

MINUTES OF TOWN OF BERKLEY SELECTMEN'S MEETING OF 04/26/2023

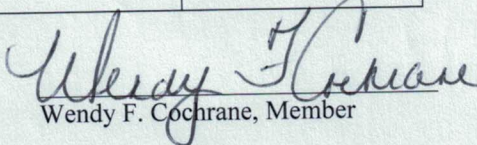
SELECTMEN IN ATTENDANCE: George F. Miller, Chairman - Wendy F. Cochrane, Member

TOPIC		ACTION
	Meeting Convened at 5:08 p.m. in the Moitoza – Pettey Hearing Room	
Appointments (taken out of order)	<p>Board to appoint Emma Rioux as a Part-Time Civilian Dispatcher with a term to expire on June 30, 2023. The Board voted to appoint.</p> <p>Board to appoint Dalton Johnson as a Full-Time Civilian Dispatcher with a term to expire on June 30, 2023. The Board voted to appoint.</p>	<p>Cochrane to motion to appoint, Chief Baker 2nd, voted.</p> <p>Cochrane to motion to appoint, Chief Baker 2nd, voted.</p>
Old Business	<p>Board to have public discussion with Free Market MA LLC regarding an outdoor marijuana cultivation establishment. A project summary was provided by a representative of Free Market MA LLC. Town resident Cheryl Pacheco of 18 Howland Road asked for verification on location. The LLC representative provided the location will be on roughly a 1/8 acre “garden” and that there are 2-3 abutters within 1,000 ft. Chairman Miller asked for expansion of the security measures that will be in place; the LLC representative confirmed that there will be two alarm systems, both of which are directly connected to the Police Department (45 min. police response time). In addition to the alarm systems, there are two residents living on site, there will be several security guards within the company and there will be 64 security cameras on site. Town resident Anthony Giardini of 22 Howland Road asked if the establishment would be indoor or outdoor. The LLC representative confirmed that it will be an outside canopy, which will be reinforced with an 8 ft. fence and barbed wire. Mr. Giardini also questioned if all State/Federal regulations are being met. The LLC representative and counsel for the LLC confirmed that everything will be regulated by the Cannabis Control Commission. Chairman Miller voiced concern with the current Host Community Agreement does not specifically acknowledge Town Compensation, his concern for the proposed business hours and questioned the increased vehicular activity. The LLC representative noted that there will be no noticeable increase in traffic, including delivery. The Board voted to accept the Host Community Agreement contingent on agreed upon language changes.</p>	<p>Cochrane to motion to accept, Miller 2nd, voted.</p>
Meeting Mail (taken out of order)	<p>Board to review email from the Berkley Public Library regarding Library Construction Gant workshop. The Board voted to file.</p> <p>Board to review information regarding Berkley in the Massachusetts Taxpayers Foundation Municipal Financial Data booklet. The Board voted to file.</p> <p>Board to review letter from Comcast regarding changes to Xfinity TV Services. The Board voted to file.</p>	<p>Cochrane to motion to file, Miller 2nd, voted.</p> <p>Cochrane to motion to file, Miller 2nd, voted.</p> <p>Cochrane to motion to file, Miller 2nd, voted.</p>
New Business (taken out of order)	<p>Board to vote to waive Building Permit fees for additions to the Public Safety Building. The Board voted to waive fees.</p> <p>Board to approve Common Use Request for 2nd Annual Crosby-Couto Memorial Basketball Tournament on Saturday, June 10, 2023 from 12:00 p.m. to 4:00 p.m. The Board voted to approve.</p>	<p>Cochrane to motion to waive, Miller 2nd, voted.</p> <p>Cochrane to motion to approve, Miller 2nd, voted.</p>
Appointments (taken out of order)	<p>Board to possibly appoint member of the 2023-2024 SRPEDD Commission. The Board voted to table.</p>	<p>Cochrane to motion to table, Miller 2nd, voted.</p>

MINUTES OF TOWN OF BERKLEY SELECTMEN'S MEETING OF 04/26/2023

SELECTMEN IN ATTENDANCE: George F. Miller, Chairman - Wendy F. Cochrane, Member

Public Hearing	In accordance with Chapter 138, Section 12, of the Massachusetts General Laws, notice is hereby given that the Berkley Board of Selectmen, acting as the Licensing Authority of the Town of Berkley, will hold a public hearing on Wednesday, April 26, 2023 at 6:00 p.m. in the Hearing Room at the Town Office Building, One North Main Street, Berkley, Massachusetts, on the application of Berkley Post 121 American Legion, of 80 Myricks Street, Berkley, Massachusetts, for an Amendment: Alteration of Premises on an all alcohol license #00002-CL-0090. The premise consists of two floors, nine rooms, totaling 1,724 square feet of indoor space and 2,800 square feet of outdoor space with a bar. The aforesaid change seeks to expand licensed operations to the entire premises, including fields to the left and behind the outdoor pavilion, in the following properties: Map 21, Lot 62, Map 21, Lot 61-01, and Map 20, Lot 37-17, totaling approximately 11.93 acres. Interested parties are welcome to attend and comment; persons wishing to be heard should appear on the date and at the time and place designated above. Comments can also be sent to the Board of Selectmen either by mail, c/o Town Administrator, One North Main Street, Berkley, Massachusetts 02779, or via e-mail, to selectmen@berkleyma.us, prior to the date and time of the public hearing. The Board voted to open the Public Hearing. Town resident Joe Freitas of 18 Country Lane voiced concerns about establishing perimeter lines. It was concluded that any event must be no less than 25 ft. away from any abutting property. The Board approved the Amendment Alteration of Premises on an all alcohol license #00002-CL-0090 subject to the conditions that any and all events taken place at least 25 ft. from property lines and that there is only one event at a time. The Board voted to close the Public Hearing at 6:17 p.m.	Cochrane to motion to approve, Miller 2 nd , voted.
Finance Committee Update (taken out of order)	Board to have joint meeting with Finance Committee to discuss Finance Committee's final budget for FY24. The Board voted to table the matter.	Cochrane to motion to table, Miller 2 nd , voted.
Old Business (taken out of order)	Board to have discussion with Sean Reardon of 16 Howland Road regarding kennel on property. Chairman Miller reviewed Town Counsel's opinion referencing M.G.L. c. 40A § 3 noting that the acreage requirements are not met. Town Resident Paul Pacheco of 18 Howland Road questioned why the Cease and Desist of 12/07/2022 has not yet been enforced. It was noted that that the Board has no authority over the Zoning Enforcement Officer. Town Resident Darcy Darden of 22 Howland Road questioned when abutters are introduced to the process if a permit for a home business is requested. The Board informed clarified that notice was not necessary for a Business Certificate, but would be necessary if goods were being sold from the home. Mr. Reardon confirmed that he is looking for a permit to allow his kennel. The Board advised him that this is a matter that requires the Building/Zoning Inspector.	Information only; no action needed.
Adjournment	The Board voted to adjourn, with the announcement of the next meeting to be held on Wednesday, May 3, 2023 at 6:00 p.m.	Cochrane to motion to adjourn, Miller 2 nd , voted.

Dean R. Larabee, Clerk
George F. Miller, Chairman
Wendy F. Cochrane, Member_____
Kevin Partridge, Town Administrator