

Minutes of the Youth Advisory Council (YAC) Meeting
Meeting Date: December 1, 2017 at 9:00 a.m.

YAC Members Present: Mr. Ira Montague; Ms. Lisa Raftery; Dr. Dossie Kahn; Ms. Sarah Greenaway; Ms. Corrie Dretler; Dr. Malcolm Astley; Mr. Jason Verhoosky; Reverend Theodore F. Crass; Ms. Marlene Dodyk; Mr. Sarkis Sarkisian; Ms. Julia Jungunns; Wayland Detective Tyler Castagno; Wayland Youth Officer Shane Bowles

The meeting was called to order at 9:06 a.m. by Sarah Greenaway.

The minutes from the previous (11/3/17) meeting were reviewed. After corrections were made to the misspellings of several people's names, the minutes were approved.

Mr. Jason Verhoosky provided an update on the recently approved moratorium on marijuana retailing in Wayland, which proscribes pot retail establishments until Jan. 1, 2019, and offered timelines for the next two tracks to be taken. The first track detailed the steps involved in creating potential planning and zoning overlay options should Wayland end up having pot retail establishments. The YAC needs to be prepared for however many shops there will be (the maximum is five) and what the zoning options are for these shops, and then be prepared to discuss these options with the zoning planning board and the selectmen.

The other track to be considered is moving forward with an opt-out vote. This option for Wayland would have to be a town referendum, rather than a decision by the Wayland selectmen, because the town voted 50.5% in favor of legalization of marijuana in November 2016. The opt-out is not a modification of the existing law, but a right within the law that each city or town can choose to opt out through a ballot referendum and ratification process. It would have to be proposed by a YAC member, and then be put before the selectmen in January for a referendum (ballot question) on the opt-out to take place at the spring town meeting in April. This would be a majority vote. If the ballot on the opt-out was successful, it would be voted on at a second town meeting within the next two weeks, and would then require a 2/3 majority vote to be ratified.

Mr. Verhoosky added that between Dec. 1 and January, he would get the exact dates from the town counsel for putting forth the opt-out referendum, do some base-level follow-up on limiting the number of dispensaries, and then that information to Mr. Montague and the planning board.

The ballot question would not deal with zoning, but would be a debate on the merits of marijuana being sold by retailer establishments in the town. However, Ms. Jungunns noted the possibility for a zoning article at the town meeting where the ratification vote would occur, and expressed concerns about the timing of doing both at the same meeting. She said that the zoning article would have to be created in advance in order to have a placeholder for the vote on it during the referendum at the town meeting. Mr. Verhoosky noted that the zoning regulations that would be part of such an article could be looked at as backup in terms of planning for dispensaries if the opt-out vote were to fail.

Ms. Dretler expressed concern that such a vote would be like the 2016 town meeting at which the moratorium was voted for, where the moderator focused on zoning issues vs. the moratorium itself, a distinction that many audience members seemed to have difficulty grasping. She felt the audience might again have trouble understanding the difference between a zoning article and a ratification of an opt-out.

There was a question of how many signatures would be needed to get the referendum on the ballot, with estimates ranging from as many as 50 to as few as 10. It was determined that the smaller of these numbers would be all that were needed, because the opt-out does not entail a change of current law. Ms. Dretler said she would take on the task of getting the signatures.

The number of pot retail establishments that can exist in a community is a percentage of the number of liquor licenses in that community. According to Mr. Sarkisian, the town of Wayland has 32 liquor licenses, of which 28 are active, which means that, theoretically, five dispensaries would be allowed. However, he noted that the neighboring town of Framingham has announced that it will limit the number of pot retail establishments to three, far less than the 20% figure there. It was decided to find out from Framingham town officials what legal process the town went through to do that. Mr. Sarkisian also noted that Natick is limiting itself to one medical marijuana dispensary, which will be behind Dick's Sporting Goods on Route 9 (in what is the town's adult entertainment zone, created by a zoning overlay).

According to Mr. Sarkisian, Wayland's zoning situation is markedly different than Natick's and Framingham's which have expansive commercial districts, including Route 9, while only 5% of Wayland's land use is zoned. He also noted that in all these towns, it is legal to sell accessories and paraphernalia for marijuana, i.e., hookahs, bongs, at the retail level. The only control is on selling marijuana itself.

Dr. Dossie Kahn brought up the importance of seeing what other towns have done, and this met with unanimous approval. All in attendance agreed it was a good idea to see what other towns have done. Mr. Verhoosky that that WaylandCares has had talks with Natick's equivalent of WaylandCares, which now sits under the Board of Health, and said that group had been helpful.

Ms. Jungunns mentioned that the Board of Health has already received inquiries from potential pot retailers, some of them asking where the establishments would be located. Officer Bowles cited personal anecdotal evidence that there are parents in town who are interested in starting a dispensary business.

In response to a question, Mr. Verhoosky said that a new medical dispensary cannot convert to recreational pot retailing. There is nothing that says a town that allows pot retail establishments has to have a medical marijuana dispensary. Furthermore, while a medical pot establishment would ostensibly look the same as a recreational pot retailer, there are key differences between the two. For instance, someone would need a referral from a doctor to get into a medical marijuana dispensary. Marijuana cannot be "prescribed" because it is still a controlled substance at the federal level. Another difference is that medical marijuana is not taxed. Also, the marijuana at the medical dispensaries has higher THC levels. While it is not yet known if there will be a limit on the potency of recreational marijuana, it is thought that the testing lab facilities will be in charge of checking the potency. There will be a seed to sale program that specifies that all product sold in Massachusetts needs to be cultivated in Massachusetts. As soon as a seed is planted, it is given a bar code, the weight of the plant needs to be captured, the grower will need to stipulate what they did with the waste product, and this will all be captured by Wi-fi cameras, so that the state's Cannabis Control Commission (CCC) can ensure that the entire process is "kosher," like in a brewery.

With respect to medical marijuana dispensaries, Mr. Verhoosky said that the assumption is that the CCC will be a self-regulating board and that such regulation would not fall to the jurisdiction of public health.

The status of the nascent CCC was further discussed. The CCC's current top priority is hiring staff for legal enforcement. It has said it will release details of its state regulations on March 1. Therefore, if the YAC wants those state regulations in place before it makes a decision on the opt-out, the only logical thing to do is wait. Dr. Dossie Kahn pointed out that this delay in the state regulations is a good argument for a moratorium, asking how towns could prepare for a regulatory environment that doesn't exist yet?

According to Reverend Ted Crass, the CCC will be hiring 12 to 15 inspectors for the whole state. He expressed doubt that that small a number of inspectors would be able to check everything.

Near the end of the meeting upcoming community events were discussed. Dr. Dossie Kahn mentioned the Middle and More public coffees, as well as parent coffee get-togethers that take place in a family's home, in which she serves as a middle person. She also mentioned a monthly parent meeting every Tuesday with James Chiarelli (Transitions/Adjustment Counselor at Wayland High School) and a core of 5-6 students. She said that the clinical side has a new hire, Kelsey San Clemente, and that she and Ms. San Clemente are taking on new therapy patients, although some cases are referred out.

Mr. Verhoosky mentioned several upcoming events, including an MIAA workshop on substance prevention and an upcoming Middle and More meeting about internet safety. He also said he would be at a PIE meeting the following week to discuss the release of the results from last year's Metrowest Health survey.

Mr. Malcolm Astley said that the film Escalation would be screened on Thursday, Dec. 7 at the high school. This presentation is for professionals, and 11 organizations would be in attendance.

The next YAC meeting is Friday January 5.

The meeting was adjourned at 10:32 a.m.