

TOWN OF HULL
ADVISORY BOARD MINUTES

Date of Meeting: 8/7/2023

Meeting Start: 7:00pm

Adjourn: 10:04pm

Member	Present	Absent	Other
David Clinton	X		James Lampke – Town Counsel
Jay Polito		With notice	Chris Krahforst - Conservation Commission
Dan Sullivan	X		Irwin Nesoff - Select Board
Peter Larsen	X		George Boylen – Town Moderator
Chad Wolfe		With notice	
Bob Carney		With notice	
Robyn Healey	X		
Jason Frady	X		
Pat Cormier	X		
Stephen Kiley	X		
Paul Schneider	X		

Exhibits	Description
August 4 Draft Warrant	Most recent version of the draft warrant for August 31, 2023 Special Town Meeting. File name: 8 30 AM 8 4 2023 Draft Warrant August 31 2023 STM
CKRAHF 08.02.2023	Edited Conservation Bylaw Article for Special Town Meeting
Consent Agenda Handout	Current version of the draft article wording, examples of Articles from prior Town Meeting that could be bundled together (Articles 1-7)

Agenda

7:00 Proponents of Article to request an additional license for the sale of All Alcoholic Beverages

7:30 Proponents of Articles to request Zoning and General By-Law changes for to add Adult Recreational Marijuana Sales to existing dispensary

8:00 Chris Krahforst – Conservation Article

8:30 Select Board – Town sponsored articles - Fort Revere Bond, Town Equipment

9:00 Moderator Article Consent Agenda

Town Manager Update: None

Special Town Meeting Article Discussion

Article 9 Additional License for the sale of all alcoholic beverages

Proponent of the citizens petition Christine Riveccio of 16 Merrill Road is in attendance, along with Quick Pick owner Bobby Patel of 22 Sagamore Terrace. Christine explained that with the seasonal traffic in town, and the handicapped accessibility at the location, it is easy and convenient to patronize this location if you are a resident of the area.

Mr. Patel of 22 Sagamore Terrace, the owner's son, spoke to the purchase of the location that opened in March 2014 and the gradual increase in number and type of items sold and the accessibility for the handicapped. An additional license would increase valuable commercial storefront, increase value of the building, increase taxes on building to the town. Beer and wine is already sold at the location, but this change would utilize commercial space that has been vacant (used for storage) for the past 10 years.

Advisory Board and Proponent discussion

Three steps required to obtain the license: 1) Article must pass at Special Town Meeting 2) Select board will have to approve, then petition the state legislature for home rule to increase the number of licenses 3) State legislature must approve. Attorney Lampke explained that this article specifies the address, which limits the license to this particular business and location and cannot be transferred to other locations. Were the building sold, the license could remain at that location if a transfer of the license were approved. There is another liquor store nearby in the same neighborhood that is not currently handicapped accessible. There is currently a vacant storefront adjacent to the existing convenience store that is used for storage. Should this pass, that storefront and area will be used for beer/wine/alcohol and space will be freed up in the existing refrigeration devices in the convenience store that will allow additional non-alcoholic beverages and food to be sold. Advisory board member Dan Sullivan expressed concern on the increasing the number of liquor licenses in the community, due to size, and due to negative impact to existing liquor stores. Other Advisory Board members noted that community support exists, and that the business owner has invested in multiple properties in Hull, operated as a responsible business owner and has been a valuable member of the community.

Articles 6-8 Zoning and General By-Law changes to add Adult Recreational Marijuana Sales to existing dispensary

Bruce McWhorter of 21 Edgewater Road is the Hull resident and local petitioner for all three articles, and is in attendance. Stephen Werther, President and CEO of Alternate Compassion Services, who runs the business, spoke to the wish to add an adult use license to existing medical marijuana dispensary. The expansion to marijuana sale for recreational use was on the warrant for the May 2023 Town Meeting, but was pulled due to a discrepancy with the General Bylaw that was not addressed in the article that was on the warrant.

Concern expressed by Paul Schneider that the wording limiting a special permit to establishments that have been licensed and lawfully operating within Hull for at least one year will adversely affect any other new hopeful potential recreational marijuana businesses. Attorney Lampke confirmed current laws in Hull limit marijuana establishments to two total. Bruce McWhorter stated that he believes a retail marijuana facility would generate at least \$500-\$800K in tax revenue each year, based on Rockland's tax revenue last year from their 3 retail establishments (\$2.5M).

- **Article 6** Amendment of Zoning Bylaws to allow an existing Registered Marijuana Dispensary to add adult use retail sales. Requires a 2/3 majority vote at Special Town Meeting.
- **Article 7** Amendment of General Bylaws to allow an existing Registered Marijuana Dispensary to add adult use retail sales. Requires a simple majority vote at Special Town Meeting.
- **Article 8** Local tax increase to 3% for marijuana sales

Dan Sullivan of the Advisory Board expressed concern about traffic increase should this pass, and his wish to include police detail planning/funding as part of the host agreement. Discussion ensued on current business host community agreement with the Town of Hull and ACS payment status, and the state legislature changes made since the initial agreement that impact the host community agreement. Open question on whether the state legislature can change a law that affects the existing host agreement contract for the medical marijuana business (between Select Board and ACS).

Article 3 Conservation Bylaw Amendments

Chris Krahforst presented and explained that the existing Conservation Bylaw pertains to enforcement. The Commission would like to double the fees for after-the-fact work, to more than what is imposed by the Wetlands Protection Act. Hull is the only town in the area that does not currently include local administration fee structured on top of the required Wetlands Protection Act fees. Costs have increased, and the balance for conservation funds is decreasing as a result. The fee increases would help fund the administration of the conservation commission and would restore the fund to required levels.

Local Wetland Bylaws in section C are new, important pieces of the requested STM articles. The first, section (a), is the result of a recent EPA ruling/update. The second, section (b) is important in protecting and preserving our primary dune.

David Clinton posed the question to Chris as to why now, during STM, and not during annual TM. Chris feels there is some urgency, especially since the change will take some time to be approved by the Massachusetts AG, should the amendments pass.

Article 5 Fort Revere Tower Renovation Funds

Irwin Nesoff explained that the Select Board will be voting on 8/16, and cannot represent the final decision of the board.

Town approved renovations up to \$2.2M at May 2022 Town Meeting but the estimated costs have increased to between \$2.5M & \$3M. Three bids have been received, between \$2.5-\$3M. This will not

include public access to the tower (no change to scope since May 2022 article). This article seeks to cover the increased cost.

Article 4 Departmental Equipment Purchases

Irwin Nesoff explained that the Select Board will be voting on 8/16, and cannot represent the final decision of the board. At this time, details on the type of equipment and the department to be used for are not available. Request initiated by Town Accountant.

Motion: Recommendation on Article 4 (Departmental Equipment) at Special Town Meeting

Member	Motion	Second	For	Against	Abstain
David Clinton	X		X		
Jay Polito					
Dan Sullivan			X		
Chad Wolfe					
Bob Carney					
Peter Larsen			X		
Robyn Healey			X		
Jason Frady			X		
Pat Cormier			X		
Steven Kiley		X	X		
Paul Schneider			X		

Comments: Motion approved Unanimous

Article 2 Consent Agenda for Annual Town Meeting

George Boylen presented and explained that the consent agenda is commonly used in other towns. For a number of articles we are currently voting on separately, we can bundle the articles together for a single vote. Simply a way to move Town Meeting along, reserve time for more important discussions and to prevent a single individual from dominating the Town Meeting floor. Decision to bundle articles would be made by the moderator, Select Board chair and Advisory Board chair.

Discussion and a recommendation from the Advisory Board on the definition of the types of 'non-controversial' articles that would be allowed to be included on the consent agenda. If passed, this will likely require one extra meeting of the appointing authority to agree to proposed articles for consent agenda. Mr. Lampke recommends removal of the specification 'related to each other'.

Motion: Recommend Favorable Action on Article 2 (Consent Agenda)

Member	Motion	Second	For	Against	Abstain
David Clinton	X		X		
Jay Polito					

Dan Sullivan		X	X		
Chad Wolfe					
Bob Carney					
Peter Larsen			X		
Robyn Healey			X		
Jason Frady			X		
Pat Cormier			X		
Steven Kiley			X		
Paul Schneider			X		

Comments: Motion approved Unanimous

Motion: Recommendation on Article 1 (Accessory Dwelling Unit) at Special Town Meeting

Member	Motion	Second	For	Against	Abstain
David Clinton	X		X		
Jay Polito					
Dan Sullivan		X	X		
Chad Wolfe					
Bob Carney					
Peter Larsen			X		
Robyn Healey			X		
Jason Frady			X		
Pat Cormier			X		
Steven Kiley			X		
Paul Schneider			X		

Comments: Motion approved Unanimous

Motion: Recommend Favorable Action for Article 3 (Conservation ByLaw)

Member	Motion	Second	For	Against	Abstain
David Clinton					X
Jay Polito					
Dan Sullivan				X	
Chad Wolfe					
Bob Carney					
Peter Larsen				X	
Robyn Healey			X		
Jason Frady			X		
Pat Cormier		X	X		
Steven Kiley	X		X		
Paul Schneider				X	

Comments: Motion approved 4-3 with 1 abstention

Motion: Recommend Favorable Action on Article 6 (Retail Marijuana Zoning ByLaw)

Member	Motion	Second	For	Against	Abstain
David Clinton	X		X		
Jay Polito					
Dan Sullivan			X		
Chad Wolfe					
Bob Carney					
Peter Larsen		X	X		
Robyn Healey			X		
Jason Frady			X		
Pat Cormier			X		
Steven Kiley				X	
Paul Schneider				X	

Comments: Motion approved 6-2

Motion: Recommend Favorable Action on Article 7 (Retail Marijuana General ByLaw)

Member	Motion	Second	For	Against	Abstain
David Clinton	X		X		
Jay Polito					
Dan Sullivan		X	X		
Chad Wolfe					
Bob Carney					
Peter Larsen			X		
Robyn Healey			X		
Jason Frady			X		
Pat Cormier			X		
Steven Kiley				X	
Paul Schneider			X		

Comments: Motion approved 7-1

Motion: Recommend Favorable Action on Article 9 (Alcohol License)

Member	Motion	Second	For	Against	Abstain
David Clinton		X	X		
Jay Polito					
Dan Sullivan				X	
Chad Wolfe					

Bob Carney					
Peter Larsen	X		X		
Robyn Healey			X		
Jason Frady			X		
Pat Cormier			X		
Steven Kiley					X
Paul Schneider			X		

Comments: Motion approved 6-1 with 1 abstention

Motion to adjourn at 10:04pm

Member	Motion	Second	For	Against	Abstain
David Clinton			X		
Jay Polito					
Dan Sullivan			X		
Chad Wolfe					
Bob Carney					
Peter Larsen			X		
Robyn Healey	X		X		
Jason Frady			X		
Pat Cormier			X		
Steven Kiley		X	X		
Paul Schneider			X		

Motion approved Unanimous

Respectfully Submitted,

Robyn Healey