

September 24, 2013

Meeting opened: 7:31 P.M., Room 112, Town Hall
Members Present: William Morris, Chairman; Carol Johnson, Clerk; Richard Bringhurst; Claire Wolfram; Lisa Procaccini
Members Absent: Richard Beauregard
Others Present: Attorney Cheryl Sbarra, MAHB

MOTION: made by Richard Bringhurst that the Board of Health accepts the minutes of the September 10, 2013 meeting as amended. Seconded by Carol Johnson. VOTE: 3-0-2.
3 – in favor – William Morris, Carol Johnson, Richard Bringhurst
2 – abstained – Claire Wolfram, Lisa Procaccini

Medical Marijuana Regulations:

Attorney Cheryl Sbarra, Massachusetts Association of Health Boards, presented an overview of the newly approved regulations governing the use of medical marijuana in the state of Massachusetts. Ms. Sbarra said under the law qualifying patients with specific medical conditions and a physician's prescription may obtain medical marijuana through a dispensary or in some circumstances home-cultivate under a "hardship cultivation registration". Ms. Sbarra said that the Department of Public Health's intent is to minimize home-cultivation by requiring that licensed dispensaries (35 statewide) offer affordable programs and home delivery to patients who demonstrate a financial hardship, inability to access transportation, or do not have access to a treatment center within a reasonable distance. Ms. Sbarra said that the regulation also addresses the rights of landlords to deny cultivation on their property and that because marijuana is illegal under federal law cultivation cannot occur in federally subsidized housing. Ms. Sbarra said that dispensary applications must include detailed operating procedures and that October 7th is the deadline for phase two of the application process. Ms. Sbarra said that by the end of October applicant locations will be available making clear where in the state potential dispensaries may be established. She also said that under the new regulations local involvement is not mandated as all licensing and inspections will be the responsibility of a newly created DPH agency established as a result of the new law. However, local boards of health may establish additional regulations provided they do not conflict with state law. The Health Director suggested that the Board consider requiring a plan review of any proposed dispensaries and that routine state inspections of dispensaries in Walpole are forwarded to her office for review. William Morris scheduled further discussion of draft regulations for the October 8th meeting.

Notice of Intent – Lots 5, 7, 9, 10, 11, 12 Lady Slipper Drive:

Documents/Exhibits – Notice of Intent (on file Conservation Commission); Deputy Health Agent's summary.

The Board of Health reviewed for comment the Notices of Intent Lady Slipper Drive to construct six single family homes as part of the High Oak Estates subdivision. All the proposed lots are either entirely or almost entirely in the 100 foot buffer zone of vegetated wetlands.

MOTION: made by Lisa Procaccini that the Board of Health's comment to the Conservation Commission regarding the Notices of Intent Lady Slipper Drive is: as always the Board does not approve of any construction in the 100 foot buffer zone of vegetated wetlands. Seconded by Carol Johnson. VOTE: 5-0-0 UNANIMOUS

Preliminary Subdivision Plan – Kingswood Estates:

Documents/Exhibits – Preliminary Subdivision Plan (on file Planning Board); Deputy Health Agent's summary.

The Board of Health reviewed for comment the proposed Preliminary Subdivision Plan Kingswood Estates comprised of two new single family house lots and one existing house.

MOTION: made by Claire Wolfram that the Board of Health's comment to the Planning Board is that at this point in time the Board has no issues with this preliminary subdivision plan Seconded by Carol Johnson. VOTE: 5-0-0 UNANIMOUS.

Site Plan Modifications – Plimptonville Crossing:

Documents/Exhibits – Site Plan Modifications (on file Planning Board); Deputy Health Agent's summary.

The Board of Health reviewed for comment Site Plan Modifications Plimptonville Crossing that revise the fifty foot buffer zone landscaping plan by removing a dead oak tree and planting a variety of shrubs and greenery.

MOTION: made by Lisa Procaccini that the Board of Health's comments to the Planning Board regarding this request is that the Board has no comment regarding the modification other than that the Board is pleased with the improvements.. Seconded by Carol Johnson. VOTE: 5-0-0 UNANIMOUS.

Correspondence:

Fall Town Meeting Warrant
Wheelabrator News

MOTION: made by William Morris to adjourn. Seconded by Claire Wolfram VOTE: 5-0-0 UNANIMOUS.

Meeting Closed: 8:40 P.M.