



CAPE COD TIMES

Pot talks drag on in Barnstable

By Colleen Cronin / ccronin@capecodonline.com

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Town officials push off zoning decisions for marijuana businesses.

HYANNIS — Many words were spoken, but no decisions were made when the Barnstable Town Council weighed two proposals on what marijuana businesses should be allowed in town and how best they should be regulated.

The council voted Thursday to withdraw an ordinance that would create two “cannabis overlay zoning districts” for establishing and operating recreational marijuana dispensaries, and the public hearing for a proposal to prohibit nonmedical marijuana in Barnstable was continued until Aug. 16.

After discussion seemed to be leaning against both proposed ordinances in favor of an alternative option, Town Attorney Ruth Weil told the council if an ordinance was voted down by both the Planning Board and Town Council, the same or a nearly identical ordinance may be challenged in court if presented within two years of the original proposal. The Planning Board already voted against both marijuana ordinances by a unanimous vote, 5-0, with one abstention from Paul Curley, on July 9.

Weil reminded the board of a legal challenge in May that struck down a town ordinance permitting a Hyannis parking lot overlay district because the original proposal had been voted down by the Planning Board and Town Council but a similar ordinance had been passed a few week later.

With the town’s recreational marijuana moratorium ending Dec. 31, Weil recommended the council withdraw or continue the ordinances instead of voting on them.

The council did vote unanimously to refer a zoning ordinance for establishing recreational marijuana research facilities to a joint meeting with the Planning Board on Aug. 9.

Some residents advocated for zoning bylaws that would allow only labs and manufacturing facilities. Others in the room with connections to the marijuana industry said it could be a source of revenue and growth, allowing people to live on Cape Cod despite how expensive it is.

“Please look past pot shops ... let entrepreneurs move forward,” said Adam Higgins of Cannabis Cape Cod.

Eric Hunter, owner of Cape Cod Hemp in Yarmouth, said he has bought marijuana testing equipment and is looking for a place to expand his own business after Yarmouth banned all recreational marijuana businesses. Saying that the nearest testing facility is three hours away, round trip, marijuana may go untested without a closer facility.

Despite the lack of a vote, during the public comment at the beginning of the meeting and the public hearing for cannabis overlay ordinance, people from the community spoke for and against the sale of recreational marijuana.

Precinct 1 Councillor John Flores spoke against having the overlays in that district because the precinct had voted against legalization. Flores also said he was against retail sale of recreational marijuana for now.

Cindy Martin, speaking with a toddler and infant by her side at the lectern, asked the council to collect enough taxes to cover administrative fees and marijuana use prevention education for children and to zone the retail stores to be out of children’s vision.

“Tax it as much as you can. ... Hide it as much as you can,” Martin said.

By the end of the discussion, sponsors of the overlay bill acknowledged that the bill needed changes.

Councilor Jennifer Cullum, sponsor of the ordinance, said she recognized that as a group the council needs to work out a plan, but recreational “storefronts might not be it.”

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