



City of Haverhill City Council Minutes

Tuesday, May 28, 2013 at 7:00 PM
City Council Chambers, Room 202

Present – President Scatamacchia, Councillors Hart, Michitson, Ryan, McGonagle, Macek, LePage, Daly O'Brien and Sullivan.

City Clerk – Margaret A. Toomey.

1. Approval of Records of the Previous Meeting

The minutes were approved.

2. Assignment of the minutes review for the next Meeting

Councillor McGonagle was appointed to read the minutes.

3. Communications from the Mayor

No Schedule

4. Utility Hearing(s) and Related Order(s)

Hearing was held on Document 54, a petition from National Grid of North Andover requesting permission for Pole and Wire Location on Liberty st, Plan #14624286. With David Boucher from National Grid appearing in favor and no one in opposition the hearing was closed. 54

Document 54-B

ORDERED: Order granting Pole and Wire Location from National Grid of North Andover on Liberty st, Plan #14624286 (see document form complete text)

GRANTED Yeas 9, Nays 0 54B

5. Appointments

Confirming Appointments:

No Schedule

Non-Confirming Appointments:

Katherine Lavigne and Ronald LaPlume to the Friends of the Bradford Trail Advisory Committee, effective immediately.

PLACED ON FILE 20Q

Resignations:

No Schedule

6. Petitions

Petitions:

No Schedule

Applications:

Annual License Renewals. The following were granted:

Buy & Sell 2nd Hand Clothing – Ruth’s House, 111 Lafayette Sq
45Y

Buy & Sell 2nd Hand Clothing – Paul Fitzgibbons, Common Ground Thrift Store, 8 White st 45Z

Buy & Sell 2nd Hand Clothing – Rev. Timothy E. Kearney, All Saints Parish, 120 Bellevue av 64

Buy & Sell 2nd Hand Articles – Paul Fitzgibbons, Common Ground Thrift Store
64B

Bowling: 10 Lanes—All Saints Parish, 120 Bellevue av
64C

GRANTED Yeas 9, Nays 0

7. Hearings and Related Orders

No Schedule

8. Motions and Orders

No Schedule

~~ORDERED~~

MUNICIPAL ORDINANCE CHAPTER 255
AN ORDINANCE RELATING TO ZONING

PREAMBLE

Whereas, on November 6, 2012 Massachusetts voters approved Ballot Question 3, also known as the Massachusetts Medical Marijuana Initiative or "Law for the Humanitarian Medical Use of Marijuana" (hereinafter the "Medical Marijuana Law"); and

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Whereas, the Medical Marijuana Law took effect on January 1, 2013; and

Whereas, under the Medical Marijuana Law a "Medical Marijuana Treatment Center" shall mean a not-for-profit entity, as defined by Massachusetts law only, registered under this law, that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their personal caregivers."; and

Whereas, the Medical Marijuana Law enables the Massachusetts Department of Public Health (DPH) to register up to 35 such centers within the first year of enactment, with a minimum of one and a maximum of five located within each county; and

Whereas, DPH issued regulations for the implementation of the Medical Marijuana Law on May 8, 2013; therefore

BE IT ORDAINED by the City Council of the City of Haverhill that Chapter 255 of the Code of the City of Haverhill, as amended, being and is hereby further amended by adding the following:

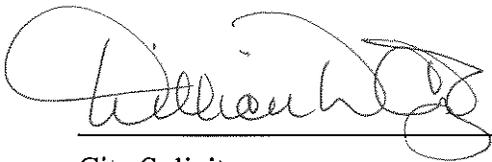
"§255-16.1 Temporary Moratorium on Medical Marijuana Uses

A. Purpose and Justification-The purpose of the temporary moratorium is to give the City of Haverhill sufficient time after the promulgation of **DPH** regulations to evaluate the potential land use impacts of Medical Marijuana Treatment Centers as such term is defined under the Medical Marijuana Law, and, if necessary and appropriate, to prepare and adopt zoning standards for Medical Marijuana Treatment Centers.

B. Temporary Moratorium Provision-For the duration of this Temporary Moratorium a Medical Marijuana Treatment Center as defined in the Medical Marijuana Law shall be prohibited as a PRINCIPAL and ACCESSORY USE in all zoning districts, and no use variance shall be granted to allow a Medical Marijuana Treatment Center.

C. Temporary Moratorium Expiration - Unless extended, continued or modified by a subsequent action of the City Council and Mayor, the provisions of this Temporary Moratorium shall expire upon either of the first to occur of: (a) the adoption by the City Council and Mayor of an amendment to this ordinance that explicitly rescinds or replaces this moratorium, or (b) October 1, 2013."

APPROVED AS TO LEGALITY:



City Solicitor

PLACED ON FILE for at least 10 days

65

9. Unfinished Business of preceding Meetings

Document 26-P,

Tag Day: Haverhill Firefighters for MDA Aug 30, 31st & Sept 1st

GRANTED

Yeas 9, Nays 0

26P

10. Communications and Reports from City Officers and Employees

Monthly Reports:

No Schedule

Communications from Councillors:

No Schedule

Communications from City Employees:

No Schedule

11. Resolutions and Proclamations

No Schedule

12. Council Committee Reports and Announcements

COUNCILLOR LEPAGE ANNOUNCED THE ADMINISTRATION & FINANCE COMMITTEE MEETING SCHEDULED FOR MAY 30 AT 7:00PM IN THE CITY COUNCIL OFFICE, RM 204. AGENDA ITEM REGARDING BUILDING MAINTENANCE AND FORECLOSING RESIDENTIAL PROPERTIES

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Council Committee Reports:
No Schedule

Meeting adjourned at 7:08 o'clock P.M.

Yeas 9, Nays 0

Attest: Margaret A Toomey
City Clerk