

Hull Board of Selectmen

Minutes

April 5, 2018

The meeting of the Hull Board of Selectmen was called to order at 7:30 p.m. on Thursday evening, April 5, 2018, at Hull Municipal Building, 253 Atlantic Ave., Hull, Massachusetts.

Present: Kevin Richardson, Chair; Chris Mitchell, Vice-Chair; Domenic Sestito, Clerk; John Reilly, Member; and Jennifer Constable, Member. Also present were Town Manager Phillip Lemnios and Town Counsel James Lampke.

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APPOINTMENTS

Public Hearing: Bhavesh Patel, regarding new seasonal wine and malt license

Those interested in speaking at the hearing were sworn in by Richardson.

Bhavesh Patel was present at the meeting to request a new wine and malt license for 47A Nantasket Avenue, operating as Easy Smoke and managed by Eric Gipe. Patel is also the owner of Quick Pick at 265 Nantasket Avenue.

Patel's attorney, Kenneth DiFazio of Weymouth, spoke on his behalf, saying that Patel has had no incidents at Quick Pick. He stated that both Patel and Gipe have completed TIP training, and that they have a petition with 100 signatures in favor of Easy Smoke being allowed to sell beer and wine. He noted that both locations use 24-hour surveillance cameras and ID scanners. He submitted a floor plan showing where beer and wine would be sold.

Town Counsel Lampke stated that there are some questions at the state level as to the number of beer and wine licenses available. Reilly suggested that the board adjourn the hearing until they hear from the ABCC. He commended the thoroughness of the application package and said that he has no problem with Patel's business, but questioned whether there is a public need for another beer and wine retailer in town. Richardson thanked Patel for wanting to expand in Hull. He noted that the board has received an email regarding the hours of operation at Easy Smoke and a request that the lights in the window be shut off at night.

Motion	Reilly	Motion to adjourn the public hearing to April 26 at 8 p.m.
Second	Sestito	
Vote	Unanimous	

Evergreen Farms, request for approval of letter of non-opposition and host agreement regarding a medical marijuana facility

Ben Smith was present at the meeting to represent his company, Evergreen Farms Group. The company made a presentation to the board in September and in November, Lemnios and Lampke were authorized to meet with them regarding a host agreement. Smith stated that they are proposing a medical-only dispensary at 175 George Washington Boulevard. They are planning to purchase the building for those purposes, but will allow other tenants to stay as well.

He explained that medical facilities are licensed by the state Department of Public Health (DPH) in a multi-step process. In order to proceed with the process, the applicant needs a letter of support or non-opposition from the board. They are also engaged in this process in Hyde Park. These would be their first facilities.

Smith gave an overview of a multi-step process by which customers with state-issued cards would be admitted to the facility in a multi-stage security. He further stated that no product is kept in the sales area, but is all kept in a back storage area. He said the product is grown and packaged offsite and is sold in sealed, child-proof packages. The product cannot be opened or consumed onsite. He estimated that traffic could be as low as 25 and as high as 150-200 on a busy day, averaging maybe 100 a day. Smith had copies of the security measures that must be met and distributed these to the board. Stephen Mandile stated that he would be in charge of security and that the state's guidelines make dispensaries more secure than any pharmacy or many banks. Smith noted that the shipping of the product is very secure. There would be no deliveries to customers. Suggested hours were 8 a.m. to 8 p.m. seven days a week. There will be live security outside of the building 24 hours a day.

Constable noted that the location abuts a health facility and condos and asked if they had reached out to neighbors. Smith said that they had not and had planned to wait until they get further down the road with the application process. Constable further pointed out that there is a school bus stop there and no traffic signal. Richardson said that he had talked with some neighbors and heard concerns about the bus stop. He said that Smith might want to consider opening after the morning bus stops at the location. He was also informed that there was one major traffic accident there in the past year and the woman had said that a sign was blocking her view. Smith noted that they do not require a large sign and will be willing to work with the town on signage. Richardson also suggested that they have a one-way in/ one-way out system in the parking lot.

Janet Gillis, who currently owns the building, was present at the meeting. She said that the amount of traffic would probably not differ from the traffic over the past 15 years. She noted that the signs were approved by the town. She also pointed out that accessibility of medical marijuana would be a benefit to the many people who depend on it for serious health reasons such as cancer and Parkinson's disease.

Glen Alexander, 28 Barnstable Street, said that taller signs are not an issue, but lower temporary signs like those used in campaigns, can be a problem with sight-lines. He also noted that the neighborhood behind the medical center is hidden and that people come through after bars close to drink or dispose of containers there. He also noted that the school bus comes back in the afternoon.

Lemnios pointed out that this is a five-year host agreement and the town will see an income stream over five years of about \$1.5 million coming to the town. He said that he and Lampke have had five or six meetings with Evergreen. He said that if the company ever wants to pursue retail sale in Hull they will have to pursue it separately. He said that any letter of support and/or host agreement doesn't release Evergreen from having to comply with all necessary state and local permits. He noted that the DPH has a very stringent protocol for approval for people who will be involved in the business.

Lampke added that Evergreen will be making annual payments to the town and if the company goes out of business they will continue to make the payment for the rest of fiscal year and possibly for the next fiscal year, depending on timing. Preference will be given to using local businesses and employing local residents, all things being equal. Smith said that the business will employ about 15-20, with about five full time employees. He further said that they will set up community outreach with the condos, other abutters, and the medical center. They also expressed willingness to come to town committee and board meetings to do informational talks.

Richardson said that he had toured a facility in Quincy and that there was no signage. He said that he works near the Hanover facility and has driven through their parking lot and has seen nothing that concerned him.

Lemnios said that he would meet with Alexander and with Police Chief Dunn about concerns about the school bus stop.

Sestito made the following motion, seconded by Reilly.

Motion	Sestito	Motion to approve the issuance of a letter of support on behalf of
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		<p>Evergreen Farms to the DPH, subject to having a host agreement finalized and also subject to the chairman of the board signing on behalf of the board.</p> <p>Amended to Evergreen Farms Group.</p> <p>Amendment accepted by Reilly.</p>
Second	Reilly	
Vote	Motion withdrawn	

Constable stated that she understood the benefits of the business and was comfortable with the agreement, but her preference was that the applicants would have cleared the management operations profile stage and that there had been community outreach and support beforehand.

Mitchell stated that he would prefer that the board approve a letter of non-opposition rather than support. Reilly stated that he would like to approve a letter of support. Richardson concurred.

Motion	Sestito	Motion to approve the issuance of a letter of non-opposition to Evergreen Farms Group to the DPH, subject to having a host agreement finalized and also to authorize the Chairman of the Board signing on behalf of the board.
Second	Mitchell	
Vote	Passed 4-1	<p>Richardson – Aye</p> <p>Sestito – Aye</p> <p>Reilly – Aye</p> <p>Mitchell – Aye</p> <p>Constable – No</p>

APPROVALS

The board will wait on approval for a PTO race. The following license was approved.

Motion	Reilly	Approval for Paragon Entertainment Ventures, Charles Bogini, Manager, for 189-193 Nantasket Avenue, for a new license for Fascination, a game of skill.
Second	Mitchell	
Vote	Unanimous	

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NEW BUSINESS

Lemnios said that there will be a presentation at the high school exhibition room on April 12 about the Hingham road diet pilot program.

Constable said that they have applicants for the website committee and asked that it be put on the agenda. She noted that the Economic Development Committee had a productive meeting with Hull artists.

Mitchell stated that the Solid Waste Task forces will meet on April 10. Richardson pointed out that the new recycling requirement is causing a stir in town. Lemnios said that they had asked the Board of Health to hold off on instituting the requirement, but they didn't put a hold on it.

Resident Rhoda Kanet announced that the plovers have come back to the beach. Lemnios said that the town is already in communication with the state. Kanet also said that she would like the town to consider having a shelter for residents during storms. Richardson said that this is on the agenda for an upcoming public forum on this winter's storms.

EXECUTIVE SESSION

At 9:05 p.m., Richardson asked for a motion to go into Executive Session to conduct strategy sessions and preparations for negotiations with nonunion personnel, and also to discuss strategy with respect to collective bargaining and that the chair declares that an open meeting will have a detrimental effect on the bargaining position of the body; also to discuss strategy with respect to litigation and that the chair declares that an open meeting will have a detrimental effect on the litigating position of the body; also to go into Executive Session to comply with, or act under the authority of the Attorney-Client privilege; and to consult with legal counsel and obtain legal advice pursuant to the Attorney-Client privilege; and to not reconvene in open session.

Matters to be discussed were:

- Cummings v. Hull
- Compensation and benefits for administrative staff
- Police and fire union negotiations.

Motion	Sestito	So moved.
Second	Reilly	
Vote	Unanimous	Richardson – Aye Constable – Aye Mitchell – Aye Reilly – Aye Sestito – Aye Reilly noted that he would be recusing himself from the discussion on police matters.

The meeting was adjourned at 9:07 p.m. The board is scheduled to meet next at 7:30 p.m. on Thursday, April 12 at 7:00 p.m. at the high school exhibition room.

Recorded by Catherine Goldhammer

Approved by:

Documents

The following documents were included in the members' packets or were presented during the meeting and are available in the Board of Selectmen's office upon request:

- The Board of Selectmen's agenda and added agenda for April 5, 2018
- License application from Bhavesh Patel
- Security plan for Evergreen Farms medical marijuana facility
- License application from Paragon Entertainment Ventures