

1. 6:30 P.M. Committee On Ordinance & Rules

Documents:

[2022 OCT 18 ORDINANCE AND RULES AGENDA.PDF](#)

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Documents:

[2022 OCT 18 OR MTG.PDF](#)



Braintree Town Council Committee on Ordinance & Rules

One JFK Memorial Drive
Braintree, Massachusetts 02184

MEMBERS

David Ringius, Chairman
Shannon Hume, Vice-Chair
Julia Flaherty, Member
Charles Ryan, Member

AGENDA

Tuesday, OCTOBER 18, 2022

Starting Time – 6:30p.m.

Johnson Chambers

Roll Call

Approval of Minutes

- May 25, 2022
- June 1, 2022

Old Business

- None

New Business

- 22 049 Mayor: Amendment to General Ordinance 5.600.010 (Prohibition of marijuana establishments) or take up any action relative thereto

Adjournment



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David Ringius, Jr, Chairman
Shannon Hume, Vice- Chairman
Julia Flaherty, Member
Charles Ryan, Member

May 25, 2022 MINUTES

A meeting of the Committee on Ordinance & Rules was held Remote via Zoom Webinar on Wednesday, May 25, 2022 beginning at 6:00pm.

Chairman Ringius was in the Chair.
Clerk of the Council, Susan Cimino conducted the roll call.
All votes were conducted by Roll Call Vote.

Present: David Ringius, Jr, Chairman
Shannon Hume, Vice-Chairman
Julia Flaherty, Member
Charles Ryan, Member

David Ringius, Jr, Chairman of the Committee on Ordinance & Rules asked for a moment of silence for our first responders and all those serving home and abroad.

Approval of Minutes

- None

Old Business

- **20 034 Councilor O'Brien: 8.800 Single-Use Plastic Bag Reduction Bylaw or take up any action related thereto**

A Motion was made by Councilor Hume to Take off the TABLE Order 20 034

Motion: by Councilor Hume to Take off the TABLE Order 20 034

Second: by Councilor Ryan

Roll Call Vote: For (4 – Flaherty, Hume, Ringius, Ryan), Against (0), Absent (0), Abstain (0)

Chairman Ringius stated this proposal from Councilor O'Brien was presented quite a while ago. We have sent out for opinions from our legislative delegation. Over the years there have been proposals like this on beacon hill. We did receive an email back from Senator Keenan's office in terms of where the State stands on a State-wide ban. We have also reached out to the Chamber. We have received comments from Chamber Chair Ms. Kroha, Mike Cavanaugh, President of Sustainable Braintree and Rachel Horak, Sustainable Braintree (Vice-President). We have heard from Crystal Evans, and from the Commission on Disabilities. We had a conversation on not only how this impacts our environment but how this impacts some of our folks in town who might be mobility impaired. Also how the use of certain bags could make it difficult for the elderly to use and any cost associated could be an undue burden.

Chairman Ringius stated if it is the will of the committee, we will table this. I know there will be further recommendations from the Commission on Disabilities and Sustainable Braintree. We would also like to hear from the Chamber and if they would take a side.

Quincy has already banned plastic bags. It would be good to hear from a representative of Quincy or another town.

We are still waiting for this proposal to be reviewed by our Town Solicitor.

A Motion was made by Councilor Hume to TABLE Order 20 034

Motion: by Councilor Hume to TABLE Order 20 034

Second: by Councilor Ryan

Roll Call Vote: For (4 – Flaherty, Hume, Ringius, Ryan), Against (0), Absent (0), Abstain (0)

New Business

- **006 22 Council President: Town Council Rules or take up any action related thereto**

Rule Sixty-One: Adoption of Rules

These rules will be reviewed and adopted within 90 days after the first Council Meeting in every even year.

This was sent back to O&R after we made a recommendation to the full Council. The request was made by Councilor O'Brien to have the committee review Town Council Rule #33.

Presently TC Rule #33 reads:

Rule Thirty-Three: Agenda Requests from Other Town Departments

(Existing) All items for the agenda including communications and reports from the Mayor, other Town Officers and Town Boards shall be submitted to the Town Clerk's Office **and to the Clerk of the Council** no later than 10:00 AM on Thursday preceding the regular Council meeting. A copy of said reports and agenda shall be delivered to the Council no later than Friday preceding the regular Council meeting. No measure shall be filed without all supporting documentation. Late items require a two-thirds vote of the members of the Town Council to be allowed at the Council meeting. Any item authorized for the agenda must be specified on the agenda, by whom it is introduced.

(Proposed) All items for the agenda including referrals, communications and reports from the Mayor, other Town officers and Town boards shall be submitted to the Town Clerk's office and Clerk of the Council no later than 10:00 AM on Wednesday preceding the regular Council meeting. No measure shall be filed without all supporting documentation. In accordance with the Open Meeting Law, a copy of the reports and agenda shall be delivered to Council members 48 hours in advance of the regular Council meeting. Late items require a two-thirds vote of Council members to be considered. Any item authorized for the agenda must be specified on the agenda, by whom it is introduced.

Councilor Ryan stated my concern with this proposed motion is that you know the if something's coming from the Mayor's office, and they want to refer to the council I think they should be able to do that and I don't think we need all the information when something gets referred. I think we need all the information in a timely manner and that's not always when it gets referred. I think if something's going to a subcommittee you need to have all the information in advanced of the subcommittee meeting, and if someone is the chair of a subcommittee, they don't need to schedule a meeting until they have all the information. I think, and Council had a very good point the night this was discussed. We have an issue before us for the Mass school building authority (MSBA) and you have schedules to keep, and votes to take, and if we're not going to vote on some because we don't have all the information, we might be shooting ourselves in the foot. I will certainly be speaking against this at the full council meeting. I'm not in favor of this. I'm going to vote against it.

Councilor Hume stated there's things that come before us that we have strict deadlines. and when something's referred we've very rarely gotten all the documents and that's not necessary when it comes this rule. Subcommittee meetings such as this when this was referred, and as Counselor Ryan said, as well, if you're the chair of a subcommittee meeting it's within your right to hold a meaning when you see fit. We're not bound by any calendar to hold ordinance and rules tonight. If Chairman Ringius didn't have all the information he wanted to hold tonight's meeting it's within his right not to hold the meeting tonight, he chose this meeting and it worked with everybody else, as every subcommittee should. I'm not going to be supporting this. I think the rule as it stands is a good rule.

Councilor Flaherty stated I think it's hard to know what constitutes all the information, anyway. How do you know when you've got enough. There's so much information. We kill so many trees with the information that we have. I don't see how you could ever make sure that you were living up to the letter of this proposed change. So I'm not going to support it for that reason either.

Nicole Taub, Chief of Staff stated we have put together over the last couple of years I think is the system that works it's a system that complies with the open meeting law, as far as providing necessary information for purposes of the agenda, and in the circumstances where we cannot provide at least a memorandum detailing the referral. The office does it's best to provide an estimated timeline or reasonable expectation. for when that information is going to be provided, and it's funny, because, as we sit here, an item will appear on the agenda Tuesday evening for referral that's not going to have a memorandum accompanying it, because the trip that I've just taken was somewhat unexpected. The reality is that sometimes things come up that prevent the provision of kind of that additional paper to

support the referral on the agenda. What is always met are legal obligations under the open meeting law in order to provide the public and the Council with at least a description of the item that's being referred, and it is when that matter is substantively going to be taken up in committee that further information is always provided in advance of those conversations, and so I appreciate the commentary from the members of the committee, and I would hope that Clerk Cimino would agree that the system that we have in place is a system that is working and that we can continue to strive to ensure that the members of the Council have the necessary information in order to proceed and review materials as they come down from the mayor's office.

Susan Cimino, Clerk of the Council stated I agree with the Chief of Staff that the Clerk of the Council and the Chief of Staff have a very open line of communication. She will always try and let me know when something is in need of being referred, and if something is going to be later, then being included with the documentation at the full council meeting. So we do have a very open line of communication, and it seems to work on my end.

Chairman Ringius stated I was actually a little surprised that it that it did get referred back when I found out although I understand frustration that can arise from feeling that you don't have everything that you want to make an informed decision I think based on what what every speaker is said sometimes you can't anticipate. A deadline coming up, I think Counselor ryan hit the nail on the head, you know, and MSBA has deadlines that are very very fixed, and we don't want to be write a rule that puts us in a situation where we're now sort of going into our own rules, because we have to hit a deadline because of you know, when myself and Counselor Hume had from having been on the school committee. We plethora of deadlines and paperworks that have to be filed in a timely manner to get certain things done, and we don't want to be in a situation. We're missing out on for example MSBA money. I would hope that Clerk Cimino and the Chief of Staff would continue to work together to ensure that we do have everything needed for each meeting that we have items on the agenda, but I do think that it has worked does work always. Are we sometimes frustrated? Yes, but I think if we just continue to learn that relationship, and if individual counselors you know, have issues with timing of things I think hopefully they can bring that to Clerk Cimino's attention, and she can thus bring that back to the Chief of Staff and the Mayor's office. I would follow along with what my other members have expressed, and I would like to keep Rule 33, as it currently exists.

MOTION: to send Town Council Rule #33 back to the full Council with an unfavorable recommendation to amend.

A Motion was made by Councilor Hume to send Town Council Rule #33 back to the full Council with an unfavorable recommendation to amend

Motion: by Councilor Hume send Town Council Rule #33 back to the full Council with an unfavorable recommendation to amend

Second: by Councilor Ryan

Roll Call Vote: For (3 – Flaherty, Hume, Ringius, Ryan), Against (0), Absent (0), Abstain (0)

Chairman Ringius stated this will be returned to the full Council with an unfavorable recommendation to amend.

- **22 037 Council President: Tree Protection Ordinance or take up any action related thereto**
(Initial read through)

Chairman Ringius stated this will be an initial read through so we can discuss and see if there are stakeholders that we would like present at the next meeting on this proposed Ordinance. President Boericke who brought this forward sends along her apologies for not being at this initial meeting but had a family commitment for one of her children at the same day/time. Melissa SantucciRozzi is reviewing this Ordinance and will be meeting with President Boericke on this. Legal is reviewing this Ordinance and renumbering accordingly as well.

Chairman Ringius stated everyone should have had the proposed ordinance, along with the President Boericke's is letter. Any questions or comments on that?

Chairman Ringius asked for a motion to table Order 22 037 to a future meeting.

A Motion was made by Councilor Hume to TABLE Order 22 037

Motion: by Councilor Hume to TABLE Order 22 037

Second: by Councilor Ryan

Roll Call Vote: For (4 – Flaherty, Hume, Ringius, Ryan), Against (0), Absent (0), Abstain (0)

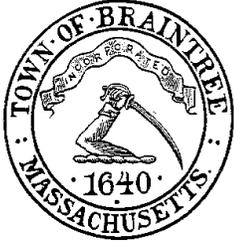
Chairman Ringius stated we will be taking up the initial discussion related to proposed ordinance, language, change as to the cultivation in distribution of marijuana in the Town of Braintree. I did want folks to be aware of that, and we have anticipated that the discussion will probably take at least 2 nights, and we have scheduled a meeting for June 1st on Zoom. We will schedule additional live meetings for public comment.

It was unanimously voted by Roll Call to adjourn the meeting at 9:00 p.m.

Respectfully submitted,
Susan M. Cimino
Clerk of the Council

Documents provided for Meeting

- 20 034 Councilor O'Brien: 8.800 Single-Use Plastic Bag Reduction Bylaw or take up any action related thereto
- 006 22 Council President: Town Council Rules or take up any action relative thereto
- 22 037 Council President: Tree Protection Ordinance or take up any action related thereto



Braintree Town Council Committee on Ordinance & Rules

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MEMBERS

David Ringius, Jr, Chairman
Shannon Hume, Vice- Chairman
Julia Flaherty, Member
Charles Ryan, Member

June 1, 2022 MINUTES

A meeting of the Committee on Ordinance & Rules was held Remote via Zoom Webinar on Wednesday, June 1, 2022 beginning at 6:00pm.

Chairman Ringius was in the Chair.
Clerk of the Council, Susan Cimino conducted the roll call.
All votes were conducted by Roll Call Vote.

Present: David Ringius, Jr, Chairman
Shannon Hume, Vice-Chairman
Julia Flaherty, Member
Charles Ryan, Member
Meredith Boericke, President

Also Present: James Arsenault, DPW Director
Dru Ledbetter, CEO FlowerXpress
Mark Doucette, Chief Revenue Officer
Huggens Lafond, Chief of Cultivation
Kerlee Nicolas, Chief Financial Officer
Karen Chacón, Chief DEI Officer
Marquis Cohen, Chief Operating Officer
Adrian Brown, Chief Scientific Officer
Leslie Pascual, Chief Technology Officer
Agnieszka Grosso, Head of Brand & Creative

David Ringius, Jr, Chairman of the Committee on Ordinance & Rules asked for a moment of silence for our first responders and all those serving home and abroad.

Approval of Minutes

- None

Old Business

• 22 037 Council President: Tree Protection Ordinance or take up any action related thereto

A Motion was made by Councilor Hume to Take off the TABLE Order 20 037

Motion: by Councilor Hume to Take off the TABLE Order 20 037

Second: by Councilor Ryan

Roll Call Vote: For (4 – Flaherty, Hume, Ringius, Ryan), Against (0), Absent (0), Abstain (0)

Chairman Ringius stated we had done an initial first reading of this point at our last meeting of the Committee on Ordinance and Rules. President Boericke would you like to give an overview of why you propose this and what you're looking to do with this?

President Boericke stated I have began working on this almost a year ago, when it was brought to my attention by some of my constituents that trees had been removed from public ways in district 5 in particular, as I started researching that concern. I realize that Braintree is a municipality in the State that does not currently have a tree Protection ordinance. Massachusetts State law does have a Tree Protection State law called chapter 87. However, all municipalities have the ability to strengthen that law, and that is the intention of this proposed ordinance.

My goal here is to make sure that we are conserving Braintree's tree canopy, that we have adding to it where we can, and making this the best possible environmental and beautification. I did a lot of research looking at what other metropolitan greater Boston metropolitan towns and cities were doing for their tree protection organs and I'm happy to share any of that research with all of you if you're interested but a lot of the language you'll see in the proposed ordinance is crafted from laws and ordinances that already exist, and I did my best to tailor that in a way that working with Sustainable Braintree, the Gardeners Guild and a resident who was the city arborist for Quincy, really making sure that the language for Braintree was effective and appropriate. I also went to BELD the electric light board just in the last month, and reviewed this again with them, to make sure they were comfortable with the language. There are some other stakeholders that there's still going to be some other meetings with, including planning and building. Legal is also reviewing the ordinance to make sure that it conforms.

Councilor Flaherty asked if Director Arsenault thinks if there's anything in this tree protection ordinance that the DPW has concerns about.

James Arsenault, DPW Director stated I do have significant concerns about some of the wording that could imply that we can't even do work on our roadways. There are things in this that could substantially impact our ability to do our job. Tree trip lines would stop all of our resurfacing work. There are serious concerns we have. We need to sit down and talk about it and make sure it doesn't stop our ability of what we need to do.

Chairman Ringius stated President Boericke will have those discussion and then bring back changes to this committee.

President Boericke stated I am more than happy to meet with Director Arsenault and his team. I completely support all the DPW does and will be more than happy to make sure this works for the entire community.

Councilor Flaherty mentioned a letter from Suzanne Brothers stating a smaller list of native trees. President Boericke stated she would take this as an action item and look into it.

Councilor Ryan stated it will be good to have clear guidelines on how to handle trees. We also do not want to try to do a good thing and end up causing problems for the DPW. Let's take our time with this and end up with a good product as President Boericke has intended.

Chairman Ringius asked for a motion to table Order 22 037 to a future meeting.

A Motion was made by Councilor Hume to TABLE Order 22 037

Motion: by Councilor Hume to TABLE Order 22 037

Second: by Councilor Ryan

Roll Call Vote: For (4 – Flaherty, Hume, Ringius, Ryan), Against (0), Absent (0), Abstain (0)

New Business

- **22 015 Citizen Petition: Zoning Ordinance Text Amendments: Proposed Amended Article XVIII – Medical and Adult Use or Non-Medical Marijuana Establishments and related amendments to Section 135-601 and 135-806 or take up any action relative thereto**

Chairman Ringius had Mark Doucette, Chief Revenue Officer introduce his team along with Dru Ledbetter, CEO FlowerXpress.

Dru Ledbetter, CEO FlowerXpress shared the Citizen Petition summary, introduced the company and shared the Planning Board recommendation. Flower Express was formed in 2021. We're a 100% owned by people of color our leadership team has over 60 years of experience professionally. Our mission is to create and bridge a gap between adult sales. What we call adult sales in the cannabis industry and medical grade quality cannabis production. We want to grow medical grade cannabis in a consistent high-tech environment and want to partner with grow organizations and research organizations as well as life science companies to ensure that they're having a good quality medical product. We also want to tap into the adult use market because of its profitability. Our values are, of course, integrity. We lead with integrity and everything we do; Environmental sustainability; We believe in community empowerment and fiscal responsibility as well as social equity and social justice. Our team of scientists and cultivation has been putting together for the last few years of Genetics portfolio with over a 100 new strains not previously seen in any cannabis market. So they've been breeding seeds and plants. and we have a proprietary grow technique that allows for

maximum plant yield and we'll be using state of the art vertical grow boxes as well that are armed at artificial intelligence to ensure that we have a consistent output in our plant yield.

The cannabis industry in the United States is essentially growing. It's a budding market right now worth it 61 billion dollars. 13 States are currently legal. It's expected to go to 15 States by the end of 2022. They believe that the Massachusetts market is only capturing about 20% of marijuana users. Another thing that is happening is that the medical research industry has tapped into the cannabis industry. Pfizer has made a significant cash investment. For \$6.7 billion dollars they purchase a Cannabis research company. There's only 6 cannabis cultivators that are allowed to dispense research grade. We're working on our CMC to be the 7th. There's been a lot of research around Crohn's disease and PTSD with veterans, and there's been substantial growth that keeps having folks pour into the medical research space especially when it comes to cannabis. There is a significance difference in terms of the profitability for a company, and that's why we want to tap into the adult sales market in addition to creating medical grade cannabis. We want to ensure that we're growing the medical grade cannabis so we can support the medical research and life science sector, but we also want to tap into the profitability of the adult use market.

The licensure process in Massachusetts is a long process to obtain a canvas license. Essentially we have to build a team and secure location as and start engaging with the community. The reason we feel we are going to be successful is because we've done this already, and we're just duplicating our efforts here in the eastern part of the State and hopefully in Braintree our team has to essentially obtain your host community agreement with the town. That kind of dictates how you do business in the town. You still have to go through special permitting and going through that zoning process. And then, after you go through that local process, you then have to go to the State and apply through the Cannabis control Commission. Then you will obtain a provisional license and get the approval to start building out your canvas facility, and then they will issue a final license, in which they will send out inspectors to ensure everything's up to par and then you'll get a commence operations approval.

We are social equity applicants through the Cannabis Control Commission, which gives us expedited application processes and reduce fees. I am a woman, and we are a minority owned, and woman owned business, which gives us additional benefits and contracts, and allowed us allows us to tap into resources available for women owned businesses as well. We believe that the Flower Express leadership team is equipped to produce results and reach all of the necessary milestones to achieve licensure.

I am a woman, and we are a minority owned, and woman owned business, which gives us additional benefits and contracts, and allowed us allows us to tap into resources available for women owned businesses as well we believe that the Flower Express leadership team is equipped to produce results and reach all of the necessary milestones to achieve licensure.

Even if we get through the municipal process and we get the town council's approval for the text amendment, and then we negotiate a host community agreement we would still have to go through the special permit process, which is the most restrictive permit process for the town, and that would require that we also submit our security plans to fire on police and any other things that the time of range you would want to add at their discretion could be added in this step of the process with the definition clarified as non-retail establishment, they want to make sure that it was very clear in the ordinance that are of establishment or the allowed from marijuana zoning would be for culture

manufacturing, and not for retail. The final text amendment recommendations were that no property containing marijuana establishment shall be located within a 100 feet of any property that contains a residential use. That is the additional buffer zone in addition to what the state mandates, which is 500 feet from any public or private school, and one-half mile from any other cannabis establishment. Wording changed to non-retail marijuana establishment, just to clarify and emphasize that we are not looking to do retail. We would be pursuing a cultivation product, manufacturing and delivery License types. Cultivation would allow us to have indoor cultivation, and would allow us to have a processing facility. Product manufacturing would allow us to then process the plants that we have grown to create, buy product or wholesale products for business, to business, wholesale interactions. We would also be creating some medical products for business to business wholesale interactions. no one would be able to come to the facility and purchase any marijuana products or marijuana plants. This is not a community facing operations. Even the warehouse for delivery is something that would only be housed at the warehouse. So essentially we would have finished product that we would obtain from other product manufacturers, and we would have an e-commerce site in which people can go online and then make an order and the delivery will be to their house to their home if they live in a yes town. What that means for Braintree, is still in no town, even after the text amendment is approved. If it is approved Braintree would not be impacted in terms of traffic impact, because we would not be able to deliver the breakthrough residents, even if the text amendment is approved because Braintree is still a no town. We have a letter of intent for 280 Ivory Street. It is existing 90,000 square foot warehouse is known as the Carter Rice Building. It's been vacant for over 25 years in dismal condition, and we are hoping to help unify once we secure the necessary approvals. We are not located within a 500 feet of public or private school. There'll be no personal transactions on site, and we've partnered with electronics where the leading security operators in Massachusetts for Cannabis They also service hospitals and the MBTA. One of the things that we wanted to really focus on is the impact on the community, and the building is not the most beautiful. Essentially the walkability path in front of Ivory Street and around District 5, and we talked about increasing the tree canopy in this district and creating a more walkable path to the T station. Zoning change impact. It would have little to no impact on the current use of the zone. It would be the highway district business zoning only. We will still need a special permit that would allow the town to have complete discretion, and where any establishment is allowed, even if our this is not our location or the zoning amendment goes through and this location is very favorable, because it's been a vacant for so long and it's across from this transfer station, which is probably why it's been vacant for so long. The transfer station would not impact our operations, and we would be a closed-loop system with HVAC completely internal. There will be no odor escaping from the building and no odor entering the building so we would not mind having the transfer station across the street. Our other community benefits are for fiscal benefits. The community, by the State, you are allowed to have a cannabis excise tax of 3% of your gross revenue which can potentially bring over 6 million dollars of revenue to the town of Braintree based on our very conservative projections for our first year of operation. We would also be impacting job creation in the town. We would have no minimum education requirement, and we would do on job training. and there would be 3 workday shifts and over 200 positions spread out over those 3 work shifts.

We would have incentivized subsidized T passes as well as other mode of transportations and memberships for our employees.

We also want to create a fund with significant philanthropic investment to support community improvement efforts. We know that there is a lot of things that need fixing and that require funding, and we want to add an additional percentage of our profits and create a fund that is wholly run by Town of Braintree residents and stakeholders, we would facilitate board creation. and the town would have majority of the board seats, and would be able to vote on how these additional funds are spent within the community.

Other concerns that have come up in our conversations with the community are traffic. We don't believe that it would be a significant impact on traffic as deliveries cannot be done in the Town of Braintree and orders would be coming in via a computer program. Our cars will be exiting out of the facility, and getting directly on the highway to perform their deliveries and be coming back after the business day has ended.

We want to definitely increase the tree canopy in District 5, as is one of the districts at the lowest tree canopy in town, and we also want to create a comprehensive education plan and support the work of the established addiction, prevention efforts that are already happening in the company.

We've already partnered with some experts in the field that have talked about addiction prevention and added them to our team to help us better understand how we can best help and educate and support the efforts that are currently happening.

Chairman Ringius stated the Planning Board has made a recommendation to the town that the amendment be approved. This was in a letter dated May 31, 2022 from Melissa SantucciRozzi. We also received a letter from the Braintree Board of Health. This letter is objecting to changes being proposed to the zoning ordinance. There are no objections to these proposed zoning changes from the Police Chief and the Fire Chief. We did have a town of election in 2016 regarding question 4 as to sales of marijuana in the town of Braintree, both retail sales, delivery, cultivation, and although the State of Massachusetts did approve increased sales of marijuana, the Town of Braintree in that 2016 election did vote against it.

Councilor Hume stated in 2016 I at the time served as the vice chair on the community partnership on substance use and led the charge for the vote. So this is difficult for me I will say. Some council members and I had the opportunity to tour Airmont, which is in Quincy several years back and I know you mentioned odor. There's a very distinct odor when you drive up towards Airmark. What is the difference between your facility and Airmont - you mentioned HVAC system? How is it not going to be out in the air like do smell of it?

Huggens Lafond, Chief of Cultivation stated my understanding is the Quincy facilities that was toured was a medical only facility. I would say people don't put a lot of capital into medical facilities, because they don't make a lot of profit, so there's a lot of times that there's not an opportunity for a significant investment in the things that will keep and maintain the facility as a closed facility. Every flower room will pretty much be able to capture that smell and run it through carbon before it's exhaust outside as well as all the air that's inside the building will be cycled several times a minute. Inside the space it's not only good for the public outside, but it's also, very healthy for the flowers to have no microbes inside the facility. No bacteria or any fungus so air quality is something that is

paramount to what we're trying to deploy here. We're really focused on being lab grade medical grade quality cannabis. So, as a result, we're doing a massive infrastructure upgrade inside of the carter rice building.

What safety protocols do you have in place? And is there any extraction of the oil in this facility? Is it Flammable.

We will have over 50 cameras on the exterior of the building alone. We will also have additional security outside just in case anything were to happen, or deliveries, or any mishaps just to ensure that we're rolling this out smoothly. So in terms of outside and inside security of the facility, we would have panic buttons. Controlled entry, and access our vault would need a dual multi-factor, authentication, access all employee badges, and all the doors will be access to employee badges, as well so it's all secure access into the facility and out of the facility. Visitors will be logged in and checked in and with ID, and they would have to, of course. The cameras that are used inside the facility are actually what we consider bomb proof cameras. So they're so these cameras can survive an explosion, so pretty much, you know, to be able to capture footage throughout the entire process.

The equipment that that we will be using inside the building especially inside the manufacturing section of the building are required for us to use what we call It's actually a bomb proof room that's built inside the facility. That particular room that's built for the extraction equipment also does have sprinklers, in there, and of course, will be sprinklers throughout the facility as well. So a lot of safeguards are put in place to mitigate. It would be self-contained inside of that room.

We will have over 50 cameras on the exterior of the building alone.

We will also have additional security outside just in case anything were to happen, or deliveries, or any mishaps just to ensure that we're rolling this out smoothly. So in terms of outside and inside security of the facility, we would have panic buttons. Controlled entry, and access our vault would need a dual multi-factor, authentication, access all employee badges, and all the doors will be access to employee badges, as well so it's all secure access into the facility and out of the facility. Visitors will be logged in and checked in and with ID. The cameras that are used inside the facility are actually, what we consider bomb proof cameras. These cameras can survive an explosion, so pretty much, you know, to be able to capture footage throughout the entire process. The equipment that that we will be using inside the building especially inside the manufacturing section of the building are required for us to use what we call - It's actually a bomb proof room that's built inside the facility. That particular room that's built for the extraction equipment also does have sprinklers, and there, of course, will be sprinklers throughout the facility as well. So a lot of safeguards are put in place to mitigate. It would be self-contained. It would be self-contained inside of that room.

What hours of operation will those delivery trucks be coming in and out of there?

We have not ironed out the exact traffic pattern of those delivery trucks. Ego I transport is a cannabis control Commission certified transporter for the state they'll be doing our wholesale transporting. The vehicles are about are the size of armored trucks. That is something that could be defined in our host community agreement. It could be defined in our special permit process. we would, essentially adjust to whatever criteria is set forth by the term.

Based on the size of the facility, our canopy size, and the amount of harvest we plan on having each year based on our growth techniques. We anticipated gross revenue post 200 million dollars a year in wholesale, and that would give the Town of Braintree 3% of the gross revenue as tax. We would have our job postings happen in Braintree first for at least 2 weeks before we open them up to anybody else outside of brain tree. we would ensure that brain tree residents had priority as well

Mark Doucette, Chief Revenue Officer stated I've done a lot of work on this, and I was a no person myself but I myself, I've seen what medical marijuana could do for a lot of people as far as cancer patients and people with seizure disorders and I've done a lot of research on that and that's why, we're gonna go right after the medical research facility and that'll be part of my job is to bring that medical research, because this particular product meets this guidelines that they have to have and they can't get enough of this product to do the research they need. Let's face it we're a year or 2 or 3 away from a financial crisis. I grew up in Braintree since I was 15, and I had the benefits of all the programs my kids did, and I did you know, having a great town, those programs are going to get diminished. We have it. We have an opportunity here to put in a no access, no see to turn a facility around that has been you know less than desirable in the place where let's face it, no one wants to be next to the transfer station, and we're a close facility and so we're going to take something that can't happen into something that can happen. We're going to take a product that every single town around us wants, and I'm fighting hard to bring it here because we want the benefit of it. I was doing math the other day with someone. In order to raise this kind of revenue, we would have to build 12,000 homes, 12,000 homes, with 36,000 people, 36,000 cars, 36,000 kids going into the school system 36,000 people on the electricity. This facility. it'll be 200 jobs, no impact to the town except for the revenue coming in, and our community host community based agreement, an opportunity for us to work out those Take a Left-only kinks once the facilities up and running the green space in front is going to block it when you're driving down the street. You're not going to know it's there but when you go to the schools and you go to these programs and they have an influx of money and these kids, after covid let's face it a lot of it needs a lot of services and those services can't happen without money, and maybe I'm forecasting 2 or 3 years away but I know what's happening, and I see it happening in my own family. So as a former. no person as a you know as a person who the town is personally helped. This is why I'm here so you know I went through some of the things here but 70% of the jobs will go to Braintree residents and that'll be a part of the group of us to make sure that happens. They'll be great paying jobs and they'll be skilled jobs skilled jobs right now that are in high demand like tech jobs. You see the budget, and maybe not this year, but next year the year after, and our facility will come online just in time to meet the demand of the town. We would have our job postings happen in Braintree first for at least 2 weeks before we open them up to anybody else outside of Braintree. We would ensure that Braintree residents had priority as well.

Councilor Ryan stated I have a few follow up questions on the traffic. You mentioned that, you know you don't have a firm traffic program. When I talk to the residents. you know it's like a restaurant location location location in Braintree. It's traffic traffic traffic. so i'd like to see some plan that really has the traffic, taking a left out of the facility going on the highway and not cutting into Braintree.

Huggens Lafond, Chief of Cultivation stated in terms of how we're going to be sustainable and tied the facilities we're using all of our equipment will be beyond energy star compliant. All of our lighting will be LED lighting throughout the building. Even the grow lights that we're using for the actual class would be LEDs. We will have a complete microcontroller to manage all the power consumption in the room and also to our water will be in a closed loop System. So once the water comes into the building, it will be able to be utilized, run through a filtration system to do, reverse osmosis and then utilize again. So we're trying to be as sustainable as possible.

Chairman Ringius stated we have a lot of materials to process through. We have some serious decisions to make. Last night we went over the Town's budget and obviously there are tough times ahead. Last night it was stated we have to find new ways to generate revenue. We can't say no to everything. We need to find mix uses for revenue for our schools and our services. We also have to be mindful of our residents and what they want to see come into the town. We will need to get this information out to residents.

Our next meeting will be live in Cahill Auditorium with BCAM televising with Public Comment allowed.

Chairman Ringius asked for a motion to table Order 22 015 to a future meeting.

A Motion was made by Councilor Ryan to TABLE Order 22 015

Motion: by Councilor Ryan to TABLE Order 22 015

Second: by Councilor Flaherty

Roll Call Vote: For (4 – Flaherty, Hume, Ringius, Ryan), Against (0), Absent (0), Abstain (0)

It was unanimously voted by Roll Call to adjourn the meeting at 7:30 p.m.

Respectfully submitted,
Susan M. Cimino
Clerk of the Council

Documents provided for Meeting

- 22 037 Council President: Tree Protection Ordinance or take up any action related thereto
- 22 015 Citizen Petition: Zoning Ordinance Text Amendments: Proposed Amended Article XVIII – Medical and Adult Use or Non-Medical Marijuana Establishments and related amendments to Section 135-601 and 135-806 or take up any action relative thereto

Recording of this meeting: <https://www.youtube.com/watch?v=CD38ADGHRGo>

#22-049



Office of the Mayor

One JFK Memorial Drive
Braintree, Massachusetts 02184

Charles C. Kokoros
Mayor

781-794-8100

To: Meredith Boericke, President of the Council
Susan Cimino, Clerk of the Council
James Casey, Town Clerk

From: Charles C. Kokoros, Mayor *cc*

CC: Nicole I. Taub, Chief of Staff and Director of Operations
Edward Spellman, Director of Municipal Finance
Melissa Santucci-Rozzi, Director, Planning and Community Development

Date: September 6, 2022

Re: Amendment to General Ordinance 5.600.010 (Marijuana Not Medically Prescribed)

Dear President Boericke, Clerk Cimino and Clerk Casey,

General Ordinance 5.600.010 currently prohibits the operation of any marijuana establishments in the Town of Braintree. Specifically, the ordinance prohibits the operation of any marijuana establishment, including, without limitation, "a marijuana cultivator, independent testing laboratory, marijuana product manufacturer, marijuana retailer or any other type of licensed marijuana-related business." This prohibition does not apply to medical marijuana treatment centers.

As you are aware, the Town Council voted on August 2, 2022, to modify the Town's existing Zoning Ordinances relative to adult use or non-medical marijuana from a blanket prohibition, similar to the one contained in the General Ordinance, to a comprehensive ordinance allowing for certain non-retail marijuana uses. The amendments also provide further guidance for medical marijuana treatment centers.

The Zoning Ordinance, as amended, continues to prohibit Marijuana Retailers, as defined by M.G.L. c. 94G, s. 1, while allowing for certain non-retail uses to be allowed by special permit. As a result of the zoning amendments, the general ordinance requires revision in order to allow for uses consistent with the zoning ordinance.

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As drafted, the ordinance continues to specifically prohibit any marijuana retailer. A marijuana retailer is defined by M.G.L. c. 94G s. 1 as “an entity licensed to purchase and deliver marijuana and marijuana products from marijuana establishments and to deliver, sell or otherwise transfer marijuana and marijuana products to marijuana establishments and to consumers.” This will not impact the revisions to the zoning ordinance and specifically the allowance of cultivation and delivery by special permit.

Therefore, your review and approval of the enclosed revised General Ordinance 5.600.010 is requested.

Thank you.

Current Text:

Chapter 5.600

MARIJUANA NOT MEDICALLY PRESCRIBED

GENERAL REFERENCES

Prohibition of nonmedical marijuana establishments — See Ordinances.
Ch. 135, Art. XVIII, of the Town Zoning Bylaws and

5.600.010. Prohibition of marijuana establishments.

The operation within the Town of any marijuana establishment, as defined in MGL c. 94G, § 1, including, without limitation, "a marijuana cultivator, independent testing laboratory, marijuana product manufacturer, marijuana retailer or any other type of licensed marijuana-related business," is prohibited. This prohibition shall not apply to the sale, distribution or cultivation of marijuana for medical purposes licensed under Chapter 369 of the Acts of 2012 and regulations adopted thereto or any successor statute.

Change text:

Chapter 5.600

MARIJUANA RETAILERS

GENERAL REFERENCES

Medical and Adult Use or Non-Medical Marijuana
Establishments — See Ch. 135, Art. XVIII, of the Town
Zoning Ordinances.

5.600.010. Prohibition of marijuana retailers.

The operation within the Town of any marijuana retailer, as defined in MGL c. 94G, § 1, is prohibited.