Minutes of Regular Meeting
Board of Selectmen
Tuesday, April 25, 2017
Selectmen’s Meeting Room – Town Hall
Called to Order at 7:00 p.m.

Present were Selectmen Michael Harrity, Douglas P. Gillespie and Christopher Houston, chair. Also present were Town Manager Donna S. VanderClock, and Assistant Town Manager/Human Resource Director Lisa Yanakakis. Recording Secretary is Kara Fleming.

Videographer – James Tremble, Weston Media Center

Item 1 – Resident Comments

Ms. Elly Pendergast of Wellesley Street referenced a recent presentation of the Town Meeting funding request for the Case Campus Master Plan where a one-way access road to the Case House from School Street would have gates, but left open on a trial basis. She asked if the trial basis could be with the gated access closed. Mr. Harrity said it was discussed with the Historical Commission and it is worth trying.

Mr. Peter Lord of Carroll Circle asked the Board its position on the Church Street access road that is currently being proposed for the 133 Boston Post Road housing development. Mr. Harrity said both the Selectmen and the Planning Board have concerns with the traffic impacts to Church Street, as well as the character change of the rail trail. He continued to say that he has been speaking with leaders in Waltham to get access on Jones Road, instead, but it is not yet settled. Mr. Houston said Boston Properties is aware that this proposed access road is not widely supported and is working with the Town to find an alternate access; however, the Church Street access remains in its presentation because it has to include access for the development but cannot speak to an alternate route until one has been settled. Mr. Harrity added that Boston Properties is taking a cooperative approach with the Town. Since the development will require a vote of Town Meeting in order to change the development agreement, the density and access road are principal items that are still being discussed. Mr. Lord asked if Waltham has formally rejected the Jones Road access. Mr. Harrity said city officials have not, yet there are hurdles to overcome because the road is zoned as industrial.

Mr. Clint Shuckel of Pembroke Road and member of the Traffic and Sidewalk Committee asked the Selectmen if the Traffic and Sidewalk Committee could be involved with the development discussion and if the Selectmen will consider utilizing Boston Properties’ phase 1 mitigation funds to help an abutting neighborhood. He continued his comments by asking if the MBTA should be more involved in the project. Mr. Harrity said the MBTA has been involved and has an agreement with Boston Properties.

Ms. Nina Danforth of Wellesley Street said the Parks and Cemetery position in the Department of Public Works needs arborist care and she expressed her displeasure with the posted job description. Ms. VanderClock explained what is posted are the minimum requirements needed for the job. Ms. Yanakakis added that she is focused on the experience of the candidates for the position and she is looking at certifications that are not necessarily college degrees.

Mr. Houston took the opportunity during resident comments to thank Town Manager and her staff for its assistance during his first year as chair and also Weston Media Center for being a benefit to the Town. He also expressed his appreciation to Mr. Harrity and his many years of service.
Item 2 – Public Hearing on Granting of License to Nina Danforth and Henry Stone to Use a Portion of 40 Acre Field for Grazing Animals

Nina Danforth

Mr. Gillespie recused himself, due to his involvement with the project. Ms. VanderClock reminded the Selectmen that the grazing license to graze animals on municipal land needs to be renewed every two years. Ms. Danforth said Land’s Sake Inc. is an integral part of the grazing project and involves the Green Power Farm participants in the care of the animals. She explained that portable, electric fencing is carefully placed on portions of the farm, so the animals can safely graze. Mr. Houston opened the meeting to public comment. Several members of the audience spoke in favor of the program.

MOTION: Mr. Harrity moved to approve the license agreement for the period ending December 31, 2018 with Nina Danforth and Henry Stone to allow grazing of animals on Town property adjacent to 86 Wellesley Street, subject to all applicable permits being obtained. 2nd by Mr. Houston. Approved unanimously

Item 3 – Meet Weston Cultural Council Candidates: Raquel Maria Halty, Karen Meslin, Susan Remkiewicz, and Tracy Rosen

Mr. Houston invited the candidates to the table for a group discussion and to hear the various backgrounds of the candidates. Ms. VanderClock reminded the Selectmen that the council will have twice as much funding in its next grant cycle because Town funds will be matching the state funds. Mr. Houston said the council’s chair was excited about all four candidates. He asked to make the appointments this evening rather than at the next meeting.

MOTION: Mr. Gillespie moved to appoint Raquel Maria Halty, Karen Meslin, Susan Remkiewicz, and Tracy Rosen to the Weston Cultural Council each for a three year term expiring April 25, 2020. 2nd by Mr. Harrity. Approved unanimously

Item 4 – Discuss Town Meeting Warrant Articles with the Moderator and Town Counsel

Tom Crane, moderator, and Lauren Goldberg, town counsel

The speakers and speaking times for each warrant article, as well as other procedures for Town Meeting were discussed with the Moderator.

Mr. Houston asked the Selectmen if they should reconsider the Board’s neutral position on articles 17 and 18, which are the high school fields. He explained that the community as a whole would be served by these two projects, and that some private fundraising is involved. Mr. Harrity said the project is in the domain of the School Committee with the Finance Committee weighing in on the debt and he would prefer to maintain the separation. Mr. Ed Heller of the School Committee said there is significant use of the fields that goes beyond school use. Mr. Harrity said that would fall within the Recreation Commission’s purview, and they should be supporting the articles. Mr. Gillespie said the Selectmen’s support could come across as meddling and should not take a position.

Mr. Houston asked the Selectmen if they should reconsider the Board’s neutral position on article 24. Mr. Houston explained that the petitioned zoning by-law change is premature to adopt at this time because the Selectmen and the Planning Board are in the midst of working on a water conservation by-law where double curb cut driveways would be addressed. Mr. Al Aydelott of the Planning Board explained what his board is working on and how it will tie in double curb cut driveways. Mr. Harrity said
he was reluctant to take a position when the better argument is through the Planning Board and he would prefer not to discourage a Citizens’ Petition. Mr. Houston countered that the Selectmen’s position would speak to the process in that this particular petition is halting that process. Mr. Gillespie said the Planning Board can raise the issue of process and that he does not believe the Selectmen’s position will have much weight.

Item 5 - Proposed Medical Marijuana Dispensary at 8 Sibley Road
Chuck Saba, CJ Saba, and David Miller of BeWell Organic Medicine Inc.

Mr. Saba provided a presentation (attached) and described his company as a non-profit, medical treatment-focused supplier of organic medical-grade marijuana with a board of directors that are all Massachusetts-based. His facility would be by-appointment only access and would follow the stringent security guidelines set by the state. He continued to explain that the reason for him coming to the Selectmen is to obtain a Letter of Non-opposition in order to continue with the provisional permitting and architectural review with the Massachusetts Department of Public Health.

Mr. Houston pointed out that the Board has already issued one Letter of Non-opposition to another company and asked what the Town’s options were. Ms. VanderClock, who has been speaking with Town Counsel about this issue, said the other company, New England Wellspring, has a letter for 104 Boston Post Road and the letter is site-specific; however, she learned earlier that New England Wellspring is also in talks with the landlord at 8 Sibley Road, and the Town can issue more than one letter or wait since no timing is involved. Ms. Goldberg informed the Selectmen that they are not obligated to issue the letters and that they can approve more than one, disallow entirely, or rescind letters. She continued to explain that she is aware of other municipalities that set up a situation for medical marijuana dispensaries to compete for the letter and Host Agreement, which outlines how the business will support the municipality. Mr. Saba said he provided the Selectmen with a sample host agreement and is open to negotiating the agreement so the Town will receive additional money. Ms. Goldberg said her firm has negotiated these types of agreements and can assist.

The Selectmen further discussed the timing and location of the dispensary, and concluded that more time is needed to better understand the situation and options. Mr. Harrity asked Ms. Goldberg to continue reviewing the Town’s options, to which Ms. Goldberg said she can offer a summary of what other municipalities have done and best practices for Host Agreements and the letter.

Item 6 – Award Northeastern University Tuition Vouchers

There are three applicants requesting one of the three available tuition vouchers for the 2017 summer quarter at Northeastern University.

**MOTION:** Mr. Gillespie moved to grant tuition vouchers to Christina Hansberry, Jeremy Girouard, and Emma Kwon for the summer 2017 quarter at Northeastern University. 2nd by Mr. Harrity. **Approved unanimously**

Item 7 – Discuss Transition of Selectman Harrity’s Projects

With Mr. Harrity not seeking reelection in May and his involvement in several ongoing projects, the Board discussed his capacity and interest in continued participation. The following were discussed:
- Case Estates
  - Tree plantings and Legacy Trail
  - Buildings
    - Creation of parcels
    - Future of Rand House, School House and Barn
    - Replacement of Summer House
  - Future of Parcels 6 and 9
- 133 Boston Post Road Development and Multi-Modal Facility in Waltham
- 40 Acre Field Long-Term Lease
- 41 Ripley Lane
- South Side Drainage
  - abutter easements
- Regional issues
  - 1265 Main
  - MetroWest Regional Collaborative
    - 128C3
- Rail Trail Liaison
  - 55 Church Street
- Solar PV Panel Exploratory Committee
- Town Center Planning Committee

Mr. Harrity expressed interest in continuing with the Case Estates and the 133 Boston Post Road development, as he has been working closely with these projects and more work is needed. He will also continue to work on obtaining the Southside Drainage Project easements. Ms. VanderClock is working on the long term lease for 40 Acre Field and Town Counsel is working on 41 Ripley Lane. With regard to the regional issues, Mr. Harrity said the 1265 Main project in Waltham should be under the purview of the Traffic and Sidewalk Committee and the Planning Board. The project is in Waltham and there is not much involvement for Weston other than the revised Environmental Impact Report. Mr. Harrity continued to say that the 128C3 group, which involved Waltham, Lexington and Burlington discussing issues with Route 128 and the Polaroid development, is no longer active. Lastly, Mr. Harrity has not been very involved with the MetroWest Regional Collaborative. Mr. Gillespie said he used to be active with it and the Selectmen may want to reconsider its participation.

In discussing Mr. Harrity’s committee involvement, he said the Rail Trail Advisory Committee has good membership and it will keep the Selectmen updated, so he does not feel the need to continue. However, the old depot building at 55 Church Street will still need some follow-through with the Historical Commission. Mr. Gillespie said he would take over from Mr. Harrity and work with the commission. In turning to the Solar PV Panel Committee, Mr. Harrity said the work of the committee is technically done, but it should remain active until the installation at the Department of Public Works building is finished, but he does not need to be involved. Lastly, Mr. Harrity said the Town Center Planning Committee should have Selectmen participation and he would like to pass this off to another Selectman. Mr. Houston asked Mr. Harrity if he would like to be appointed as an at-large member, to which Mr. Harrity said he would ask the chair.

Consent Agenda

MOTION: Mr. Gillespie moved the consent agenda as follows:
Approve minutes from the following Board of Selectmen’s meeting: May 9, 2016, Special Meeting; June 15, 2016, July 13, 2016, July 26, 2016, August 30, 2016, October 19, 2016, October 26, 2016, November

Approve a request from the Council on Aging to accept a gift of $432 from the Friends of the Council on Aging to be applied to the Transportation Gift Account and a gift of $100 from Dorothy Collier to be applied to the Miscellaneous Gift Account.

Accept the resignation of Diane Sherlock from the Weston Cultural Council.

2nd by Mr. Harrity. **Approved unanimously**

**Item 8 – Executive Session: Exemption 6 – purchase, exchange, lease or value of property at 466 Glen Road**

Mr. Houston moved the Board of Selectmen vote to go into executive session for the following purpose: Exemption 3: to discuss the purchase, exchange, lease or value of property at 466 Glen Road. The chair must declare that an open meeting will have a detrimental effect on the negotiating position of the Board. And further, that the Board will not resume in open session. 2nd by Mr. Gillespie

Roll call vote: Mr. Harrity, Mr. Gillespie and Mr. Houston all voted in the affirmative

**Regular Meeting adjourned: 10:00 p.m.**

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Douglas P. Gillespie
Clerk

Note: A copy of all documents, explanatory material, and exhibits presented to and used by the Board of Selectmen as part of this meeting are attached to the approved minutes.
BeWell Organic Medicine Inc.

Request for a Letter of Non Opposition For a Registered Medical Marijuana Dispensary In Weston Massachusetts

The Mission of BeWell Organic Medicine Inc. is to ease the pain and suffering of patients directed to our RMDs, providing them with the highest quality approved and tested organic medicinal marijuana, supplies, support, counseling, and educational materials to qualifying registered patients or their personal caregivers in a safe and secure environment.
BeWell Organic Medicine, Inc.

**Strong Local Board**
- Deep routed ties to Massachusetts
- Each Board Member selected for their individual skill set and expertise
- Non-Profit Massachusetts Corp
- Registered and Approved by the Commonwealth of Massachusetts
- Committed to supporting residents surrounding the Town of Weston

**Committed Medicinal Use**
- Compliant with 105 CMR 725.000: IMPLEMENTATION OF AN ACT FOR THE HUMANITARIAN MEDICAL USE OF MARIJUANA
- State of the art Cultivation & Processing Facility in Lowell MA
- Sampling and Analysis of Finished Medical Marijuana Products through Approved Laboratories
- Only Approved Registered Patient Access
- Seed to Sale Monitoring
BeWell Organic Medicine Inc.

Board of Directors Includes
A retired Massachusetts District Drug Court Judge
A retired Massachusetts Chief Probation Officer
An International Vice President of IT for a Wall Street Company
A Doctor and Director of a Mass. Medical Clinic
A Comptroller of a $250M International Marketing Company
A former Mayor & past President of the Mass. Mayors Association
An Attorney and Officer & Director of the Massachusetts Housing Partnership Fund Board

Each Board Member and Advisor shares the vision of our non-profit to provide affordable medicines to those in need as we aspire to become the leading model of excellence in the Commonwealth
### Who are the typical medical marijuana patients? Why they use medical marijuana?

**Market Watch Feb 24, 2016**

- 85% College Degrees, 15% Post Graduate Degrees
- 45% Parents
- 96% would recommend to friends & relatives
- Used for pain relief, cancer, stress, insomnia, anxiety & depression

**New Republic Jan 9, 2014**
https://newrepublic.com/article/116156/medical-marijuana-users-typical-profile

- Participants in this study averaged 41.5 years of age with half of them at least 50 years of age

**ProCon.org**

Diagnosed Conditions
Alzheimer's Disease, Anorexia, AIDS, Arthritis, Cachexia, Cancer, Crohn's Disease, Epilepsy, Glaucoma, HIV, Migraine, MS, Nausea, Pain, Spasticity
BeWell Organic Medicine Inc.

BeWell has been vetted and approved by the MA DPH Department of Health and Human Services to proceed to the “Siting” phase of the complicated licensing process. Siting is an advanced stage in the process of receiving final approvals to start cultivating and retailing Medical Marijuana in MA.

Currently BeWell has:

- Approvals by the Department of Health and Human Services (DPH) to proceed to the “Siting” Phase for Medical Marijuana Cultivation and to open 2 Registered Marijuana Dispensaries (RMD’s)
- **Secured city approval in Lowell, Ma for MM Cultivation and Processing**
- Purchased a $3 Million Dollar 50,000 sq. ft. facility for Cultivation & Processing in Lowell, MA
- **Letters of Non-Opposition in process for Lowell & Methuen, MA for a RMD**
- Working with the MA DPH Department of Health and Human Services for Provisional Permits
BeWell Organic Medicine, Inc.
Proposed Location at 8 Sibley Road, Weston MA

- At the end of the dead end road
- One way in, same way out
- No Schools or Day Care Centers in close proximity
- No view from neighborhoods or places where children congregate
- Close to Rt 128/95 for ease of access and egress
- Easily secured site
BeWell Organic Medicine, Inc.
Proposed Location at 8 Sibley Road, Weston MA
Existing Building 8 Sibley Road
Weston RMD Proposed Security Plan To Include

- CCTV entire perimeter of building
- Parking lot illumination at night
- Redundant CCTV and alarm systems
- Front door access only with proper credentials
- Sally port for deliveries
- Mantrap for all entrance & egress
- Electronic access with 2 factor authentication
- Volumetric Intrusion, motion, vibration detectors

- Hold up / panic alarms
- Vault storage of MMJ with heavy safes
- GPS tracking of all Delivery Vehicles
- 2 man delivery system without access to rolling safes
- Pre-determined, randomized routes of delivery coordinated with Weston PD
- Weston Police & Fire Department access
- UPS and back up power generator power for all security systems
- Consumption or use of MMJ not allowed in building or on property
BeWell Organic Medicine, Inc.
Proposed Locations within 8 Sibley Road
Sample RMD Layout

1. Secured entrance to Intake Through mantrap

2. Secured mantrap entrance into RMD

3. Mantrap exit from RMD to parking

4. Secured Sally Port entrance

5. Entrance from Sallyport to secured vault & RMD
BeWell Organic Medicine, Inc.
50,000 sq. ft. Lowell MA Cultivation Facility

Front Detail, Tailboard Doors

Side/Front View

Subject Photographs

Rear Motorcycle Storage

Subject Photographs
BeWell Organic Medicine, Inc.
50,000 sq. ft. Lowell MA Cultivation Facility
BeWell Organic Medicine, Inc.

Exterior photos of MA RMD’s