TOWN OF BURLINGTON, MA  
BOARD OF SELECTMEN  
MINUTES  
Special Meeting - 7:00 p.m.  
Burlington Town Hall, Main Hearing Room  

MONDAY, SEPTEMBER 21, 2015  

Board of Selectmen Present: Michael Runyan, Chairman; Christopher Hartling, Vice-Chairman; Robert Hogan; Daniel Grattan; Joseph Morandi  
Also Present: John Petrin, Town Administrator  

Pledge of Allegiance/Moments of Reflection  
The Board of Selectmen (BOS) meeting was called to order at 7:00 p.m. followed by the Pledge of Allegiance.  

175 Discussion: 40B Local Initiative Project (Housing)  
Present to discuss the potential for a Friendly 40B proposal were Jim Doherty, Town of Burlington Housing Coordinator; Liz Rust, Director, Regional Housing Services Office, Marge McDonald, Director, Council on Aging; and Christine Shruhan, Director, Youth and Family Services. Town Administrator John Petrin (T.A. Petrin) said he has started discussions with the Planning Board on this initiative. 40B issues fall under the jurisdiction of the BOS.  

Liz Rust provided information on the Burlington's current 40B inventory and stated that the Town is just above the 10 percent state requirement, and this status could change following the 2020 census. Adopting a Friendly 40B for rental units would guarantee a safe harbor and would provide more control with developers. All existing 40B sites retain this status in perpetuity.  

Jack Kelly, Planning Board (PB) member, said he attended the Land Use and other meetings where this topic was discussed and agreed that the Friendly 40B would protect the Town. PB member Paul Raymond said all members of the PB voted to support the Inclusionary Housing Warrant Article for the upcoming Town Meeting.  

Ms. McDonald said too many seniors cannot afford to remain in Burlington after the sale of their home. Burlington Housing Authority reports a waiting list of 147 people for 105 units. Ms. Shruhan agreed that more affordable housing in Burlington would be helpful for all ages.  

T.A. Petrin added that the Town does not have the capacity to build housing, but with the Friendly 40B, there is opportunity to work with the developers.  

Land Use and Town Meeting member Monte Pearson agreed that zoning protection would lost if the Town falls under the 10 percent guideline.  

T.A. Petrin said that more multifamily housing is evident which will place more stress on Town services, and it will be important to work on a community plan with developers. The next step will be to make
Developers aware that there is interest in a Friendly 40B and an update will be provided at a future meeting.

176 Discussion/Approval: Registered Marijuana Dispensary

T.A. Petrin presented a draft proposal for Mission Massachusetts, a registered marijuana dispensary, for BOS review. This dispensary has submitted their application to the State to locate in Burlington. At their meeting of August 17, 2015, the BOS voted to allow the Town Administrator to move forward with a community agreement with the dispensary.

Town Council, BOS Chairman and Vice Chairman worked on the details of the negotiations for the agreement which includes a donation to Burlington charities, three percent of the gross annual sales being made to the Town, employment preference given to residents. The dispensary will be responsible to pay taxes and will work with the Town on drug and alcohol education.

Frank Rais of Francis Wyman Road was present to voice his disapproval of a dispensary and recommended every taxpayer be informed. He is also concerned about safety. Selectman Hogan explained that the medical marijuana law was approved by voters in the state. He added that the Town has no choice but can negotiate a community agreement.

Motion 1 of 2: Selectman Hartling moved that the Board of Selectmen submit a letter of support to the State's Executive Office of Health and Human Services for the application of Mission Massachusetts as a registered marijuana dispensary to be located in the Town of Burlington. Seconded by Selectman Morandi.

Discussion:
Selectman Grattan said he understands that medical marijuana is now the law of the land but does not agree with the way the law is written and does not want to welcome them with open arms, and he is against the submission of a letter of support.

Selectman Hogan explained that he had originally voted against moving forward with plans for the dispensary prior to having more information on the community agreement but will now vote in support after review of the agreement.

Motion passed. (4-1-0 with Selectman Grattan voting against)

Motion 2 of 2: Selectman Hartling moved that the Board of Selectmen approve the community benefit agreement between the Town and Mission Massachusetts and authorized the Town Administrator to sign the agreement on behalf of the Board of Selectmen. Seconded by Selectman Morandi.

Discussion:
Selectman Grattan asked if the State would be inclined to allow more than one. T.A. Petrin replied that this will likely be a market driven decision with the State will make these decisions. A discussion ensued on possible future use of the funds received from the percent of gross sales.
Motion passed. (5-0-0)

Adjourn

Motion: Selectman Morandi moved to adjourn at 8:24 p.m. Seconded by Selectman Hogan and approved. (5-0-0)

Submitted by,

[Signature]

Betty McDonough
Recording Clerk
BURLINGTON, MA BOARD OF SELECTMEN
DOCUMENTS REVIEWED AT MEETING – MONDAY, SEPTEMBER 21, 2015

Agenda
175  Discussion: 40B Local Initiative Project (Housing) - PowerPoint presentation from Regional Housing Services Office
176  Discussion/Approval: Registered Marijuana Dispensary - Agreement between Town and Mission Massachusetts