

Richmond Planning Board
Town Hall

Minutes

Public Hearing on a Marijuana Zoning Bylaw
Public Hearing on a Farm Function Zoning Change
Public Hearing on a Subdivision by the Boys and Girls Club of the Berkshires
Meeting
September 17, 2018

Members present: Rick Bell, Adeline Ellis, John Hanson (Chairman), Katherine Keenum

Member absent: John Vittori (Vice Chairman)

Others present: Neal Pilson, Richmond Board of Selectmen; John Donna, Chairman, Boys and Girls Club of the Berkshires; John Keenum, Richmond; Richard M. Dohoney of Donovan O'Connor, & Dodig, LLP, Pittsfield; Chris May, Richmond; Barb May, Richmond, Mark Fowler, Richmond; Catherine Malinowski, Richmond; Robert Malinowski, Richmond; Jeff Morse, Richmond; Paul Rocheleau, Pittsfield; Elaine Rocheleau, Pittsfield; Christian Hanson, Balderdash Cellars, Richmond

Public Hearing (I)
Marijuana Zoning Bylaw

At 6:02 P.M., Mr. Hanson opened the **Public Hearing on a Marijuana Zoning Bylaw** by reviewing a summary of the proposed regulations. The summary was available at the hearing in the form of a handout (see Exhibit 1). Copies of the full text were also available at the hearing (the contents can be found in the minutes of the Planning Board for August 13, 2018).

Mr. Hanson next explained a proposed change to zoning that would combine two existing commercial zones in the vicinity of the post office and fire department, to be called Comm 1 in district headers in Richmond's *Zoning Bylaw*. For the benefit of attendees, he pointed out its location on a large town zoning map. He also showed the location of the existing small commercial zone on Route 41, which, except for the library, is now in practice residential. It would become Comm 2. State law calls for a 500-ft. buffer around any location, such as a library, where children gather, which made this second commercial district unsuitable for marijuana establishments. He said that the Board did not feel a need to create additional commercial districts to accommodate marginal establishments like testing laboratories or product development facilities but would allow a medical dispensary as required by state law, a retail store, or indoor cultivation in Comm 1.

From the floor, Mr. Keenum noted that a marijuana transporting business was not allowed by the proposal. He said that there was already a farm-to-market transport company in the commercial zone by the post office and asked why it was being forbidden to add marijuana to its business. Mr. Hanson said that there was limited space in the district and the plan was intended to give priority to the marijuana establishments most likely to wish to locate there. He said a lot of security was required for any marijuana establishment, including law enforcement which the Town of Richmond did not have.

Mr. Pilson asked the Board to go over the approval process that an applicant would have to follow. Ms. Ellis said it was contained in Section 12.8. Mr. Hanson then outlined the steps. An applicant would have to obtain the following licenses, approvals, and permits:

- Host community agreement
- Required state licenses or registrations
- Site plan approval
- Special permit

Mr. Pilson asked the Board to identify the approval process the town must follow to enact the proposed bylaw. Mr. Hanson said that after the Public Hearing, the Board would make the proposal final and report to the Board of Selectmen with a request that it be put on the warrant for the next Town Meeting. A Special Town Meeting now scheduled for October 30, 2018, but was subject to change by the Board of Selectmen.

Mr. Pilson said that the proposal would require a 2/3 majority vote at Town Meeting to pass and asked what would happen if it failed. Mr. Hanson said that Richmond was under a moratorium on marijuana activity until December 31, 2018, after which there would be a need for further action. It had been his understanding that moratoria could not be extended past the end of this year, but other towns have voted for them. If the current proposal failed, he recommended that Richmond seek an extension until June 2019 in order to put another marijuana bylaw proposal on the warrant of the Annual Town Meeting in May. Mr. Pilson asked whether such an extension would require a Special Town Meeting. Mr. Hanson said, yes, and that the Planning Board would also have to hold a public hearing on such an extension. Without an extension, if someone applied to open a marijuana establishment, then only the town's existing bylaws would be in force. Quick work would be needed to have an extension in place at the end of 2018.

Mr. Bell observed that the Lenox Planning Board had presented back-up plans at its special town meeting to be voted on if the recommended bylaw failed, including one for an extension. Mr. Hanson said that we did not have time to prepare a back-up plan and hold the required public hearing on it before the Special Town Meeting scheduled for October 30, 2018.

Ms. Ellis asked whether we needed permission from the Attorney General for an extension.

Mr. Hanson said that the town would have to vote for an extension at a special town meeting. If it passed, the Attorney General would have to approve it. There was always the risk that the Attorney General would turn down the extension—or, for that matter, the proposed Marijuana Bylaw if it should pass.

Mr. Keenum asked why outdoor cultivation was disallowed under the proposed bylaw. He said the town had voted to legalize marijuana and he questioned restricting its cultivation to the commercial zone where nothing was likely to happen. Mr. Hanson replied that marijuana is being cultivated primarily in repurposed buildings because it was almost impossible to grow outdoors and meet the purity standards set by the state. Even in indoor facilities, the workers wore protective clothing and gloves to avoid introducing contaminants.

Mr. Keenum said that if it was unlikely that anyone would undertake outdoor growing, then it seemed as if heavy-handed restrictions were unnecessary but might hurt chances that the bylaw would pass. Mr. Hanson said he would not call it heavy-handed, just practical because if the

Board had tried to create a new commercial district to accommodate outdoor cultivation, the question would become where in town to place it.

Mr. Hanson said that a letter critical of the proposed marijuana bylaw had been received from Craig Swinson with a request that it be entered into the record and he asked the Clerk to do so (see Exhibit 2). Mr. Pilson suggested that a rebuttal be included as well. Mr. Hanson said he would take the suggestion under consideration.

At 6:25 P.M., Ms. Ellis made a motion to close the hearing. Ms. Keenum seconded. The motion passed 4–0.

Public Hearing (II) Farm Function Zoning Change

At 6:30 P.M., Mr. Hanson opened the **Public Hearing on a Farm Function Zoning Change**. He said that what was being proposed was a simple change to Richmond's Zoning Bylaw and also a change to Chapter X, Section 9, of the Town Bylaws (see Exhibit 3). The zoning bylaw change would require a 2/3 majority vote at Town Meeting. The change to Section 9 would require a 50% majority vote. The zoning bylaw change identified an accessory use by right in all agricultural districts for farmers to augment their income by holding family celebrations, weddings, etc. Certain requirements must be met for a farm to qualify for and operate these functions:

- The farm must be at least 15 acres total.
- The location of the actual event must be at least 200 feet from the property line.
- Amplified sound would be allowed between the hours of 10:00 A.M. and 11:00 P.M.
- The Board of Selectmen would have to issue an events permit.

Section 9 concerning special cultural, educational, fund raising, or income producing events existed already and the Planning Board had simply added language to make clear that it also applied to farm functions

The section that the Board had added to the Zoning Bylaw included provisions specific to farm functions:

- Before an events permit was issued, a public hearing would be required (which did not apply to events such as the Josh Billings RunAground).
- All abutters would receive notification of the public hearing.
- The Board of Selectmen would establish the conditions and limits on the permit.

Mr. Hanson said that it was hard to put into zoning details of what this farm or that farm could do. There were all kinds of events held on farms throughout the state. For instance, by right, farms can hold pumpkin pickings; but a pumpkin-picking with a magician on hand to entertain would require a permit. Nevertheless, the Board was aware that noise was an issue and had stated clearly that for motorized vehicles no racing or competing in active competitions would be allowed, only passive events, such as classic car shows.

Mr. Hanson said that the simple, seasonal regulations were being put forward because Richmond did not want to lose its farms. The alternative to farms staying farms was development. The bylaw changes were needed because under current law farms cannot hold these events.

The first person to speak from the floor was Mr. Dohoney, who stated that he represented Erena Langley and Mark Fowler of Canaan Road, abutters to Hilltop Orchard. His clients' primary concerns about the proposed zoning change were impacts on abutters, and they had a few amendments to put forward.

- Rather than a Board of Selectmen's events permit, the mechanism should be a special permit to ensure more protection to abutters.
- There was mention in the proposal of a public hearing but no requirement about abutters' notice
- One hundred feet was very close to someone's house and they suggested a setback of 1,000 feet.
- They suggested that amplified sound be pulled back to 9:00 p.m.

His clients supported the general idea of keeping farms as farms.

Mr. Malinowski said that he was an abutter to Hilltop Orchard and had supported them when they wanted to build a store; but over the years, weekend noise had become an increasing problem. He had not moved to Richmond to live near an events center. He had horses: Did this mean he should be able to hold such events? Hilltop was for sale and these bylaw changes would increase its value. Mr. Vittori was on the Planning Board, and, frankly, this stank. Mr. Malinowski was all for agriculture but now the orchard was an entertainment center. If he put his own place up for sale, it would be harder to sell because of what was next door. We could promote agriculture without inviting commercial entertainment centers into residential districts. Wherever there was a farm, there were abutters. Forget about marijuana as a problem: people moved to Richmond for quiet, not for events.

Mr. Hanson said that as soon as the issue came to light, Mr. Vittori had recused himself and had not participated in discussion or decisions. He was leaving town and had notified Town Hall that he was stepping down from the Planning Board. He had not scheduled any weddings for next year and has only two left this year.

Mr. Fowler said that Mr. Hanson had just said that Mr. Vittori was not allowed to have any events and yet he was going to have two more?

Mr. Hanson said that the Town Counsel had ruled that any future events must be provided for in the town bylaws. There was no ruling on whether what Mr. Vittori had been doing was legal. The Board wanted to discuss what the town wanted to do going forward in cases such as Balderdash Cellars and Bartlett's Orchard, which had had at least one wedding. The Berkshire Equestrian facility had been having weddings. The Planning Board had been taken by surprise because it had not known such events were not allowed until the Zoning Enforcement Officer (ZEO) asked for an opinion from Town Counsel concerning an application for a building permit for Balderdash Cellars. It had thought they were permitted because state law was permissive to agriculture.

Mr. Malinowski asked whether those events could be held indoors instead of outdoors. Mr. Hanson said that there could be a restriction on location specified in the permit.

Mr. Malinowski asked whether abutters would have to keep going to public hearings for each event. Mr. Hanson said, no, that the permits would be seasonal. He said that a special permit was permanent and recorded at the registry of deeds; it ran with the land and was hard to end. The Board had tried to put in place something that would be more flexible and renewable or endable. An events permit was limited in scope and time.

Mr. Dohoney asked whether a two-year limit had been contemplated.

Mrs. Malinowski said that on several occasions over the past years, she had approached the ZEO and brought complaints about events being held two to three times a month for several months a year. The noise was excessive. She was told that Hilltop was a winery and that the Malinowskis had no right to complain; but it had turned into a commercial enterprise. The ZEO should have been in a position to address the problem, but they were told they had no rights. When she spoke to John Vittori, he said he would lower the volume and direction of the speakers; but now she knew the events were illegal. She had had to telephone at 11:00 P.M. to ask him to turn down the sound. Families with children had to wait until after 11:00 P.M. to put their children to bed. How could Hilltop not be considered a commercial enterprise? She felt they had been given false information. She had called the police three or four times; she had talked to the Town Administrator; she had been living with this for many years. Did anybody think a \$100 fine would stop events that were making money?

Mr. Fowler said he had done research on the town of Kinderhook, N.Y., because it was similar to Richmond. It did not allow anything without a special permit, and its laws showed an awareness of noise. He did not agree with the premise of the bylaw that farms needed support. Farms were doing all right and not turning into housing developments. It was important to the abutters that they have a say.

Mr. Bell asked if this zoning bylaw passed at Town Meeting as is, would Hilltop be allowed to continue holding events as it had in the past.

Ms. Ellis said that you cannot get grandfathered in if an activity was illegal to begin with.

Mr. Hanson said that the Board could not do anything about the past but wanted to ensure that there were no problems in the future that were due to a lack of regulations. We want other farms to be able to hold events but be better regulated.

Ms. Malinowski said that they wanted the abutters to have tremendous input into what was allowed. Mr. Hanson said that was the point of a public hearing. Ms. Keenum added that to be clear, what the Planning Board did was make town-wide zoning policy, not deal with individual cases. Mr. Fowler said that, in other words, he could come to a public hearing where no one had to listen.

Ms. Malinowski said that abutters had the right to make decisions about noise levels and the number of events; the proposed bylaw was too general.

Mr. Hanson said that the evening's hearing was the first time that the Board had heard these complaints. The Board had been talking about zoning for farm functions all summer at its regular meetings, but this was the first time it had heard these important inputs.

Mr. Fowler asked what had been done to publicize the Planning Board meetings. Mr. Dohoney said that the first he and his clients had learned of the issue was in an article by Clarence Fanto in the Berkshire *Eagle*. Mr. Hanson said the agendas were always posted and the meetings were always open. Mr. Bell said that the agendas were on the Town of Richmond website. Mr. Fowler said that the legal notice of the Public Hearing was not on the website. Mr. Bell said that the Board had matured the words of the proposal and then put a legal notice in the Berkshire *Eagle*.

Ms. Malinowski asked for a committee to discuss noise and its effects in order to come up with a workable solution. Mr. Fowler said that he had asked for more time before a town vote on farm events.

Ms. Malinowski said that she would have thought Paul Green could have acted in the case of Hilltop Orchard but the Board was now saying the orchard was grandfathered. Mr. Hanson said that he had made no comment on whether John Vittori could continue. Ms. Malinowski said John Vittori was on this committee [i.e., the Planning Board] and that was the reason she and her neighbors were here now.

Mr. Bell said that if the town had a bylaw to address noise, it would cover more than farms because, after all, anyone can have a problem with noise. Such a bylaw would be a matter for the Board of Selectmen, not a zoning matter for the Planning Board.

Mr. Hanson said that he thought a committee on noise was a good idea, but meanwhile we should move forward with this zoning bylaw on farm functions. Everyone had issues that needed to be addressed, including other farms, e.g., Balderdash Cellars.

Mr. Fowler asked why not use zoning for that special case. Mr. Hanson said that spot zoning was not permitted. The Board was willing to make changes in the proposed bylaw, but Christian Hanson would be the person most adversely affected if there were no law.

Mr. Christian Hanson said that he wanted it clarified that what had been under discussion during the summer was not just for him. He did support the zoning proposal because it was helpful to his business, but he did not want to be considered a special case. He was also very aware of the noise issue. On the weekend when they had some music, he got a phone call at 3:00 P.M. and took care of it right away.

John Hanson apologized and said that he had not meant to put Christian Hanson on the spot. It was just that when the ZEO received the opinion of the Town Counsel about Balderdash Cellars, it went to the Board of Selectmen, who in turn sent it to the Planning Board as a zoning matter. That was how the Board learned of the issue. The Board needed to make a recommendation to the Selectmen. It could make changes in the proposed bylaw or not take any action.

Mr. Morse said that if what was needed was a noise ordinance, then a town bylaw was needed.

Mr. Hanson said that when the Board wrote the proposed zoning bylaw, it put in measures to cover hours and setbacks, but sound is not easy to regulate in specific terms because of variables such as distance and atmospheric.

Ms. Malinowski said that a noise ordinance should be looked into. Mr. Hanson asked whether she would be willing to serve on a committee to do so. She said, yes. Mr. Fowler objected that discussion of a committee on noise was putting the cart before the horse; what was needed was a conversation about the current illegal noisy events. Mr. Hanson said that we should move forward with the farm events bylaw and then work toward a noise ordinance. Why restrict all events just because of bad experiences in one place? Mr. Fowler said that he would be happy to have restrictions put on the amount of noise allowed above background noise. A discussion of the difficulty of defining and measuring noise followed.

Mr. Dohoney said that the permit should be a special permit, not an events permit; otherwise the bylaw would strip abutters of their right to appeal if they were dissatisfied. Mr. Bell asked

whether they could take the Board of Selectmen to court over an events permit. Ms. Ellis and Mr. Dohoney agreed they could not. Ms. Ellis said that she was sympathetic to the abutters' concern about noise and agreed that the appeal process is important but did not apply without a special permit.

Christian Hanson asked whether a special permit could be issued without the agreement of abutters at a hearing. Mr. Dohoney said that if the Board of Selectmen was not following rules, then it could be taken to court.

Ms. Malinowski asked what would happen next. Mr. Hanson said that the Planning Board would be holding a meeting later in the evening at which it would discuss whether to recommend to the Board of Selectmen that the current proposal be placed on the warrant of the next Special Town Meeting, or to amend the current proposal, or to withhold action at this time. If we have to hold another meeting, we'll notify those present. The next regularly scheduled meeting of the Board would be on October 15, 2018, but another meeting sooner might be necessary if a bylaw were to be placed on the warrant for the next Special Town Meeting expected for October 30, 2018.

Ms. Malinowski said that there would be two more noisy events at Hilltop Orchard this year and asked what the abutters needed to do about those illegal events. Mr. Hanson said to contact Paul Green, the ZEO, to say they believed there was a zoning infraction. Mr. Bell recommended putting the complaint in writing with a cc to the Board of Selectmen.

Mr. Dohoney asked that the hearing be left open. Mr. Hanson agreed to continue the hearing. After conferring on calendars, members of the Board agreed to meet on September 24, 2018.

Mr. Bell made a motion to continue until September 24, 2018. Ms. Ellis seconded. The motion carried 4-0.

The hearing was suspended at 7:50 P.M. All members of the audience except Mr. Donna left

Public Hearing (III) **Subdivision by the Boys and Girls Club of the Berkshires**

At 7:55 P.M., Mr. Hanson opened the **Public Hearing on a Subdivision by the Boys and Girls Club of the Berkshires**. Mr. Hanson reported that notice of the public hearing had been duly posted in the Berkshire *Eagle*. With no one besides Mr. Donna having come, he called for a motion to close the public hearing. Ms. Ellis so moved. Ms. Keenum seconded. The motion carried 4-0. The Public Hearing closed at 7:58 p.m.

Meeting

At 8:00 P.M., Mr. Hanson opened the regular meeting.

1. Mr. Hanson moved that the Planning Board should report to the Board of Selectmen that it had held public hearings and recommended that a zoning map change be placed on the Warrant for the next Town Meeting to add a new .72 acre lot at 341 East Beach Road to the Richmond Shores district. Ms. Ellis seconded. The motion carried 4-0. As an action item, Mr. Hanson undertook to write the recommendation to the Town Administrator and the Board of Selectmen.

2. A freewheeling discussion of the night's Public Hearing on Farm Functions followed. The members recognized the depths of the speakers' anger and regretted that it arose in part from a misunderstanding of why the Farm Function Zoning Change was under consideration at this time. It was agreed that noise seemed to be the deepest grievance of the abutters to Hilltop Orchard and that everyone in Richmond valued peace and quiet. Stories about noisy events in other parts of town were swapped. The need to be aware that noise from Balderdash Cellars could affect residents in Richmond Shores was discussed. A setback of 1,000 feet was deemed impractical. Ms. Ellis recommended making the requested change from an events permit to a special permit because it would give abutters a right of appeal. That change could be accomplished by striking paragraph 4.8.B.16.d in the proposed Draft Farm Function Zoning Change (see Exhibit 3). Mr. Hanson observed if that were done, then the Planning Board would not need to take up a change to Section 9. As an action item, he undertook to send out a revision of the Farm Function Zoning Change.

The meeting adjourned at 8:40 P.M.

Respectfully submitted,
Katherine Keenum, Clerk

Exhibit 1 Marijuana summary handout

Town of Richmond
Proposed Marijuana Regulations
Summary

All marijuana establishments in Richmond will be subject to state law, licensing, and regulation by the Massachusetts Cannabis Control Commission. All will be required to submit a site plan for review by the Planning Board and to meet the requirements of the Town's Board of Selectmen, Board of Health, Conservation Commission, and Building Inspector.

Richmond WILL allow the following in the commercial zone around the post office and fire station:

- one medical marijuana dispensary;
- commercial cultivation of marijuana inside a secure building;
- one marijuana retail store;

Richmond will NOT allow in any location a marijuana:

- outdoor commercial cultivation;
- research facility;
- independent testing laboratory;
- product testing laboratory;
- product manufacturer
- marijuana transporter.

Furthermore:

- NO marijuana establishment of any kind may be located within 500 feet of a pre-existing public or private school.
- NO marijuana to be smoked or otherwise consumed on the premises of an allowed business.

September 17, 2018

Exhibit 2: E-mail from Craig Swinson, dated September 17, 2018, on a proposed marijuana zoning bylaw

Please include this in the record of tonight's meeting. Either read or available as a copy to the public.

In reviewing the proposed regulations on marijuana facilities two things are obvious, you are trying to regulate them into non-existence and the board is ignoring the impact of marijuana as an agricultural product.

1. By so severely limiting the facility locations to an extremely small section of the town, a section that you KNOW can't support the facilities required to have a profitable marijuana business, you are zoning them out of existence.

2. By claiming that no one would want to grow marijuana out of doors and that the growing season is too short, again you show your ignorance of the product. Single use marijuana plants have the growing season of corn. This season can be extended by the use of greenhouses for growing seedlings, just as people do for tomatoes.

Sad proof of the outdoor viability of growing marijuana in MA is that the DEA and MSP routinely raid of illegal grow operations and pull thousands of pounds of marijuana out of corn fields and back pastures. A few years ago an illegal grow on Hancock Shaker land netted thousands of plants. Growing out of doors is perfectly viable in MA and is a very cost effective way of doing it. The desire and market for organic marijuana products is booming and where better to grow but in acres of organic soil? Organic marijuana products are more desirable and carry a premium price and are preferred for medical use.

3. By not allowing co-op facilities you are again cutting farmers and agricultural businesses out of the loop. The ONE thing this Town could actually do to help farms stay farms, and yet again the planning board takes the exact wrong approach. The potential for farm revenue is extraordinary and by cutting off co-ops, you are disenfranchising small farmers.

4. Not allowing research and testing facilities, again cuts out a revenue stream and one that is decidedly low impact. I'm not sure what the board thinks these testing facilities look like but often they occupy a few hundred to a couple thousand square feet; a space equal to the upstairs of the Town hall. They are in office space, have very little traffic, and often have no signage. Testing labs would be something so innocuous you wouldn't even know they were there but "no one would want to do that here" is the rationale behind not allowing it. In reality someone with vision, entrepreneurial spirit, and the space might just want to.

5. The select board is ABSOLUTELY not the board that should oversee the special permit process for marijuana facilities. They lack the knowledge, the understanding of the business, and clearly the temperament to oversee this special permit process. The better choice is the more dynamic and evolving ZBA. With the ZBA there's a larger panel of people involved in the process, the board is more dynamic as a majority of the members are relatively new compared to the average tenure of 22 years for a

selectman. The ZBA is more diverse in its composition and has a more varied background.

Further when you have a selectman say in a meeting that he “doesn’t care what voters want, he’ll never allow a marijuana business in town” (granted a paraphrase) it creates an immediate conflict. This issue alone clearly show two things; the selectmen shouldn’t be in charge of the process due to bias and voters should rethink their representation at the next election.

So if by crafting these regulations your intent was to regulate marijuana facilities out of existence in Richmond, you’ve done an excellent job.

If however you are interested in fostering agricultural and economic growth in Richmond you’d scrap these draconian regulations and start anew. Respect the will of the voters and allow smart development of all phases of marijuana businesses in Richmond, rightly placed in locations that can actually support viable businesses.

We can do two things in Richmond to alleviate tax burdens; limit costs or find new revenue streams. With these regulations as proposed, it’s clear Richmond doesn’t care about relieving any tax burdens as they are cutting off a huge new revenue stream. Richmond has always been accused of being a town that says “no” first. If you move these bylaws to a vote, as written, you’ll just be continuing and reinforcing that trend.

Thank you
Craig A Swinson

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Craig Swinson
caswinson@gmail.com
413-329-7249

Exhibit 3: Farm Function Zoning Change

Farm Function Zoning Change- Draft August 17, 2018

Add definition as follows:

FARM FUNCTION: Any event or concert held on a farm (see definition of a farm, in the Right to Farm Bylaw, Chapter XIII, Section 2 of the Richmond Town Bylaws), including but not limited to, weddings and family celebrations for which a fee is paid, concerts, promotional events, and other activities held for a fee on farms of sufficient size. Farm functions supplement farm income in order to promote the sustainability of farming, enhance our community and preserve open space.

Add section as follows:

Section 4.8 B. PERMITTED ACCESSORY USES	RA-A	COMM1
<u>Continued:</u>	RA-C SR	COMM2
	YES	NO NO

16. The use of a farm, as defined in the Right to Farm Bylaw, Chapter XIII, Section 2 of the Richmond Town Bylaws, including, but not limited to, land, buildings, or other Structures, for the purpose of holding Farm Functions, provided that:

- a) The farm shall have 15 acres of land at the site. The land shall include all adjoining and adjacent lots and the lot used for a dwelling, if any.
- b) The side, front and rear setbacks for the function shall be a minimum of 100 feet.
- c) There shall be no electronically amplified sound except between the hours of 10:00 a.m. and 11:00 p.m.
- d) The Board of Selectmen shall issue an event permit per Chapter X, Section 9 of the Richmond Town Bylaws. The event permit may be for multiple farm functions per year. The Board of Selectmen shall hold a public hearing prior to issuing any first time event permit and the permit shall be for a maximum of two (2) years.
- e) There shall be no events having motorized vehicles racing or competing in active competitions. Passive events such classic car shows shall be permitted.

TOWN OF RICHMOND

TOWN BYLAWS

(Updated through May 2017)

SECTION 9.

Any person or organization that seeks to conduct a special cultural, educational, fund raising or income-producing event, such as but not limited to, art shows, auctions, festivals, bazaars, community picnics, breakfasts, dinners, concerts, dance events, Farm Functions or similar events, is required to obtain approval from the Board of Selectmen if such event is to be held on or affect town streets, sidewalks, or property or require services beyond those the town provides its citizens under normal everyday circumstances. Farm Functions shall require approval from the Board of Selectmen. The Selectmen may require a public hearing to consider any application filed under this section and any permit issued may include conditions relating to hours of operation, attendance, public safety, traffic control, parking, noise, odor, lighting, impact on the neighborhood and on municipal facilities, and a requirement that the applicant post a bond. Any person or organization granted a permit under this section shall comply with all other local, state, federal licensing or permitting requirements for said event. Failure to obtain any required licenses or permits shall result in the revocation of the permit granted under this section and a fine of \$100.