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Board of Building Regulations and Standards (BBRS)
CANNABIS STUDY GROUP MEETING
March 25, 2019 Meeting Minutes
249 Lakeside Avenue in Marlborough 01752

Roll Call:

Adelle Reynolds
Harold Leaming
Jen Hoyt

☒ present ☐ absent
☒ present ☐ absent
☒ present ☐ absent

Duncan Cameron
Brad Mitchell

☒ present ☐ absent
☒ present ☐ absent

General notes on format of these minutes

- *These minutes represent general points discussed during the meeting. The minutes are not intended to be a verbatim account of discussions.*
- *Agenda topics as numbered may not be in the same order as they appear on the meeting agenda.*
- *The meeting agenda is listed as **EXHIBIT A**; others are listed sequentially as addresses during the meeting.*

1. **Approve Meeting Minutes.** On a **MOTION** by Jen Hoyt, seconded by Harold Leaming, the January 22, 2019 meeting minutes were unanimously approved with edits submitted by Jen Hoyt included (**EXHIBIT B**).
2. **Discuss:** Use Group Classification for Cannabis Grow Facilities according to 780 CMR and general building and fire code related concerns.

Group members continued discussions specific to appropriate use group classification of grow facilities and related manufacturing. It appeared all agreed that the manufactured of cannabis related product is considered a factory (F-1) use group under the ninth edition of the Massachusetts Building Code, which is based on an amended version of the 2015 International Building Codes. However, group chair, Adelle Reynolds, identified that many cannabis operations are being placed in existing buildings, operating as both grow and manufacturing facilities. Additionally, Adelle noted that, in her experience, operators are extracting material in the growing area, effectively changing the use of the area. Cannabis Growing & Production Representative, Duncan Cameron, indicated that this is not the norm.

Farm Bureau Representative, Brad Mitchell, indicated that the legislature has intended grow facilities to be considered agricultural uses and the study group cannot disrupt intentions of the legislature. Not all agreed that the legislature has been clear on the issue.

Fire Service Representative, Jen Hoyt, read the definition from the 2018 International Building Code (IBC) for an agricultural building which states: *"A structure designed and constructed to*



house farm implements, hay, grain, poultry, livestock, or other horticultural products. This structure shall not be a place of human habitation or a place of employment where agricultural products are processed, treated or packaged, nor shall it be a place used by the public". Agreeing with Chair, Adelle Reynolds, Jen noted that many cannabis facilities are housed in existing buildings that were not designed as agricultural uses and need to be properly assessed to address building and fire safety concerns; already, there have been several fire incidences in cannabis facilities. Jen stressed the need for clear guidance, and perhaps special use code requirements, for code users and enforcers to ensure that facilities are appropriately designed, renovated and\or used to avert any further incidences.

Following lengthy discussion, it was agreed that Rob Anderson would attempt to draft a series of *Frequently Asked Questions* (FAQs) to be used as guidance for code users, enforcers and other interested parties. Questions would include, but not be limited to:

- The appropriate use group classification of a cannabis grow facility and\or manufacturing thereof;
- Code requirements for newly designed and constructed facilities vs. existing buildings repurposed as cannabis facilities;
- Whether cannabis grow and manufacturing facilities are considered to be agricultural uses, enjoying any code relief available thereto;
- What activities may take place in grow facilities vs. manufacturing portions of a cannabis facility; and
- What are appropriate requirements for reviewing and issuing building, fire and\or related permits for the use of cannabis facilities.

Questions and answers will be drafted for these and others as they are contemplated for review by committee members. Additionally, study group members agreed that building\fire code training shall be developed and delivered to municipal and state building and fire code safety enforcement officials and other interested parties; although this was targeted as a long-range goal.

3. It was agreed that the next meeting would take place on April 29th beginning a tour(s) of cannabis and similar grow facilities in the morning with a later in the day meeting time. Group Chair, Adele Reynolds, and others agreed to reach-out to several facilities to make arrangements for a tour.

4. **Approve:** [Adjourning the meeting.](#)

On a **MOTION** by Adelle Reynolds, seconded by Harold Leaming, it was unanimously voted to adjourn the meeting @ approximately 1:05 p.m.

Exhibits

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- A. Meeting agenda.
 - B. January 22, 2019 Meeting Minutes.