

May 6, 2025 ATM – Marijuana Zoning Bylaw Proposed Amendments

Public Hearing: February 6, 2025

Proposed REVISIONS shown in red

received
1/16/2025

*Debbie Gory
Town Clerk*

Proposed Amendment I (prohibition on cultivation)

§ 173-197. Siting.

- A. The Adult Use Marijuana Retail Overlay District is hereby established as an overlay district as shown on the map entitled "Adult Use Marijuana Establishment Overlay District-Retail" dated March 27, 2018, on file with the Town Clerk and hereby made a part of this chapter. A Marijuana Retail Establishment may be sited within this Overlay District only, subject to all of the provisions of this Article.
- B. The MTC and Non-Retail Adult Use Overlay District is hereby established as an overlay district as shown on the map entitled "Medical Marijuana Treatment Center and Non-Retail Adult Use Marijuana Establishment Overlay District" dated August 15, 2024, on file with the Town Clerk and hereby made a part of this chapter. The following uses may be permitted within this Overlay District, subject to all of the provisions of this Article:

(1) Marijuana Cultivator;

(2) Craft Marijuana Cooperative;

(13) Marijuana Product Manufacturer;

(24) Marijuana Research Facility;

(35) Marijuana Laboratory, including a Standards Laboratory or an Independent Testing Laboratory;

(46) Marijuana Transporter;

(57) Marijuana Microbusiness;

(68) Marijuana Delivery Licensee, including Marijuana Courier and Marijuana Delivery Operator; and

(79) Medical Marijuana Treatment Center.

§ 173-198. Limitations and Prohibitions on Use.

- A. The number of Marijuana Retailers within the Town shall not exceed the minimum number that are required by M.G.L. c.94G, §3(a)(2)(ii), to be allowed within the Town absent a ballot vote.
- B. The number of Delivery Licensees that may be located within the Town shall not exceed two.
- C. The number of MTCs within the Town shall not exceed one.
- D. **The number of Marijuana Cultivators shall be prohibited in Town not exceed one.**

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- E. ~~The number of~~ Craft Marijuana Cooperatives shall ~~be prohibited in Town not exceed one.~~
- F. ~~The number of~~ ~~No~~ Microbusinesses ~~that shall~~ cultivate marijuana within Town ~~shall not exceed one.~~
- G. No Marijuana Establishment may deliver or cause the delivery of cannabis or marijuana products to consumers, including delivery of cannabis or marijuana products pursuant to a Delivery Endorsement or a Marijuana Delivery Agreement, unless specifically authorized by a special permit granted by the SPGA in accordance with this Bylaw or, for any Marijuana Establishment holding an existing special permit that is silent as to delivery, by a modification of such existing special permit granted by the SPGA. Such special permit or modification to an existing special permit, as applicable, shall be obtained prior to the commencement of any delivery activity.
- H. Marijuana Establishments shall not offer cannabis or marijuana products for consumption on the premises.

Proposed Amendment II (expanding special permit requirements)

§ 173 – 200. Special permit requirements.

J. Air Quality:

- 1. The Marijuana Establishment or MTC shall operate within an enclosed structure. For purposes of this Section, greenhouse shall qualify as an enclosed structure; provided § 173-200.J.2 and § 173-200.J.3 are satisfied.
- 2. The Marijuana Establishment ~~or MTC~~ shall incorporate the best available control technology to ensure that emissions do not violate M.G.L. c.111.
- 3. The Marijuana Establishment ~~or MTC~~ shall utilize the best available control technology to ensure that no odor from marijuana can be detected by a person with a normal sense of smell at the property line.