



CITY OF WALTHAM

BOARD OF SURVEY AND PLANNING

The following are minutes of the 7:00 p.m. February 6, 2019 public hearing held in the auditorium of the Arthur Clark Government Center located at 119 School Street, Waltham, MA. In attendance were Vice Chairwoman Callahan and members Barrett, DeVito, Duffy and Moroney.

The Vice Chairwoman opened the public hearing at 7:00pm and informed the public that the meeting was being taped by the local Waltham Cable Access Channel and if anyone desired to speak that they would have to please sign in.

The Vice Chairwoman then opened and immediately closed the public hearing as there were no items on the agenda. She then opened the regular meeting.

The Clerk read the first item on the agenda which was for deliberations and recommendation to the city council on the zoning ordinance amendment, Article III, Subsection 3.42 entitled Moratorium on Marijuana Establishments.

The board heard this matter at a joint city council meeting on January 28, 2019.

There were brief discussions on the zoning amendment of deleting in both places where it appears "December 31, 2018" and inserting in place thereof the following: "June 30, 2019, or the effective date of the Zoning Ordinance Amendment establishing a new Article XII entitled Non-medical marijuana establishments, whichever is earlier".

The Vice Chairwoman asked if there was a motion.

On the motion of Ms. Tarallo, seconded by Mr. Duffy, the Board

**VOTED: to recommend approval of zoning amendment of
 subsection 3.42 as proposed.**

The Clerk read the next item on the agenda which was for deliberations and recommendations on the City of Waltham Zoning Ordinance by adding new Article XII – Non Medical Marijuana Establishments- Sections 12.1 – 12.13.

The Vice Chairwoman asked the board if they had any questions or comments.

Mr. Duffy commented that under section 12.11 terms of special permit that he felt the three (3) year term limit was too short and that there should be some sort of added statement describing the renewal process of the special permit.

Ms. Tarallo commented that as a teacher she has concerns for the children and would want the establishment at least 500 feet from any school as children need to be protected.

Mr. DeVito agreed with both his colleagues.

The Vice Chairwoman commented that she felt the City's Law Department has done a great job with the language thus far and that with the board and city councils input it will get done properly.

After further discussions the Vice Chairwoman asked if there was a motion.

On the motion of Mr. Duffy, seconded by Mr. DeVito, the Board

VOTED: to recommend approval of Article XII- Non medical marijuana establishments with the following recommendations to be considered:

- 1. Sect. 12.11 – Terms of special permit**
The board would recommend a statement of the renewal process for the special permit after the three (3) year term expires.
- 2. Any non-medical marijuana establishment must be at least 500 feet from any school.**

There being no further business, the Vice Chairwoman asked if there was a motion to adjourn.

On the motion of Mr. Duffy, seconded by Mr. Moroney, the board

VOTED: to adjourn the meeting at 7:20 p.m.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'M. Chiasson', with a stylized, flowing script.

Michael L.J. Chiasson, Clerk
Board of Survey and Planning