

The October 5, 2018 meeting of the Youth Advisory Council (YAC) was attended by (in alphabetical order) Dr. Malcolm Astley, Corrie Dretler, Sarah Greenaway, Dr. Dossie Kahn, Lisa Raftery, Brenda Ross and Jason Verhoosky.

The meeting was called to order at 9:22. Chairperson Sarah Greenaway asked Mr. Jason Verhoosky to provide an update on the situation of marijuana in Wayland.

Mr. Verhoosky reported that the Oct. 4 ballot initiative to ban marijuana retail establishments in Wayland passed by a vote of 1,226 to 465. The article, known as Article F, will now move forward to a vote at the Nov. 13 Town Meeting. The order of the articles that will be presented on Nov. 13 is not known yet, but ideally Article F will be in close proximity to the playing field-related articles, which brings out many families. Because there will be fewer articles at the Nov. 13 meeting compared to past town meetings, the town should be able to get through all the articles in a single night.

Mr. Verhoosky said that he is currently working with the town's marijuana working group to finalize the language of Article F, to make sure that the wording in the article matches that of the ballot initiative. The working group has also clarified the fact that Article F is a land use article, which requires a 2/3 majority to pass, and not a general bylaw, which only requires a simple majority, according to a recommendation by the Attorney General. Article F also references Article G, which stipulates the proposed marijuana overlay district, although, if the ban receives the 2/3 majority needed to pass, the zoning issue (Article G) will likely be passed over. Although there was some discussion of voting on Article G even if the ban passed, so that if the ban is overturned years down the road in another ballot initiative, Wayland would have a pre-established zoning regulation in order, the working group preferred not to introduce a zoning initiative right now.

In September, a state-chartered credit union based in Gardner, Mass. said it is willing to offer banking services to recreational and medical marijuana businesses in the state of Massachusetts. The credit union [*Note from minutes-taker: GFA Federal Credit Union*], which has \$500 million in assets, will offer basic services such as checking accounts, payroll, FICA, wire transfers and bill payments.

At present, very few banks and credit unions are willing to offer banking services to marijuana businesses in states where marijuana is legal (only two banks in Massachusetts are willing to do so), because they fear federal regulators could potentially take away their licenses for serving businesses that sell a federally prohibited substance. As a result, many marijuana businesses in Massachusetts would have to operate as cash-only businesses, which might increase the risk of robbery, as well as make it harder to track revenues for taxation purposes.

The privately funded local credit union is working with a marijuana banking services organization out of Colorado [*Note from minutes-taker: Its name is Safe Harbor*] that helps financial institutions examine their abilities to work with marijuana businesses. The

credit union said it was going to begin accepting marijuana clients by Oct. 1. According to Mr. Verhoosky, the credit union is planning to begin with a test group of 10 to 20 businesses, so its impact will be somewhat limited in its first year of operation.

Going back to Article F, Mr. Verhoosky said that the town's finance committee (Fincom), school committee, Board of Health and Planning Board have all voted to support the article. The Board of Selectmen has not yet voted, but he said he thought the selectmen will vote in favor too.

Ms. Jane Purser gave an update on Natick's special town meeting the night before (Thursday, Oct. 6). At the meeting, three districts were discussed as zones for potentially three marijuana retail establishments: the East Natick industrial park on the Wayland border; an area of Route 9 near the Wellesley town line; and the junction of Rte. 30 and Speen St. The town also voted to extend its moratorium on marijuana retailing for another six months, but Ms. Purser reported that the feeling among the Natick's leaders is that since the town voted to legalize marijuana by a 54-46% margin, it is not worth fighting for a ban on retailing.

In response to a question, Mr. Verhoosky said that should the ban on marijuana retailing not pass at Town Meeting, Article G would call for establishing the overlay district for marijuana-related businesses in two lots on Route 20, one lot in the woods near the Maserati dealership (20% of the dealership building is in Wayland, the other 80% in Sudbury), and one lot on other side of Route 20, near the industrial area before the Longfellow business area. In response to another question, Mr. Verhoosky explained that there is a rule that any marijuana businesses must be 500 feet from any public K-12 school, but this prohibition does not include private day care, ballfields, playgrounds, etc. Also the 500 feet is measured door to door, not border to border, as recommended by the Attorney General, because border to border might be considered "overly prohibitive," and overly prohibitive restrictions are prohibited.

Ms. Corrie Dretler asked if Sudbury had been consulted on the location of the overlay district, since the two lots are on its border, and said that people she knows in Sudbury have said they would not be happy with marijuana businesses being located there, after Sudbury had passed a retail ban. Referring back to Ms. Purser's discussion of Natick's plans for locating marijuana establishments, she wondered if Natick had ever talked to anyone in Wayland, or if the town of Wayland had talked to anyone in Sudbury.

Mr. Verhoosky said he did not know if such conversations had taken place. He also pointed out that even if an overlay district is created, a landlord or property owner has the right to determine who they rent to.

Ms. Greenaway said that if the ban is voted down, deciding where the businesses go will likely require months and months of conversations.

Mr. Verhoosky said that the Board of Selectmen and Fincom have requested that the Youth Advisory Council vote, as an entity, to recommend approval of Article F by Youth and Family Services.

Dr. Malcolm Astley questioned whether it is the YAC's charge to say it is against marijuana retail establishments by a vote, as well as whether the group had the authority to recommend that Wayland residents take a specific action one way or the other.

Ms. Dretler asked Dr. Astley if he was concerned that, if the YAC did so, it would reflect badly on the council. Dr. Astley responded that he was concerned that the group's reputation might be tarnished.

Dr. Dossie Kahn pointed out that advisory committees take different forms in different towns, but that there is still no clarity as to what the YAC's authority and responsibilities are in certain areas.

Dr. Astley responded that another conflict in the YAC's charter is that the committee evaluates Mr. Verhoosky but also advises him.

Pursuant to taking a vote, Mr. Verhoosky read Article F aloud.

ARTICLE F: Prohibition of Recreational Marijuana

Sponsored by: Planning Board

Estimated Cost: \$000

Adult Use Marijuana Prohibition: To see whether the Town will vote to amend Chapter 198 of the code of the Town of Wayland, the Town's Zoning Bylaw, by making the following revisions: Amend §198-803 Classification of Principal Uses, Section 803.5 Prohibited Uses by striking §803.5.8, which imposed a temporary moratorium on adult use (recreational) Marijuana Establishments and replacing it with the following: 803.5.8 Consistent with G.L. c. 94G, Section 3(a)(2), all types of adult use (recreational) "Marijuana Establishments" as defined in G.L. c. 94G, §1 and 935 CMR 500.00, including marijuana cultivators, craft marijuana cooperatives, marijuana product manufacturers, marijuana retailers, independent testing laboratories, marijuana research facilities, marijuana transporters or any other type of licensed marijuana-related businesses shall be prohibited within the Town of Wayland.

FINANCE COMMITTEE COMMENTS: This article is initiated and sponsored by the Planning Board and proposes to amend §198-803 Classification of Principal Uses, Section 803.5 Prohibited Uses by striking §803.5.8, which imposed a temporary moratorium on adult use (recreational) Marijuana Establishments and replacing it with the following:

803.5.8 Consistent with G.L. c. 94G, Section 3(a)(2), all types of adult use (recreational) "Marijuana Establishments" as defined in G.L. c. 94G, §1 and 935 CMR 500.00, including marijuana cultivators, craft marijuana cooperatives, marijuana product manufacturers, marijuana retailers, independent testing laboratories, marijuana research facilities, marijuana transporters or any other type of licensed marijuana-related businesses shall be prohibited within the Town of Wayland.

The proposed restriction will apply to all districts of the Zoning Bylaw to prohibit marijuana establishments, other than Registered Medical Marijuana Dispensaries, from being located and/or operating within the Town.

Pursuant to M.G.L. c.94G, §3, if a municipality voted for the 2016 state election ballot, entitled "Legalization, Regulation, and Taxation of Marijuana", the municipality may prohibit recreational marijuana establishments by bylaw or ordinance via local legislative approval. This special provision will expire after December 31, 2018. Subsequently, because Wayland voted yes by (49.5%) 74 votes this will required a two-step process requiring a ballot question and local legislative approval (zoning bylaw). This expiration date prompted an urgency to move forward this fall.

In November 2017, Special Town Meeting enacted a Zoning Bylaw moratorium to allow the Town time to establish local Bylaws to regulate recreational marijuana establishments and to consider any application of State regulations which had not yet been established. The Planning Board is of the opinion that Town Counsel, Town Boards, Town Staff and community input have dedicated sufficient time studying the issue.

Therefore, it was the Planning Boards opinion that it would be prudent to adopt a permanent prohibition on such uses as part of the Zoning Bylaw prior to the December 31, 2018 deadline. It is also their opinion that the proposed amendment is warranted and, in the Town's, best interests from a land use regulatory perspective.

The Board of Selectmen voted to move forward with the first step by calling a Special Election on October 2, 2018 to fully prohibit and ban all functions of Commercialized Recreational Marijuana cultivation, processing, and/or retail dispensing of marijuana in Wayland. The ballot question only needed to be a simple majority vote.

On Oct. 2 Wayland residents voted by a majority in favor of adopting the Zoning Bylaw to prohibit all types of recreational marijuana establishments in the Town. The actual Special Town election votes were 1,226 yes and 465 no to a ban. This represented a 3-1 margin in favor.

The next step is to ask the town to vote again at the November 13th Special Town Meeting where a quantum vote for zoning articles require a 2/3rds vote to pass.

These votes do not change the state law in regard to adult recreational marijuana usage. The Special Election, as well as the Town Meeting article only address the commercialization, cultivation, testing, research and sale of marijuana in Wayland. Possession and use of marijuana in compliance with state law would be allowed, and those individuals who desire to possess and use marijuana would be able to acquire it from nearby dispensaries in neighboring communities (e.g. Framingham and Marlboro).

As stated, The Planning Board formed their opinion based on studying the issues and gaining input from Town Counsel, Town Boards, Town Staff and the community through numerous meetings and a hearing on October xxx, 2018. Establishments that represent commercial recreational marijuana would be retail stores selling all marijuana products, commercial cultivation indoors and outdoors, testing facilities and product manufacturing.

There are state restrictions already established to cultivating commercial recreational marijuana. However, there are many concerns that impact Wayland's environment and abutters to these businesses. Some are the size, locations, ground and water pollution and cultivation processes including the use of fertilizers, security and lighting. Also reviewed were the possible traffic impact of delivery trucks, water and energy demands.

The Wayland Police Department and Family Youth Services both support this article stating public safety concerns around the illegal possession of marijuana by minors and marijuana possession in schools due to products being more readily available. States that have legalized marijuana have reported an increase in the illegal possession of marijuana by minors and marijuana possession in schools. Especially concerning are the availability and ingesting of

edibles such as brownies and candy infused with THC, the ingredient in marijuana that gets you high, already seen in our youth community.

The Police Department also noted that marijuana remains a Schedule 1 controlled substance and is an illegal drug under the Federal Controlled Substance Act. Federal officials have made it clear to local authorities that federal law enforcement will continue to enforce the law when activities involving marijuana amount to a violation of federal statutes. On the retail end, all business will need to be conducted in cash because banks can't handle funds from these sales due to these federal laws. This has proven to be a significant problem in Colorado. It is also their concern that there remains no breathalyzer test or scientific test for measuring THC levels regarding impaired driving under the influence of marijuana. Recent studies from other states that have legalized retail sales of marijuana have shown that poly drug drivers (combination of alcohol and drugs or multiple drugs) is now the most common type of impairment among drivers in fatal crashes. Thus, commercialization could have a significant public safety cost in our town.

The Planning Board have also created an alternative zoning bylaw warrant article G, which identifies where recreational marijuana establishments could be located in Wayland, for consideration at the Special Town Meeting if the full ban does not pass.

Mr. Verhoosky pointed out that at the Town Meeting, the language will be in the full warrant shown on a screen, but prior to the Town Meeting vote, a synopsis will be read to those in attendance.

A vote was then taken, and as a committee, Article F was approved by a vote of 5-0.

At this point the meeting moved to the topic of violence prevention. Mr. Verhoosky shared his notes on the June 19 presentation at Wayland High School on the three tiers of prevention of domestic violence by Ms. Rebecca Mooney of the Melrose Alliance Against Violence.

Several members of the committee commented on how much the town of Wayland and the high school was doing in the area of violence prevention. This included education on the subject from the Wayland High School wellness department; counseling resources; the high school's Mentors in Violence Prevention (MVP) leadership program; the Rape Aggression Defense (RAD) classes, offered through the police department, for both females and males; and policies spelled out in the school's handbook.

Ms. Brenda Ross suggested that this information should be shared with parents and families, who may not be aware of all the things the town is doing. Ms. Jane Purser suggested that the information should be made available to those outside the school community as well.

Dr. Astley said he thought that Wayland was one of the stronger towns nationally, along with those in California. He displayed a copy of a report that studied violence prevention in California that someone he knew had worked on. He said he could make the report available to anyone who was interested.

There followed some discussion on to what extent the MetroWest Health Survey covered dating violence. Dr. Kahn said she thought the survey covered bullying as a catchall, but

there was no specific sexual harassment component. Mr. Verhoosky agreed that there was coverage of sexual activity, but not to the extent that such activity is coerced or forced.

Dr. Astley quoted the “terrible statistic” that 1 in 5 college women has been raped. Dr. Kahn said that it was her understanding that the number was actually 1 in 4. She said that in high school, there are fewer high risk situations for women, but for women in such situations, the risk is greater because they don’t yet have the knowledge or skills to combat them.

Ms. Greenaway said that it is important to have people on the council who spend a lot of time thinking about how girls and boys behave.

Dr. Kahn said that school nurses are a big part of any community’s fabric in terms of sexual health and relationship issues, and that Wayland High School nurse Amy Schoeff is exceptional. She said the town of Wayland has made great gains in terms of reducing youth substance abuse, particularly when it comes to binge drinking, and this has had a big impact on violence prevention. However, she noted that these gains don’t mean that bad things are not happening.

Two upcoming events were mentioned. The Sudbury-Lincoln-Wayland Domestic Violence Roundtable would be sponsoring a march on Tuesday Oct. 9. The marchers would start at the Community United Methodist Church in Wayland at 5:45 and would walk to the First Parish Unitarian Church, where at 7 pm the names of Massachusetts victims of domestic violence would be read. On Oct. 18, there will be a celebration of the 20th anniversary of the Sudbury-Wayland-Lincoln Domestic Violence Roundtable.

Mr. Verhoosky said that he and Ms. Purser the new director of student services, Richard Whitehead, would soon be joining the YAC meetings as well as other town groups. Dr. Malcolm Astley proposed the formation of a new group, with three to four members of the existing groups, with a starting point of violence prevention.

Ms. Purser thanked Dr. Astley for taking a tragic situation and using it to make an impact on the community.

The meeting was adjourned at 10:34 a.m.