rates

Slip waiting list	\$20/Year
Mooring waiting list	\$10/Year

**APPENDIX B
Marine Fee Schedule (Cont.)**

H. Power Charge Rates

Seasonal plug-in (30 amp)	\$8.00/ft per outlet*
Seasonal plug-in (50 amp)	\$16.00/ft per outlet*
Nightly plug-in	50 amp = \$11.00/night per outlet 30 amp = \$8.00/night per outlet

*Seasonal per foot plug-in rate is based upon the manufactured length of the permitted vessel.

The marina, Town of Harwich or Harbormaster shall not be liable for damages or losses incurred by interruption of electrical power to any vessel

I. Boat Ramp Fees

Type	Fee	Notes
Seasonal boat ramp passes*	\$100.00	Saturday of Memorial Day Weekend to Monday of Labor Day Weekend
Daily (one-day) passes	\$10.00/day	Saquatucket boat ramp only
Parking Violation	\$125.00	Each offense

* For use at Saquatucket, Allen Harbor, Round Cove and First Landing at Long Pond

J. Other Town Fees

Charter Fishing Boat Special Permit	\$50.00/Day
Mooring inspection fee	\$10.00
Mooring servicing agent annual permit fee	\$200.00
Harbor boat tender service annual permit fee	\$50.00
Fuel vendor tank truck annual permit fee	\$50.00 55.00
Vessel fueling from tank truck fee per gallon	\$0.05/gallon
Fish Weir Operator annual permit fee	\$25.00 30.00 per year
Waterways User Fee (Salt Water)*	\$125.00 135.00 per year
Waterways User Fee (Fresh Water)*	\$50.00 55.00 per year (mooring permit holders)
Winter Storage (November 1 through May 15)	\$20.00/ft.
Replacement Permit Sticker / Pass	\$5.00

* "Waterways User Fee" is for any vessel moored or docked in Harwich salt/fresh waters for more than two weeks (cumulative) during the calendar year. This User Fee applies to all vessels with the exception of "Board Boats" as defined in Section 2 and fresh water moored boats.

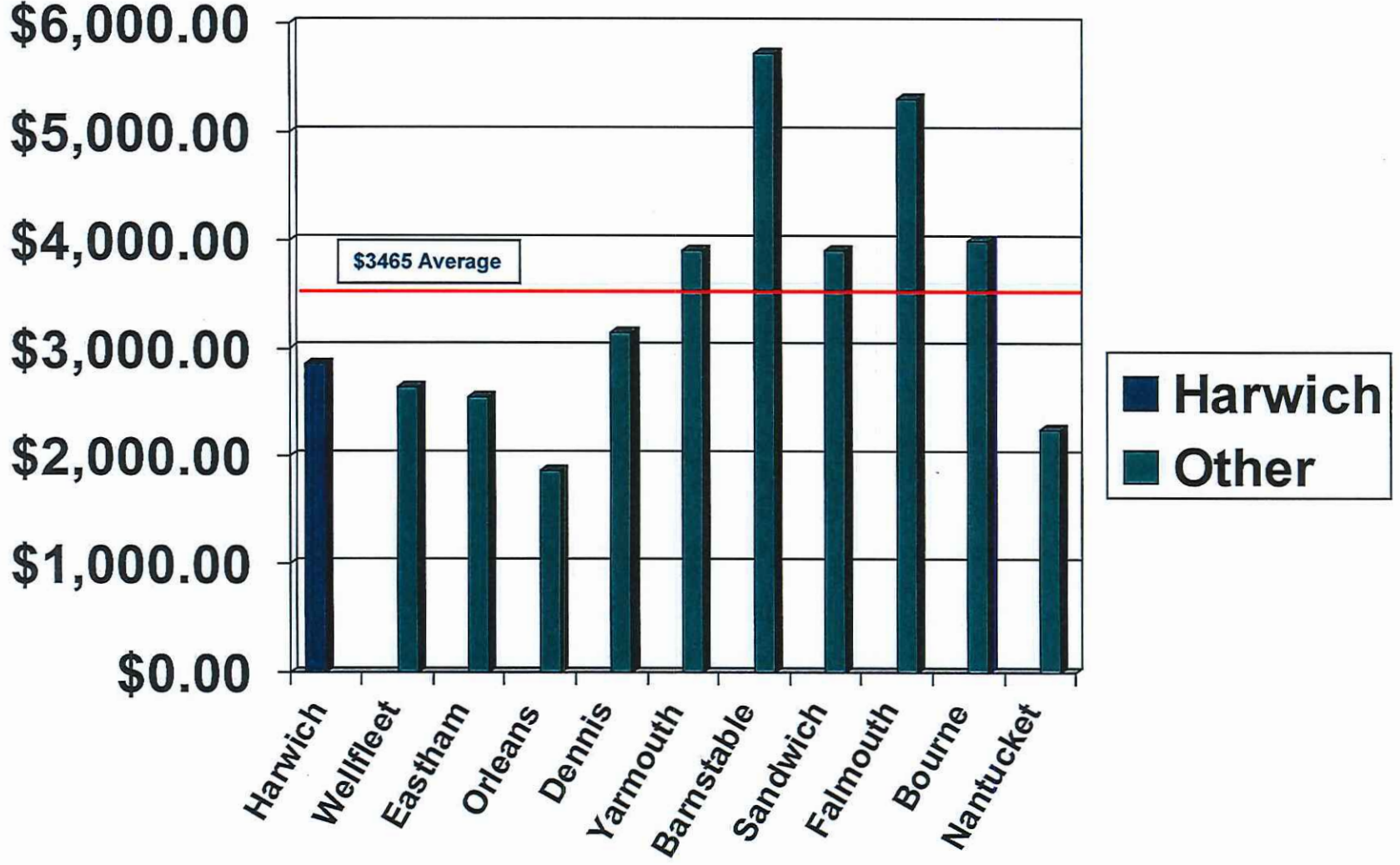
K. Late Fees

Type	Fee	Notes
Slip Permit Deposit	\$100.00	Applied after Dec. 1 deadline*
Slip Permit Final Payment	\$100.00	Applied after Mar. 1 deadline*
Mooring Permit	\$50.00	Applied after Mar. 15 deadline*

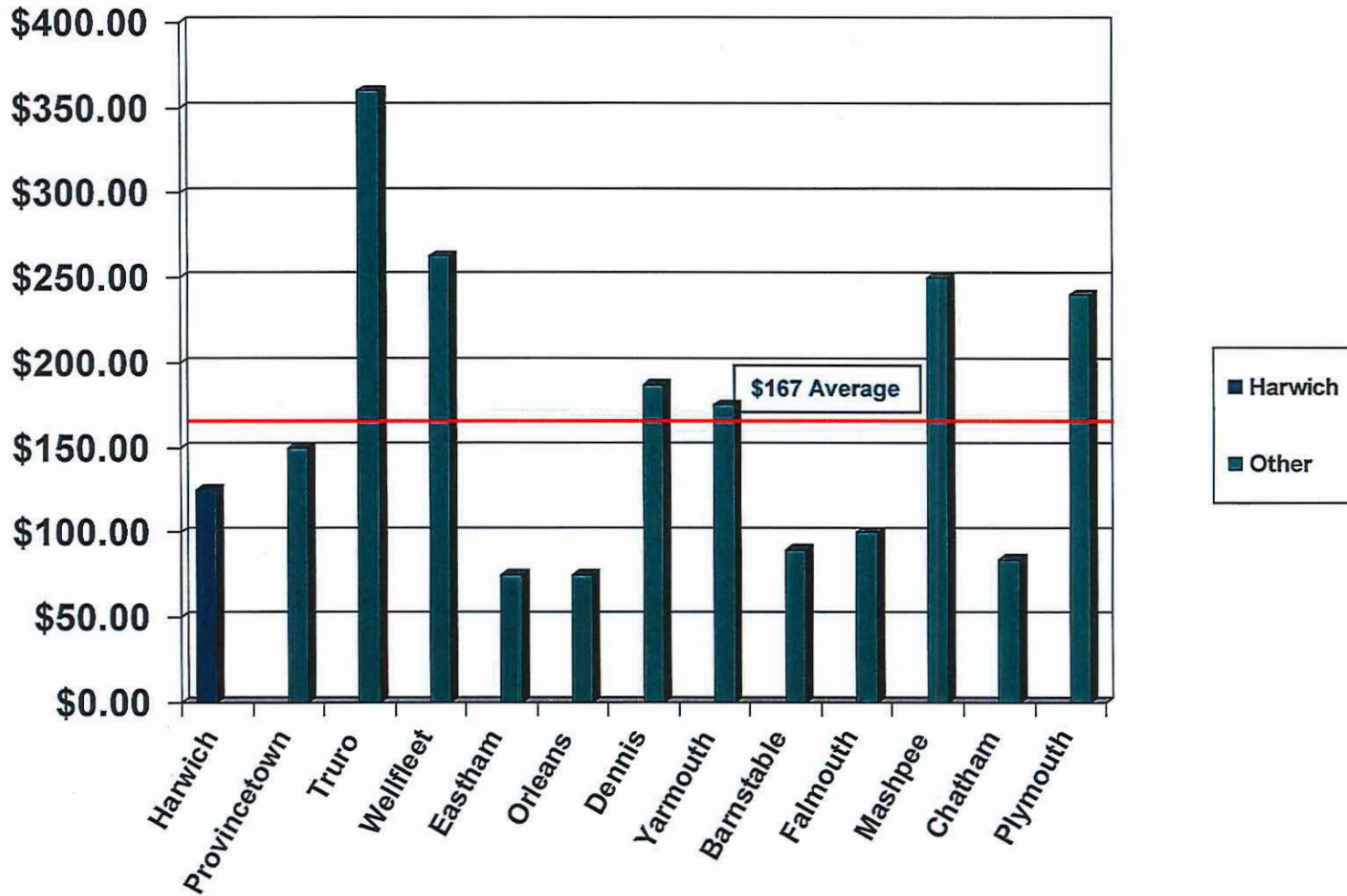
* Failure to pay the required Slip/Mooring Permit Fee and late fee by defined dates in Sections 3.1, 3.2 and 3.3 will result in immediate forfeiture of the Slip/Mooring.

Dockage Comparison

30' Vessel Length



Mooring Comparison 24' Vessel Length



Memorandum from Charleen Greenhalgh
Assistant Town Administrator
Town of Harwich

September 6, 2017

To: Christopher Clark, Town Administrator
Cc: Board of Selectmen
Aly Sabatino, Town Planner
John Giorgio, Town Counsel KP Law
From: Charleen Greenhalgh, Assistant Town Administrator
Re: Marijuana Sales

At the request of Mr. Clark I have been asked to put together the three (3) options that we believe are available to the Town relative to the Sale of Marijuana.

Option 1 – Prohibit the Sale of Marijuana

- a. This would ~~require~~ ~~require both a General Bylaw Amendment, requiring a majority vote to pass and a~~ Zoning Bylaw amendment requiring a two-third vote to pass at Town Meeting. Town Counsel is also recommending that a General Bylaw be enacted as well in order to avoid potential grandfathering and zoning freeze issues.

The question has been asked, what happens if the General Bylaw passes and the Zoning Bylaw does not (or for that matter the opposite, General bylaw fails and Zoning Bylaw passes). ~~This has been referred to KP Law for opinion. Town Counsel has informed Town Administration that if the Zoning Bylaw does not pass but the General Bylaw passes, the Town may still be exposed to the siting of a retail marijuana establishment because the Attorney General has indicated that at a minimum a Zoning Bylaw is required to ban retail marijuana establishments altogether. This is still an unsettled question under the law, however, and a General Bylaw may be sufficient depending on the outcome of future expected legal challenges. If the Zoning Bylaw passes but the General Bylaw does not, the Zoning Bylaw may be subject to grandfathering and/or a zoning freeze.~~

Option 2 – Allow for the Sale of Marijuana by right, with limitations or by Special Permit

- a. This would require ~~a General Bylaw Amendment and~~ a Zoning Bylaw amendment.
- b. The Zoning amendment could ~~include specifics on where sales would be allowed, either by Zoning Districts, in concert with other uses such as retail package stores of which there are ten (10) that are issued, as an example, or some other requirements, limit the location of retail marijuana establishments to specific locations in Town.~~
- c. The Zoning amendment could provide for the use by right or by Use Special Permit, ~~general~~ with specific conditions imposed.

- d. ~~The new law requires that a retail marijuana establishment~~A host agreement with any provider would have to be negotiated and executed ~~execute a host community agreement~~ with the Board of Selectmen.
- e. ~~If Town Meeting accepts specific provision of the new law, the Town can collect no more than a 3% sales tax on the retail sale of marijuana.~~Acceptance of the local option which have to take place which would allow up to 3% revenue sharing.
- e.f. ~~The New Cannabis Control Commission will be issuing regulations by March 15, 2018. It is anticipated that the regulations will likely impose additional conditions on the retail sale of marijuana. The regulations should be reviewed before the Town enacts zoning amendments at the May Annual Town Meeting.~~

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Option 3 – Do nothing

- a. Doing nothing would mean that the Sale of Marijuana would be allowable by right or Special Permit in those zoning districts that allow the retail sales.
- b. Retail Sales in the CV, CH-1, CH-2 and WR Zoning Districts it would be allowable by right.
- c. In the IL district it would be allowable with the granting of a Use Special Permit and future pursuant to §325-14 N.

"...retail sale of products is allowed subject to the granting of a special use permit by the Planning Board. Retail sales shall be prohibited in the IL District along Main Street (North Harwich) from Depot Street west to the Dennis town line or any road off said portion of Main Street, as there are existing traffic issues with this dead-end road. In addition, a new retail use in an industrial zone will be subject to site plan review pursuant to § 325-55. The following criteria must be met for granting of the special use permit: the proposed retail establishment or component must offer a product that is allied or connected to a permitted or existing industrial use and the proposed retail establishment or component must be able to coexist with other permitted or existing industrial uses. All such uses that preexist this bylaw will be required to file for a special use permit and a site plan special permit or waiver within 12 months of the effective date of this bylaw."

- d. A host agreement with any provider would have to be negotiated and executed with the Board of Selectmen.

In closing, Administration does not recommend an extension of the moratorium for an additional 6 months, as this would necessitate the calling of a fall Special Town Meeting. The Town currently has a zoning moratorium on the retail sale of marijuana which expires on June 30, 2018. Given the uncertainty regarding the additional regulations that the Commission may impose, the Town may want to consider extending the moratorium at the May 2018 Annual Town Meeting. The Attorney General has been approving moratoria that extend to December 31, 2018, but not beyond.

MUNICIPAL REVENUE AND ECONOMIC DEVELOPMENT COMMITTEE CHARGE

Background:

The Town of Harwich is facing many expenses in the next decade which promise to increase resident and business taxes.

Purpose:

The Municipal Revenue and Economic Development Committee will generate ideas to offset municipal financial obligations by helping the Town generate additional revenue, The committee will also explore potential operational efficiencies to reduce costs and regulatory procedures to further encourage a positive environment for economic development. The Committee will work with the Harwich Chamber of Commerce to generate ideas for increasing the Town's year round business economy and capitalizing on the seasonal revenue stream. The Committee will present ideas to the Board of Selectmen in a regular open meeting at least quarterly. In addition, the Committee will provide a non-voting liaison to the Harwich Housing Committee, Real Estate and Open Spaces Committee, Harwich Finance Committee, and Harwich Planning Board.

Committee Make-up:

The Municipal Revenue and Economic Development Committee shall be appointed by the Board of Selectmen and will be comprised of 7 voting members plus a non-voting representative from the Harwich Chamber of Commerce. Term expiration dates will stagger in a format consistent with other committees, i.e. 2-1-2, and each term will consist of three years. Each of the voting members will be assigned to one of the following positions, which will re-organize every fiscal year: Chair, Vice Chair, Clerk, Liaison to Harwich Housing Committee, Liaison to Real Estate and Open Spaces Committee, Liaison to Harwich Finance Committee, and Liaison to Harwich Planning Board. When possible, Selectmen will seek members from the community with professional representation including but not limited to entrepreneurs, business owners, realtors, and attorneys, as well as retirees, working class families, and/or other citizens to comprise the membership of this committee. In addition, the Committee will have the dedicated staff support of the Town Planner with the Assistant Town Administrator as an alternative.

Related Documents - September 11, 2017 BOS Minutes

- 01 Agenda.pdf
- 02 Minutes - August 21, 2017.pdf
- 03 Chapter 90 Request.pdf
- 04 Betterment.pdf
- 05 Public Hearing Marine Fees.pdf
- 06 Marijuana Sales.pdf
- 07 Harwich Energy Committee.pdf
- 08 MREDC.pdf
- 09 Audit Letter.pdf
- 10 Septic Loan Program.pdf
- 11 Cape Cod Tech.pdf
- 12 Liquor Entertainment Violation.pdf
- 13 Wastewater Implementation Comm.pdf
- 14 Weekly Reports.pdf