

# Special Town Meeting Petitioned Article

*A petition on an approved form and signed by 100 registered voters of the Town shall secure inclusion of an article in the warrant of a Special Town Meeting*

To see if the Town will vote to amend to Town's Zoning Bylaw by adding a new Section 100, entitled **REGULATION OF MARIJUANA** that would provide as follows:

## Section 100 Regulation of Marijuana

### 100.1 Marijuana Establishments

- A. Marijuana establishments shall be authorized by special permit only in districts as set forth in Section 100.2. Use Regulation Schedule. Any marijuana establishment receiving a special permit from the Board of Appeals shall comply with M.G.L. c. 94G, the regulations of the Cannabis Control Commission at 935 CMR 500, and the regulations of the Truro Board of Health. All marijuana establishments shall undergo Site Plan Review pursuant to §70 of the Zoning Bylaw.**
- B. The Board of Appeals shall not approve a special permit for more than three (3) medical marijuana retail dispensing sites.**
- C. Additional Site Plan Requirements:**
  - 1) In addition to what is otherwise required to be shown on a site plan under §70.4C of the Zoning Bylaw, the applicant shall provide a plan to the Police Chief that details all exterior proposed security measures for the premises, including but not limited to lighting, fencing, gates and alarms to ensure the safety of employees and patrons and to protect the premises from theft or other criminal activity. The site plan shall further delineate various areas of the marijuana establishment (indoors and outdoors) such as public access areas, employee only access areas, storage, cultivation, preparation, waste disposal, administrative, transportation, loading and parking areas.**
  - 2) At the time of submittal, and in connection with any revisions, the applicant shall provide elevation views of all sides of any proposed structure, no more than two elevations per page, showing all pavement, structures and landscaping.**
- D. The applicant shall negotiate a host community agreement with the Select Board prior to applying for a special permit.**
- E. Buildings for indoor marijuana cultivation shall be set back twenty five feet (25') from a property line; landscaping shall be provided within this setback to provide a year-round screen of the buildings and parking areas from public ways and abutting residences.**
- F. Special permits shall be limited to the original applicant(s) and shall expire on the date the special permit holder ceases operation of the marijuana establishment.**

**G. Between the hours of 8:00 p.m. and 8:00 a.m., marijuana establishments shall neither be open to the public, nor shall any sale or other distribution of marijuana occur upon the premises or via delivery from the premises. There shall be no limit on hours of operation with respect to marijuana cultivation.**

**H. Marijuana establishments, specifically including but not limited to those engaged in cultivation, shall comply in all respects with state and federal law regarding the use of fertilizers, pesticides, and organic and inorganic compounds.**

**I. Special Permit Conditions**

**The Board of Appeals may impose reasonable conditions to improve site design, traffic flow, public safety, water quality, air quality, protection of environmental resources, and preservation of the character of the adjacent neighborhood including, without limitation, the following:**

- 1) To provide adequate lighting for monitoring of building and site security without creating negative effects on surrounding property.**
- 2) To address issues of vehicular and pedestrian traffic, circulation and parking, and to mitigate the impacts of vehicular and pedestrian traffic on neighboring uses.**
- 3) To specify conditions related to the design and construction of the facility to improve safety, security and conformance with community and neighborhood character.**
- 4) To have and maintain adequate security, alarm systems, on-site parking and lighting in compliance with applicable regulations and as determined necessary by the Board of Appeals in consultation with the Police Chief.**
- 5) To limit signage to that necessary for identification of the premises and to restrict advertising so that brands of marijuana products shall not be visible from a public way.**

**J. Definitions**

**Marijuana Establishment – a marijuana cultivator, craft marijuana cooperative, marijuana product manufacturer, marijuana retailer, independent testing laboratory, marijuana research facility, marijuana transporter, or any other type of licensed marijuana-related business, including a medical marijuana treatment center and a marijuana social consumption establishment. Marijuana uses are defined in the Cannabis Control Commission Regulations, 935 CMR 500.00.**

**Medical Marijuana Treatment Center -also known as a Registered Marijuana Dispensary (RMD), means a not-for-profit entity registered under 105 CMR 725.100: Registration of Registered Marijuana Dispensaries, that acquires, cultivates, possesses, processes (including development of related products such as edible cannabis or marijuana products, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing cannabis or**

marijuana, related supplies, or educational materials to registered qualifying patients or their personal caregivers for medical use. Unless otherwise specified, RMD refers to the site(s) of dispensing, cultivation, and preparation of cannabis or marijuana for medical use.

**100.2 Use Regulation Schedule**

<b>USE</b>	<b>R</b>	<b>BP</b>	<b>NT6A</b>	<b>TC</b>	<b>NTC</b>	<b>Rt6</b>	<b>S</b>
<b>Marijuana Cultivator</b>	<b>SP</b>	<b>N</b>	<b>SP</b>	<b>N</b>	<b>N</b>	<b>SP</b>	<b>N</b>
<b>Medical Marijuana Treatment Center (cultivation only)</b>	<b>SP</b>	<b>N</b>	<b>SP</b>	<b>N</b>	<b>N</b>	<b>SP</b>	<b>N</b>
<b>Medical Marijuana Treatment Center (dispensary/retail)</b>	<b>N</b>	<b>N</b>	<b>N</b>	<b>SP</b>	<b>SP</b>	<b>SP</b>	<b>N</b>
<b>Marijuana Product Manufacturer</b>	<b>N</b>	<b>N</b>	<b>SP</b>	<b>N</b>	<b>N</b>	<b>SP</b>	<b>N</b>
<b>Independent Testing Laboratory for Marijuana</b>	<b>N</b>	<b>N</b>	<b>SP</b>	<b>N</b>	<b>N</b>	<b>SP</b>	<b>N</b>
<b>Marijuana Research Facility</b>	<b>N</b>	<b>N</b>	<b>SP</b>	<b>N</b>	<b>N</b>	<b>SP</b>	<b>N</b>
<b>Third-Party Marijuana Transporter</b>	<b>N</b>	<b>N</b>	<b>N</b>	<b>N</b>	<b>N</b>	<b>SP</b>	<b>N</b>
<b>Marijuana Retailer</b>	<b>N</b>	<b>N</b>	<b>N</b>	<b>SP</b>	<b>SP</b>	<b>SP</b>	<b>N</b>
<b>Marijuana Microbusiness</b>	<b>SP</b>	<b>N</b>	<b>SP</b>	<b>N</b>	<b>SP</b>	<b>SP</b>	<b>N</b>
<b>Marijuana Craft Cooperative</b>	<b>SP</b>	<b>N</b>	<b>SP</b>	<b>N</b>	<b>N</b>	<b>SP</b>	<b>N</b>

or to take any other action relative thereto.