

1 **TOWN OF CHESTER**
2 **CANNABIS CONTROL BOARD MEETING**
3 **June 7, 2022, Draft Minutes**

4 **Board Members Present:** Arianna Knapp, Lee Gustafson, Reisa Alexander, and Tom Diak at
5 Town Hall; and Barre Pinske via Zoom.

6 **Staff Present:** Julie Hance, Town Manager, at Town Hall; and Susan Bailey, Recording Secretary
7 via Zoom.

8 **Visitors Present:** Arne Jonynas and Shawn Cunningham at Town Hall; and Cynthia Prairie, Joy
9 Slaughter, Scott Blair, Tim Roper, Evan Parks, and Beverly's iPad via Zoom.

10 **Call to Order**

11 Julie Hance called the meeting to order at 6:30 p.m.
12

13 **Agenda Item 1, Approve minutes from the April 20, 2022, Meeting**

14 Lee Gustafson moved to nominate Arianna Knapp as Chair and Tom Diak seconded. A vote was
15 taken, and the motion passed unanimously. Julie handed the meeting over to Arianna. Julie told
16 Arianna that she then needed nominations for Vice Chair and Secretary. Julie said that Susan
17 Bailey was on Zoom doing the minutes. Arianna thanked Susan. Julie offered to stay if necessary.
18 Julie said the Chair would be their primary contact and she could update that information. Reisa
19 Alexander asked Julie if they could retain her as the primary contact for the Commission as she
20 was at Town Hall daily. Julie said she was happy to do that, but it was up to the board. Julie
21 decided to remain until they got going further.

22 Arianna was concerned about the makeup of the committee as they currently had 6 members due
23 to the resignation of a member. The Selectboard had set membership at 5 or 7 members, and they
24 were at 6. She asked if they wanted to discuss that before appointing a Vice Chair.

25 Lee said he believed they would be appointing someone at the next Selectboard meeting. He
26 thought they could finish the committee appointments. Arianna said they would have the ability to
27 discuss going to 5 members as opposed to 7 based upon what they had learned at the training. She
28 hoped they would learn from the state about how regularly they would receive applications for
29 review and how soon that may begin.

30 Lee moved to nominate Reisa Alexander as Vice Chair and Tom Diak seconded the motion. A
31 vote was taken, and the motion was approved unanimously.

32 Arianna asked for nominations or an offer to stand in the role of secretary for the commission.
33 Reisa asked what the responsibilities of the secretary were. Arianna believed if they had the role
34 of communications and posting information for the town. Arianna nominated Lee for secretary,
35 and he refused the request. Arianna again asked for nominations or an offer to stand for the role of
36 secretary and Tom Diak nominated himself, seconded by Lee Gustafson. A vote was taken, and
37 the motion was approved unanimously.

38 **Agenda Item 2, Citizens Comments**

39 Arianna asked if there were any citizens comments and there were none.
40

1 **Agenda Item 3, Discussion Regarding Purposes and Goals of Board**

2 Arianna said per the information provided to them by the state, their purpose is to provide a layer
3 in addition to the state reviewing applications. Their primary responsibility, as she understood it,
4 was regarding retail facilities applying to open business in Chester. They may see the applications
5 for growers as a courtesy, but their role was concerning retail licenses. They were able to support
6 or not support applications for licensure in the Town of Chester. Chester could assign a fee for that
7 process, which she thought the state had capped at \$100.

8 She didn't anticipate them setting any policy at this meeting but only setting the agenda for the
9 next meeting.

10 Lee was unable to attend the training and thought he had just heard a good summary of the training
11 but wanted to know if there was anything the Chair wanted to add since he was unable to attend.
12 Arianna said she was not at the training but had reviewed in on paper, so she deferred to Reisa.

13 Reisa said the meeting was quite extensive, which they recorded, so it was available. She said there
14 was a tremendous number of questions and answers from participants. The Cannabis Control
15 Board was planning to document those questions and carefully consider the answers and send them
16 the questions and answers. She understood it wasn't completed yet and may take some time. She
17 said the state attorneys were present at the training and were able to assist with answering. She
18 recommended listening to the recording. She wanted to and make notes before the next meeting.

19 Arianna anticipated by the next meeting they would have received the questions and answers and
20 wanted to hold aside time at the next meeting to discuss them. Arianna said already the Garden
21 and Greenhouse Committee had questioned growing marijuana in the greenhouse and they chose
22 to address the question to the Cannabis Control Commission. She thought there would be a lot of
23 questions and the more they know, the more they will be able to inform the community.

24 Lee asked if there was any discussion about how quickly they needed to respond to applications.
25 Arianna thought it was sixty days and proposed they would never want to delay it and would want
26 to do their due diligence. She hoped they would help navigate the path to business for incoming
27 business owners in Chester. If 60 days expires without them responding, the state will assume it's
28 approved. Lee wondered how often they needed to meet: as needed, monthly, or bi-monthly?
29 Arianna said that was at the top of her list. She had requested a copy of an application so she could
30 see what the process was. If her fellow commission members were willing, she thought it would
31 be safe to look one month out and schedule a meeting and standby for further information from
32 the state. She thought even if in a month the purpose was to educate themselves, that was great.
33 She doubted she would have an application to consider. The licenses for retail aren't coming yet.
34 Lee thought they would be coming out in October. Arianna said they would be approved in
35 October, but she expected to begin seeing them in August or September.

36 Reisa recommended that their application should be a copy of the state application rather than
37 requiring a business to fill out two different ones and having to decide what their application should
38 look like. She said the onus was on them to consider the applications and address them promptly
39 and not delay them. She attempted to download an application and was not able to. They didn't
40 appear to be available yet. Julie had a contact and offered to get one.

41 Arianna agreed with Reisa but thought they should wait until they review the application. The
42 point of the Cannabis Commission for Chester was to review the applications and provide
43 confidence that they are taking the goals of the state board seriously, and that has to do with

1 community concern regarding ordinances and regulations and the ways in which the community
2 can ensure cannabis is being introduced to the community in a manner that befits the approach to
3 Chester in life, and town, and business, because ultimately, it's a business. The biggest component
4 is what they can't do, which is legislate or make ordinances that are unique to the cannabis
5 industry. Everything they recommend must be uniformly applied to retail businesses. She noted it
6 was not agriculture, but retail. It could be taxed the same as buying clothing. She discussed the
7 excise tax imposed by the state and where it goes. Chester cannot impose a tax on cannabis.

8 There was discussion about the 500-foot restriction for cannabis from a school. Lee said it applied
9 to an adjacent or abutting property and had contacted the Cannabis Control Board to clarify.

10 Lee thought they had their work cut out for them regarding what the state would allow them to do
11 and didn't see them having a lot of options regarding local control. Arianna thought it was an
12 important point and a reminder they weren't there as a control to create policy. She agreed there
13 was room for them to pursue clarity from the state.

14 Barre added that he had read through the paperwork Julie had forwarded to them. He thought the
15 advertising aspect would be something that would fall on them. He wasn't looking to police it but
16 the way it read, you couldn't advertise. The stores would put up a sign and that was it. He thought
17 they should put some effort into finding out what it was all about. Putting something on social
18 media may translate into advertising and he thought they should make sure people understood what
19 it meant. He added that plants grown have a chip put into them and there was a lot they could learn.
20 He wanted to be helpful to the community and the people operating the stores. He saw it was a \$10
21 million cap for the educational money, which was a lot and his interest for getting on the
22 committee. If it was available, how could they orchestrate using that money in Chester.

23 Arianna said Barre raised another point that there were many elements of the state's regulations
24 which were burdensome. They can't advertise or use plastic packaging, and other regulations
25 Vermont has that aren't in other states. Vermont is making it very restrictive to begin the process
26 which may be comforting to those who want to go slow and steady and make sure they're making
27 the right steps.

28 There was discussion about school buffer zones and the Drugfree School Zone law and the wording
29 of the statute.

30 Arianna thought regularity of the meetings would be dictated by the information received from the
31 state regarding the questions and answers. Her impulse was monthly until they learn differently.
32 They also could call a special meeting, if necessary. As applications come in, she was personally
33 prepared to review them.

34 Reisa thought the goal was to understand the documentation and regulations from the state.

35 Lee requested they receive the link when received and Julie said she had it and would send it out.

36 Lee asked Julie to clarify the rules regarding meeting outside the board meetings and possible
37 communication violations, such as email dialogue. Julie did so.

38 There was discussion about who should be the contact and Arianna suggested keeping Julie as the
39 primary contact for three months and then decide if they want to take it off her plate later. This
40 would avoid possible violations. Barre thought it was a good idea. Arianna said that was the plan.

41 Barre mentioned there were regular zoning board meetings and DRB meetings and the bylaws
42 dictated what someone who wanted to open a business needed to do. He didn't think they could

1 stop people from having a business. He asked Julie if they had to go through the DRB. Julie said
2 if someone had an existing business and was adding cannabis, she didn't think it needed to go to
3 the DRB. She added that if someone opened a new business on The Green, it didn't need to go to
4 the DRB any longer. Lee clarified someone would need a permit from the town to open a retail
5 establishment and one from the Cannabis Control Commission if they required it.

6 There were questions about the physical plant that someone could sell retail cannabis from. It
7 appeared you could sell it out of your living room, but they would investigate that further. Arianna
8 was confident that Meditrina could not sell cannabis in their current space. It must be exclusively
9 for cannabis. There are also regulations addressing security of the building. Barre thought they
10 should get out in front of it and let the community know that their neighbor may decide to do it
11 and they will need to be prepared for it. He thought there may be cushioning and comforting they
12 need to do as a board because someone may not want it. If there isn't much they can do about it,
13 they may get pretty mad. Arianna thought they needed to be sure the 7 of them are informed before
14 they answer any questions. She had already answered some questions that she probably shouldn't
15 have. She hoped they would have answers.

16 Arianna asked Julie if they needed to set the meeting date outside of the meeting. Julie said as a
17 commission, it wasn't necessary. They could meet as needed or have a regular meeting date. It was
18 up to them. She wanted to set a time to meet in approximately 4 weeks but didn't think they needed
19 to be married to a specific night yet.

20 **Agenda Item 4, New Business/Next Agenda**

21 They will review the questions and answers they receive from the state, look for a definition on
22 the school buffer zone, get a copy of the state application, and questions and concerns for all the
23 materials.

24 Arianna asked if there was anything else to address at the next meeting.

25 Reisa mentioned the drug-free school zone and Arianna thought Linda Diak had it on her phone.

26 Arianna said before the next meeting they would push for an understanding from the state
27 regarding the timeframe for applications.

28 Linda Diak read from the Vermont Statute 18 V.S.A. § 4237, "You can't sell it on school property,
29 or a school bus, or real property abutting real property owned by a public or private elementary,
30 secondary, or vocational school. You can't dispense a regulated drug to any person in public view
31 on real property abutting real property owned by a school. The selling or dispensing of a regulated
32 drug to a person on property abutting school property is a violation under this section only if it
33 occurs within 500 feet of the school property." She gave the example of owning 20 acres next to a
34 school and have a strip mall on the other side of the property. She said it had to be and, not or.

35 Arianna said it didn't address property that was 500 feet and not abutting it.

36 Linda Diak said it did and read, "...it is adjacent to school property and separated only by a river,
37 stream, or public highway."

38 There was discussion about whether it would be okay to sell it at the library. It would not be okay
39 because it was across the street.

40 Shawn Cunningham thought it had to do with the closest door to the school. Lee said the guidance
41 document mentions any point on the property and not the door. Barre asked if it applied to

1 preschools or daycares. Arianna said it doesn't address daycare. Arianna wanted to become
2 familiar with zoning and available real estate so she would have an idea where people may be
3 interested and looking ahead regarding the 500 feet. Barre had been thinking the same thing.

4 Arianna said drug-free school zones had been around long before cannabis was legal, so she
5 thought they needed to look at the definitions on the buffer zones first.

6 Arianna noted it was almost an hour and her goal was for meetings to always take less than an
7 hour. She asked if there was anything else. There was not.

8 **Agenda Item 5, Adjourn**

9 Lee moved and Tom seconded to adjourn the meeting. The motion passed unanimously, and the
10 meeting was adjourned at 7:25 p.m.