

Town of Whately
Annual Town Meeting
May 24, 2022

Pursuant to the recorded warrant the annual meeting of the Town of Whately held outside on the grounds of the Whately Elementary School due to the COVID-19 pandemic was called to order Tuesday, May 24, 2022 at 6:00 p.m. by Moderator Nathanael Fortune. The weather was sunny and 70 degrees. Town Clerk, Amy M. Schrader read the Constable's return of the warrant. Amy Schrader (Town Clerk) and Lynn Sibley (Assistant Town Clerk) acted as checker and assigned voting placards to those voters attending the meeting. Maximum attendance was 70 checked voters. This meeting was being broadcast by FCAT as well.

Moderator Fortune held a moment of silence for the victims of the senseless acts of violence perpetrated today, May 24, 2022, at the Robb Elementary School in Uvalde, Texas,

Moderator Fortune recognized Jonathan Edwards, Chair of the Selectboard. Jonathan Edwards announced his nominee for the dedication of the 2021 Annual Town Report, South County Emergency Services. South County Emergency Medical Services (SCEMS) provides emergency medical services to the Towns of Whately, Sunderland and Deerfield. Jonathan recognized SCEMS for their diligent work through the COVID19 pandemic with specific attention to emergency medical supply challenges, ambulance services, COVID conditions, and outstanding community support. Jonathan thanked SCEMS for their services and was honored to dedicate the 2021 Annual Report to SCEMS.

Moderator Fortune recognized Keith Bardwell, Whately 250th Anniversary Committee. Keith Bardwell discussed the town of Whately's 250th celebration events with specific attention to the June 2022 Special edition of the Whately Scoop, donations received, appropriated funds, and the chicken BBQ tickets. Keith thanked the donors for their support and encourage residents to participate in the 250th celebration events.

Moderator Fortune explained the set-up of the meeting by breaking down the various sections of the warrant. Once these explanations were complete the business of the meeting started.

A motion was made and seconded to not read the text of the warrant articles. A vote was taken and passed.

ARTICLE 1.

Voted that the Town accept the Annual Reports of the Officers of the Town, and to hear any other reports of the Boards and Committees.

Moderator declared article passed in the affirmative

ARTICLE 2.

Voted that the Town authorize the Town Treasurer, with the approval of the Selectboard, to borrow money from time to time in anticipation of the revenue of the fiscal year beginning on July 1, 2022, in accordance with the provisions of G.L., c. 44, § 4, and to renew any note or notes as may be given for a period of less than one year, in accordance with the provisions of G.L. c. 44, § 17.

Moderator declared article passed in the affirmative

ARTICLE 3.

Voted that the Town authorize the Selectboard to enter into contracts for goods and services with a duration in excess of three years, pursuant to the provisions of G.L. c. 30B, § 12 (b).

Moderator declared article passed in the affirmative

ARTICLE 4.

Voted that the Town authorize the Town Treasurer, with the approval of the Selectboard, to enter into compensating balance agreements with banking institutions having their principal offices in the Commonwealth of Massachusetts during the fiscal year beginning on July 1, 2022, as permitted by G.L. c. 44, § 53F.

Moderator declared article passed in the affirmative

ARTICLE 5.

Voted that the Town apply for, accept, and expend any federal, state or private grant monies on behalf of the Town and to authorize the Town Treasurer with approval of the Selectboard to borrow in anticipation of reimbursement.

Moderator declared article passed in the affirmative

ARTICLE 6.

Voted that the Town establish spending limits for the Town's Revolving Funds as established by the Town's General Bylaws, Chapter 46 – Revolving Funds, for the fiscal year beginning on July 1, 2022, as follows:

Revolving Fund Name	FY23 Spending Limit
Dog Licensing and Control Revolving Fund	\$2,000
Recreation Revolving Fund	\$20,000
Library Revolving Fund	\$1,000
Public Hearing Revolving Fund	\$10,000
Cordwood Sales Revolving Fund	\$2,500
Cemetery Commissioners Revolving Fund	\$4,000
Trench Permit	\$1,000
Recycling and Solid Waste Revolving Fund	\$15,000

Moderator declared article passed in the affirmative

ARTICLE 7.

Voted that the Town fix the salaries or compensation of the elected officers of the Town for the fiscal year beginning on July 1, 2022 as follows:

Position	Amount (3.0% COLA)
Moderator	\$138.81
Selectboard – Chair	\$2,116.69
Selectboard - Member	\$1,943.19
Town Clerk	\$40,731.32
Assessors – Chair	\$2,116.69
Assessors - Member	\$1,943.19
Water Commissioner	\$832.81
School Committee	\$401.24
Elector: Oliver Smith Will	\$11.95 per hour
Board of Health – Chair	\$1,006.29
Board of Health – Member	\$832.81
Constables	\$15.74 per hour
Cemetery Commissioners – Sextons	\$16.12 per hour
Opening Graves Fee	\$650 per opening

Moderator declared article passed in the affirmative

ARTICLE 8.

Voted that the Town appropriate **\$407,023** or any other sum or sums of money from the Water Department Enterprise Fund to finance the operation of the Water Department for the fiscal year beginning on July 1, 2022 as follows:

Enterprise Fund - Water Department (EF)	Fiscal Year 2022	Fiscal Year 2023	Change (\$) FY22	Change (%) FY22
	Enterprise Fund	Enterprise Fund	to FY23	to FY23
I. Revenues (estimated)				
Water Receipts	\$189,000	\$205,000	\$16,000	8.47%
Hook-up Fees	\$225,000	\$220,000	-\$5,000	-2.22%
Other Fees & Charges	<u>\$2,500</u>	<u>\$3,000</u>	\$500	20.00%
Total Estimated Revenue	\$416,500	\$428,000	\$11,500	2.76%
II. Expenses				
Direct Expenses				
Salaries	\$52,999	\$63,662	\$10,663	20.12%
Operations	<u>\$297,267</u>	<u>\$291,911</u>	-\$5,356	-1.80%
Subtotal Direct Expenses	\$350,266	\$355,573	\$5,307	1.52%
Indirect Expenses				
Selectboard & Administration	\$2,476	\$2,547	\$71	2.87%
Legal Counsel/Financial Advisor	\$320	\$320	\$0	0.00%
Audit	\$225	\$150	-\$75	-33.33%
Town Building Operations	\$2,604	\$2,638	\$34	1.31%
Town Accountant	\$810	\$837	\$27	3.33%
Harper's Payroll	\$107	\$109	\$2	1.87%
Treasurer/Collector	\$7,684	\$8,411	\$727	9.46%
Property/Liability Insurance	\$6,800	\$7,432	\$632	9.29%
Health Insurance	\$25,212	\$18,000	-\$7,212	-28.61%
Medicare & Social Security	\$1,540	\$1,549	\$9	0.58%
Workers Compensation Insurance	\$1,147	\$1,204	\$57	4.97%
Life Insurance	\$0	\$0	\$0	0.00%
Retirement	\$6,218	\$6,503	\$285	4.58%
Town Vehicles Fuel	<u>\$1,500</u>	<u>\$1,750</u>	\$250	16.67%
Subtotal Indirect Expenses <i>(appropriated to the General Fund)</i>	\$56,643	\$51,450	-\$5,193	-9.17%
Total Estimated Expenses	\$406,909	\$407,023	\$114	0.03%

Moderator declared article passed in the affirmative

ARTICLE 9.

Voted that the Town act on the report of the Finance Committee on the Fiscal Year 2023 Town Operating Budget and to raise and appropriate and/or transfer from available funds, money for the operation of the Town's departments, boards, committees, agencies and officers, for the payment of debt service and for all other necessary and proper expenses for the fiscal year beginning on July 1, 2022 as follows:

(Note: Water Department Enterprise Fund costs are appropriated in Article 8)

Proposed Fiscal Year 2023 Budget

The Finance Committee recommends that the amounts shown in the column captioned "Fiscal Year 2023 Operating Budget" be raised or appropriated or transferred from available funds for Fiscal Year 2023 operating purposes, debt service and other Town expenses.

Fiscal Year	2022	2023	\$ Change (FY22 to FY23) (Operating Budget)	% Change (FY22 to FY23) (Operating Budget)
General Government (GG)	Operating Budget	Operating Budget		
Selectboard & Administration	\$121,345.00	\$124,805.00	\$3,460.00	2.85%
Legal Counsel/Financial Advisors	\$15,680.00	\$15,680.00	\$0.00	0.00%
Town Offices-Supplies	\$3,500.00	\$4,000.00	\$500.00	14.29%
Audit	\$7,275.00	\$4,850.00	-\$2,425.00	-33.33%
Town Report	\$500.00	\$500.00	\$0.00	0.00%
Town Building Operations	\$84,208.00	\$85,307.00	\$1,099.00	1.31%
Town Clerk	\$47,300.00	\$60,663.00	\$13,363.00	28.25%
Town Accountant	\$26,189.00	\$27,074.00	\$885.00	3.38%
Harpers Payroll	\$5,243.00	\$5,341.00	\$98.00	1.87%
Accounting Software	\$750.00	\$0.00	-\$750.00	-100.00%
Treasurer/Collector	\$62,172.00	\$68,051.00	\$5,879.00	9.46%
Tax Takings	\$10,000.00	\$10,000.00	\$0.00	0.00%
Assessors	\$50,449.00	\$44,790.00	-\$5,659.00	-11.22%
Planning Board	\$2,615.00	\$3,428.00	\$813.00	31.09%
Zoning Board of Appeals	\$2,600.00	\$2,660.00	\$60.00	2.31%
Finance Committee	\$150.00	\$150.00	\$0.00	0.00%
Moderator	\$150.00	\$150.00	\$0.00	0.00%
Conservation Commission	\$500.00	\$500.00	\$0.00	0.00%
Historical Commission	\$200.00	\$200.00	\$0.00	0.00%
Agricultural Commission	\$500.00	\$0.00	-\$500.00	-100.00%
Computer - IT	\$5,250.00	\$4,500.00	-\$750.00	-14.29%
Connect CTY	\$2,500.00	\$2,500.00	\$0.00	0.00%
Website & Email Hosting	\$4,350.00	\$5,450.00	\$1,100.00	25.29%
Housing Committee	\$200.00	\$200.00	\$0.00	0.00%
Community Development	\$55,000.00	\$54,100.00	-\$900.00	-1.64%
GG Subtotal	\$508,626.00	\$524,899.00	\$16,273.00	3.20%

Fiscal Year	2022	2023	\$ Change (FY22 to FY23) (Operating Budget)	% Change (FY22 to FY23) (Operating Budget)
Cultural, Recreation, Services (CRS)	Operating Budget	Operating Budget		
Tri-Town Beach District	\$5,396.00	\$8,131.00	\$2,735.00	50.69%
Recreation Commission	\$10,770.00	\$17,920.00	\$7,150.00	66.39%
Cemetery Commission	\$8,800.00	\$9,224.00	\$424.00	4.82%
Library	\$75,860.00	\$78,321.00	\$2,461.00	3.24%
South County Senior Center	\$24,229.00	\$32,497.00	\$8,268.00	34.12%
Veterans	\$9,729.00	\$9,822.00	\$93.00	0.96%
Local Council on Aging	\$1,050.00	\$1,180.00	\$130.00	12.38%
CRS Subtotal	\$135,834.00	\$157,095.00	\$21,261.00	15.65%

Fiscal Year	2022	2023	\$ Change (FY22 to FY23) (Operating Budget)	% Change (FY22 to FY23) (Operating Budget)
Public Health (PH)	Operating Budget	Operating Budget		
Board of Health	\$3,447.00	\$4,025.00	\$578.00	16.77%
Health Agent - Foothills Health District	\$24,536.00	\$24,088.00	-\$448.00	-1.83%
Solid Waste	\$57,480.00	\$58,154.00	\$674.00	1.17%
Hazardous Waste	\$1,200.00	\$1,200.00	\$0.00	0.00%
Franklin County Solid Waste Management District	\$7,237.00	\$7,350.00	\$113.00	1.56%
PH Subtotal	\$93,900.00	\$94,817.00	\$917.00	0.98%

Fiscal Year	2022	2023	\$ Change (FY22 to FY23) (Operating Budget)	% Change (FY22 to FY23) (Operating Budget)
Public Safety (PS)	Operating Budget	Operating Budget		
Fire Department	\$72,211.00	\$74,771.00	\$2,560.00	3.55%
Ambulance - South County EMS	\$100,144.00	\$111,947.00	\$11,803.00	11.79%
Police Department	\$213,663.00	\$221,572.00	\$7,909.00	3.70%
Quinn Bill Incentive	\$5,643.00	\$5,813.00	\$170.00	3.01%
Animal Control	\$5,004.00	\$5,084.00	\$80.00	1.60%
Animal Inspection	\$546.00	\$559.00	\$13.00	2.38%
Emergency Management	\$950.00	\$950.00	\$0.00	0.00%
Franklin County Inspection Services	\$7,600.00	\$7,600.00	\$0.00	0.00%
PS Subtotal	\$405,761.00	\$428,296.00	\$22,535.00	5.55%

Fiscal Year	2022	2023	\$ Change (FY22 to FY23) (Operating Budget)	% Change (FY22 to FY23) (Operating Budget)
Public Works (PW)	Operating Budget	Operating Budget		
Highway Salaries	\$147,784.00	\$157,070.00	\$9,286.00	6.28%
General Highways	\$80,200.00	\$81,800.00	\$1,600.00	2.00%
Winter Roads	\$139,316.00	\$147,695.00	\$8,379.00	6.01%
Road Machinery	\$26,500.00	\$26,500.00	\$0.00	0.00%
Garage Maintenance	\$8,400.00	\$8,700.00	\$300.00	3.57%
Trees	\$6,500.00	\$8,000.00	\$1,500.00	23.08%
PW Subtotal	\$408,700.00	\$429,765.00	\$21,065.00	5.15%

Fiscal Year	2022	2023	\$ Change (FY22 to FY23) (Operating Budget)	% Change (FY22 to FY23) (Operating Budget)
Insurance & Benefits (IB)	Operating Budget	Operating Budget		
Property & Liability Insurance	\$78,200.00	\$85,471.00	\$7,271.00	9.30%
Group Health Insurance	\$404,788.00	\$389,000.00	-\$15,788.00	-3.90%
Medicare & Social Security	\$33,460.00	\$33,651.00	\$191.00	0.57%
Workers Compensation Insurance	\$29,853.00	\$31,346.00	\$1,493.00	5.00%
Life Insurance	\$1,000.00	\$1,200.00	\$200.00	20.00%
Unemployment Insurance	\$16,000.00	\$16,000.00	\$0.00	0.00%
Franklin County Retirement	\$201,065.00	\$210,263.00	\$9,198.00	4.57%
Police & Fire Injured on Duty Insurance	\$11,100.00	\$12,000.00	\$900.00	8.11%
OPEB Liability	\$25,000.00	\$25,000.00	\$0.00	0.00%
Division of Medicaid Assistance	\$1,800.00	\$1,800.00	\$0.00	0.00%
IB Subtotal	\$802,266.00	\$805,731.00	\$3,465.00	0.43%

Fiscal Year	2022	2023	\$ Change (FY22 to FY23) (Operating Budget)	% Change (FY22 to FY23) (Operating Budget)
Unclassifieds (U)	Operating Budget	Operating Budget		
Temporary Loan Interest	\$1,000.00	\$1,000.00	\$0.00	0.00%
Reserve Fund	\$20,000.00	\$20,000.00	\$0.00	0.00%
Franklin Regional Council of Governments	\$18,453.00	\$17,510.00	-\$943.00	-5.11%
Physicals & Tests	\$1,500.00	\$1,500.00	\$0.00	0.00%
Town Vehicles Fuel	\$28,500.00	\$33,250.00	\$4,750.00	16.67%
Educational Incentives	\$2,000.00	\$1,000.00	-\$1,000.00	-50.00%
U Subtotal	\$71,453.00	\$74,260.00	\$2,807.00	3.93%

Fiscal Year	2022	2023	\$ Change (FY22 to FY23)	% Change (FY22 to FY23)
Schools (S)	Operating Budget	Operating Budget	(Operating Budget)	(Operating Budget)
Whately Elementary School				
Operating & Transportation Budget	\$1,829,786.00	\$1,888,684.00		
Subtotal Whately Elementary School	\$1,829,786.00	\$1,888,684.00	\$58,898.00	3.22%
Frontier Regional				
Operating Budget	\$889,523.00	\$1,030,064.00	\$140,541.00	15.80%
Capital Budget	\$0.00	\$321.00	\$321.00	-
Transportation Budget	\$27,292.00	\$18,397.00	-\$8,895.00	-32.59%
Subtotal Frontier Regional	\$916,815.00	\$1,048,782.00	\$131,967.00	14.39%
Franklin County Technical School				
Operating Assessment	\$193,067.00	\$223,881.00	\$30,814.00	15.96%
Capital Assessment	\$5,802.00	\$6,264.00	\$462.00	7.96%
Subtotal Franklin County Technical School	\$198,869.00	\$230,145.00	\$31,276.00	15.73%
Smith Vocational High School				
Tuition	\$0.00	\$0.00	\$0.00	-
Transportation	\$0.00	\$0.00	\$0.00	-
Subtotal Smith Vocational High School	\$0.00	\$0.00	\$0.00	-

Fiscal Year	2022	2023	\$ Change (FY22 to FY23)	% Change (FY22 to FY23)
Debt (D)	Operating Budget	Operating Budget	(Operating Budget)	(Operating Budget)
Long Term Debt				
None	\$0.00	\$0.00	\$0.00	0.00%
Long Term Debt Subtotal	\$0.00	\$0.00	\$0.00	#DIV/0!
Short Term Debt				
Excavator Lease Purchase	\$37,298.00	\$37,298.00	\$0.00	0.00%
Woodchipper Lease Purchase	\$11,362.00	\$11,362.00	\$0.00	0.00%
Short Term Debt Subtotal	\$48,660.00	\$48,660.00	\$0.00	0.00%

TOTAL TOWN OPERATING BUDGET	\$5,420,670.00	\$5,731,134.00	\$310,464.00	5.73%
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Paul Antaya, Finance Committee Chair presented each section of the budget separately and gave more detailed information on the Finance Committees recommendations.

A brief discussion ensued regarding long term debt payments, Tri-town beach funding, South County Senior Center lack of grant funding and residents' utilization, and the new Recreation Commission Administrative position.

Moderator declared article passed in the affirmative

Proposed Financial Transfers

ARTICLE 10.

Voted that the Town authorize the Board of Assessors to transfer the sum of **\$255,000** from available funds (FY21 Free Cash) to reduce the tax levy for the fiscal year beginning on July 1, 2022.

Moderator declared article passed in the affirmative

ARTICLE 11.

Voted to transfer the sum of **\$20,000** from available funds (FY21 Free Cash) to the Vehicle Stabilization Fund.

Moderator declared article passed in the affirmative

ARTICLE 12.

Voted to transfer the sum of **\$50,000** from available funds (FY21 Free Cash) to the Capital Stabilization Fund.

Moderator declared article passed in the affirmative

ARTICLE 13.

Voted that the Town transfer the sum of **\$70,000** from available funds (FY21 Free Cash) to the Town Buildings Stabilization Fund.

Moderator declared article passed in the affirmative

Proposed Capital Project Appropriations

ARTICLE 14.

Voted that the Town transfer the sum of **\$55,000** from available funds (Vehicle Stabilization Fund) to pay for the purchase of a new hybrid police cruiser for the Police Department.

Moderator declared article passed by the required 2/3rd's vote

ARTICLE 15.

Voted that the Town appropriate and transfer the sum of **\$6,000** from the Water Department Enterprise Fund – Retained Earnings to pay for the cleaning and inspection of the main water storage tank.

Moderator declared article passed in the affirmative

ARTICLE 16.

Voted that the Town appropriate and transfer the sum of **\$5,000** from the Water Department Enterprise Fund – Retained Earnings to pay for the purchase of a new pick-up truck to be used by the Water Department.

Moderator declared article passed in the affirmative

Proposed Miscellaneous Appropriations

ARTICLE 17.

Voted that the Town transfer the sum of **\$7,500** from available funds (FY21 Free Cash) to pay for the retirement obligations of a retiring employee.

Moderator declared article passed in the affirmative

ARTICLE 18.

Voted that the Town transfer the sum of **\$10,000** from available funds (FY21 Free Cash) to be expended for expenses incurred to comply with the Town's obligations under Chapter 253 of the Acts of 2020, An Act Relative to Justice, Equity and Accountability in Law Enforcement in the Commonwealth.

Moderator declared article passed in the affirmative

ARTICLE 19.

Voted that the Town transfer the sum of **\$3,750** from available funds (FY21 Free Cash) to pay for the Town's share of a Phase II – Space Needs Assessment for the South County Senior Center, as part of a \$25,000 total expense.

Moderator declared article passed in the affirmative

Proposed Frontier Regional School District Capital Project Appropriation

ARTICLE 20.

Voted that the Town appropriate and transfer the sum of **\$8,498** from available funds (FY21 Free Cash) to be transferred to the Frontier Regional School District for capital needs, including the purchase and installation of a walk-in cooler, as part of a total \$75,000 expense.

Moderator declared article passed in the affirmative

Community Preservation Act Appropriations

ARTICLE 21.

Voted that the Town hear and act, pursuant to G.L. c. 44B, on the report of the Community Preservation Committee for the Fiscal Year 2023 Community Preservation Budget and vote to appropriate or reserve from the Community Preservation Fund a sum of money in the amounts recommended by the Community Preservation Committee for committee administrative expenses, community preservation projects and other necessary and proper expenses in the fiscal year beginning on July 1, 2022, including debt service for any approved Community Preservation project, with each item to be considered a separate appropriation:

Appropriations:

From FY23 estimated revenues for committee administrative expenses **\$9,000**

Reserves:

From FY23 estimated revenues for Historic Preservation **\$18,000**

From FY23 estimated revenues for Open Space Reserve **\$18,000**

From FY23 estimated revenues for Affordable Housing Reserve **\$18,000**

From FY23 estimated revenues for Budgeted Reserve **\$117,000**

Moderator declared article passed in the affirmative

Haydenville Road Reconstruction Project - Authorizations**ARTICLE 22.**

Voted that the Town (a) authorize the Selectboard to acquire, by purchase, gift and/or eminent domain, the fee to and/or permanent and/or temporary easements, for public way purposes, including without limitation, for the construction, alteration, installation, maintenance, improvement, repair, replacement and/or relocation of rights of way, sidewalks, bridges, drainage, utilities, driveways, guardrails, slopes, grading, rounding, construction, landscaping, and other appurtenances and/or facilities, to enable the Town to undertake the Haydenville Road Project and for any and all purposes incidental or related thereto, in, on and under certain parcels of land located on or near Haydenville Road and approximately shown on plans entitled "Massachusetts Department of Transportation Highway Division Plan and Profile of Haydenville Road in the Town of Whately Franklin County," prepared by Hoyle, Tanner & Associates, Inc., on file with the Town Clerk, as said plans may be amended and/or incorporated into an easement plan, and land within 200 feet of said parcels; (b) authorize the Selectboard to submit a petition to the General Court for a special act authorizing the conveyance to the Town of land and/or interests therein for the foregoing purposes in parcels of land shown on the plans and owned by the City of Northampton for water supply purposes, and/or other public instrumentalities or agencies, located in the Town of Whately and the Town of Hatfield under the provisions of Article 97 of the Massachusetts Constitution; and, further, (c) authorize the Selectboard to enter into all agreements and take any and all actions as may be necessary or appropriate to effectuate the foregoing purposes.

Moderator declared article passed in the affirmative

Proposed General Bylaw Amendment

ARTICLE 23.

Voted that the Town amend the Town of Whately General Bylaws, § 38-1, Establishment; appointment, to modify the length of the term of a Planning Board member from five years to three years as shown below:

NOTE: Text in *italics underlined* font is proposed as an addition to the General Bylaw
Text in ~~italics~~ ~~strikeout~~ is proposed as a deletion to the General Bylaw

§ 38-1. Establishment; appointment.

The Town shall establish a Planning Board under the provisions of Chapter 41 of the General Laws, as amended, and instruct the Moderator to appoint a Board of five members, each new member to be appointed for ~~five~~ *three* years according to statute.

Moderator declared article passed in the affirmative

Proposed Zoning Bylaw Amendments

ARTICLE 24.

Voted that the Town amend the Town of Whately Zoning Bylaws, § 171-28.6 Adult Use Recreational and Medical Marijuana Establishments, to add definitions for the terms “marijuana courier” and “marijuana delivery” as shown below:

NOTE: Text in *italics underlined* font is proposed as an addition to the Zoning Bylaw

§ 171-28.6 Adult Use Recreational and Medical Marijuana Establishments

B. Definitions

Marijuana Courier – an entity licensed to deliver finished marijuana products, marijuana accessories and branded goods directly to consumers, registered qualifying patients or caregivers but not to sell, wholesale, process, repackaging or label such items.

Marijuana Delivery -- an entity licensed to purchase at wholesale and warehouse finished marijuana products and label, sell and deliver these products directly to consumers, but is not authorized to repackaging marijuana or marijuana products or operate a storefront.

Considerable debate on the Marijuana Courier and Marijuana Delivery definitions and applications. Discussion ensued on how these definitions relate to home occupations.

Moderator declared article passed by the required 2/3rd's vote

ARTICLE 25.

Voted that the Town amend the Town of Whately Zoning Bylaws, § 171-8, Table of Use Regulations, by inserting new commercial uses for “marijuana courier” and “marijuana delivery.” as shown below:

NOTE: Text in *italics underlined* font is proposed as an addition to the Zoning Bylaw

§171-8. Table of Use Regulations.

Principal Use	Agriculture/ Residential 1	Agriculture/ Residential 2	Commercial	Commercial/ Industrial	Industrial
Commercial Uses					
<u>Marijuana Courier</u>	<u>N</u>	<u>N</u>	<u>SP</u>	<u>SP</u>	<u>SP</u>
<u>Marijuana Delivery</u>	<u>N</u>	<u>N</u>	<u>SP</u>	<u>SP</u>	<u>SP</u>

N = No, the use is not permitted in that zoning district.

SP = The use is allowed in that zoning district only after a special permit has been granted

Discussion ensued regarding clarification on home occupation, table of use regulations, and logistics of these business operations.

Moderator declared article passed by the required 2/3rd's vote

ARTICLE 26.

Moved to amend the Town of Whately Zoning Bylaw and Zoning Map, established under § 171-4, to rezone the following parcel of land from the Agricultural/Residential District 1 to the Commercial District, in order to allow for more commercial uses to be carried out on this parcel:

Parcel # 1 – Assessors Map ID # 12-0-24-2 (State Road)

Richard Korpiewski (State Road) voiced his concerns on residential homes that are in the Commercial zone. He suggested that the Planning Board take into consideration these types of properties. Moderator asked whether he was making a statement or wanted to take action to table the article. If that is the case, Richard could not make that motion. Moderator asked if someone else wanted to make that motion.

A motion was made and seconded to table the article.

Moderator declared motion passed by the required 2/3rd's vote with 43 yes and 9 no's

Moderator declared article to be tabled.

Upon Motion made and seconded, it was

Voted to adjourn without date at 8:00 p.m.

A true copy,

Attest:

Amy M. Schrader
Town Clerk