

# Town Meeting

**PLYMOUTH, SS.**

**To either of the Constables of the Town of Hanson, in the County of Plymouth  
GREETINGS,**

In the name of the Commonwealth of Massachusetts you are hereby directed to notify and warn the inhabitants of the Town of Hanson, qualified to vote in Town affairs, and elections, to meet in the Auditorium of the Middle School (off Liberty Street), in said Hanson on Monday the **Fifth day of May, 2014** at 7:30 o'clock in the afternoon to act on the articles in this warrant and furthermore to meet in the Maquan School Auditorium and Cafeteria, on School Street, in said Hanson on Saturday, the **Seventeenth of May, 2014** at 10:00 o'clock in the forenoon, to bring in their votes for Town Officials as stipulated in **Article 25** of this warrant.

**ARTICLE 1:** To hear reports of the various Town Officers, Committees, Special Committees, and act thereon.

Proposed by the Board of Selectmen

**Explanation:** The Reports voted on are those published in the **2013** Town Report. To hear the report of the Maquan School Building Committee

**ARTICLE 2:** To see if the Town will authorize the Treasurer/Collector to enter into compensating balance agreements during Fiscal 2015 as permitted by Mass. General Laws, Chapter 44, Section 53F or take any other action in relation thereto.

Proposed by the Treasurer/Collector

**Explanation:** Every year this article is voted. It simply allows the Treasurer/Collector to maintain accounts using credits instead of money to pay for banking charges.

**ARTICLE 3:** To see if the Town will vote to transfer \$20,000 from overlay surplus for the Treasurer/Collectors tax title account or take any other action in relation thereto.

Proposed by the Treasurer/Collector

**Explanation:** This money will be used to cover the costs incurred for filing and advertising properties with delinquent taxes, and also to pay any legal fees resulting from this process.

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**ARTICLE 4:** To see if the Town will vote to fix the Salary and Compensation of all paid Elected Officers and Committees of the Town as follows:

	<b>FY14</b>	<b>FY15</b>
Town Clerk	\$60,888.00	\$62,714.00
Tree Warden	\$2,768.00	\$2,851.00
or take any other action in relation thereto.		

Proposed by the Town Administrator

**Explanation:** This article sets the salaries limits for the elected officials.  
Article 5 funds the salaries.

**ARTICLE 5:** To determine what sums of money the Town will raise and appropriate by taxation, transfer from free cash, transfer from Town Ambulance Funds, Water Department Revenue, Water Surplus, Title V Special Revenue Fund, MWPAT Loan Repayments Receipts Reserved for Appropriation, Conservation Notice of Intent Fund, Overlay Surplus, Stabilization Fund, Fund Balance Reserved for Reduction of Future Excluded Debt, and Election Fund Ch. 503, Acts of 1983 to defray charges and expenses of the Town, including Debt and Interest, and to provide for a reserve fund for the **2015 Fiscal Year** or take any other action in relation thereto.

Proposed by the Board of Selectmen

**Explanation:** This article refers to the FY 2015 Annual Budget Lines

**ARTICLE 6:** To see if the Town will vote to raise and appropriate or transfer a sum of money from Free Cash for the purpose of making the first annual payment in a three (3) year annual lease payment plan to purchase two (2) police cruisers, or take any other action in relation thereto.

Proposed by the Police Chief

**Explanation:** This article will fund the purchase of two (2) new Police Department cruisers. The first year lease payment is approximately \$25,000.00

**ARTICLE 7:** To see if the Town will vote to raise and appropriate or transfer a sum of money from Free Cash for the purpose of making the first annual payment in a three (3) year annual lease payment plan to purchase one (1) Town Inspectional vehicle, or take any other action in relation thereto.

Proposed by the Town Administrator

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**Explanation:** This article will fund the purchase of one (1) Town Inspectional vehicle. In the past the inspectional services has utilized old police cruiser which have been taken out of service. These vehicles require considerable repair and at most times are inoperable requiring the inspectors to use their own vehicles. A new vehicle will provide years of reliable service to the staff. The cost for base model all wheel drive Ford Escape is approximately \$25,000. The first lease payment will be \$8,678.00.

**ARTICLE 8:** To see if the Town will vote to adopt the Capital Improvement Program as presented by the Capital Improvement Committee and to see if the Town will vote to appropriate and transfer from available funds \$433,000.00 to various department Capital Accounts, or take any other action relating thereto.

Proposed by the Capital Improvement Committee &  
Board of Selectmen

Line	Dept.	Item	FY15 CIP Report	Town Admin. Recommendation	Funding Source
1	School	Replace Tile & Hallway at Middle School	\$40,000	\$40,000	Free Cash
2	BOS	Town Hall Restoration/Painting	\$40,000	\$40,000	Free Cash
3	Highway	Drainage	\$25,000	\$25,000	Free Cash
4	Highway	Supervisor Truck	\$45,000	\$45,000	Free Cash
5	School	Middle School Bathroom Partitions	\$26,000	\$26,000	Free Cash
6	School	Seal Middle School driveway	\$29,000	\$29,000	Free Cash
7	Fire	New Ambulance	\$228,000	\$228,000	Amb Receipts
	<b>TOTAL</b>		<b>\$433,000</b>	<b>\$433,000</b>	

**Explanation:** The purpose of this article is to appropriate funds for the Fiscal year 2015 capital budget.

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**ARTICLE 9:** To see if the Town will vote to raise and appropriate the following sums of money to operate the Recreation Department during fiscal year 2015, under the provisions of M.G.L. Chapter 44, Section 53F ½ .

### **Estimated Revenues**

<b>Item</b>	<b>Amount</b>
Program Receipts (fees)	\$309,000
Total Budgeted Revenues:	\$309,000

### **Estimated Expenses**

<b>Item</b>	<b>Amount</b>
Salaries	\$125,000
Expenses	\$184,000
Total Budgeted Expenses:	\$309,000

**Net Profit/Loss:** **\$0.00**

or take any other action in relation thereto.

Proposed by the Recreation Commission

**Explanation:** Recreation program costs, which previously were shown in both the General Fund Budget and Revolving Fund budget, will now be shown in this Enterprise Fund budget. With the exception of the Administrative Assistant position, all costs related to the operation of Camp Kiwanee are projected to be offset by the program revenues. All surpluses of this account at the end of the year will remain within the account.

**ARTICLE 10:** To see if the Town of Hanson will accept the provisions of Chapter 44, Section 53F½ of the Massachusetts General Laws, establishing the operation of the Hanson Transfer Station as an enterprise fund effective fiscal year 2015, or take any other action in relation thereto.

Proposed by the Board of Health

**Explanation:** The Board of Health is recommending that the Transfer Station budget be established as an enterprise fund. Enterprise fund accounting is recommended by Generally Accepted Accounting Principles (GAAP) for those municipal operations that are substantially self-supporting services. Enterprise fund accounting will demonstrate to the voters at Town Meeting and the public the full cost (direct, indirect and capital) of operating the Department. If this Article is approved, the voters at Town Meeting will be asked to approve the Transfer Station budget in Article 11

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**ARTICLE 11:** To see of the Town will vote to raise and appropriate the following sums of money to operate the Transfer Station during fiscal year 2015, under the provisions of M.G.L. Chapter 44, Section 53F ½ .

**Estimated Revenues**

<b>Item</b>	<b>Amount</b>
Program Receipts (fees)	\$276,250
Total Budgeted Revenues:	\$276,250

**Estimated Expenses**

<b>Item</b>	<b>Amount</b>
Salaries	\$ 92,000
Expenses	\$262,000
Total Budgeted Expenses:	\$354,000

**Net Profit/Loss: \$0.00**

Proposed by the Board of Health

**ARTICLE 12:** To see if the Town will vote to appropriate or reserve from **Fiscal Year 2015 Community Preservation Fund estimated** annual revenues in the amounts recommended by the Community Preservation Committee for committee administrative expenses, community preservation projects and other expenses in fiscal year 2015, with each item to be considered a separate appropriation:

**Appropriations:**

From FY 2015 estimated revenues for Committee Administrative Expenses \$ 10,000

**Reserves:**

From FY 2015 estimated revenues for Historic Resource Reserve	\$21,000
From FY 2015 estimated revenues for Community Housing Reserve	\$21,000
From FY 2015 estimated revenues for Open Space Reserve	\$21,000
From FY 2015 estimated revenues for Budgeted Reserve	\$137,000

or take any other action in relation thereto.

Proposed by the Community Preservation Committee

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**Explanation:** This article ensures that Hanson's Community Preservation Accounts are compliant with the Community Preservation Act which requires that a certain portion of the CPA funds be set aside for open space projects, community housing projects, historical projects and recreation projects. In addition, it sets aside money for the administrative expenses of the Community Preservation Committee.

**ARTICLE 13:** To see if the Town will vote to appropriate from the Historic Resource Reserve Community Preservation Fund balance a sum of funds to be used by the Hanson Historical Society to equip and install a fire alarm system in the Hanson Food Pantry Building located at 270 High Street or take any other action in relation thereto.

Proposed by the  
Community Preservation Committee

**ARTICLE 14:** To see if the Town will vote to raise and appropriate or raise through borrowing \$1,100,000.00 for the cleaning and rehabilitation of the water tank on High Street; or take any other action in relation thereto.

Proposed by the Board of Water Commissioners

**Explanation:** The water tank has had general maintenance work done every year; however it needs a complete cleaning and rehabilitation which consists of removal of the interior and exterior coatings; and surface preparation; and complete repainting of all interior and exterior surfaces.

**ARTICLE 15** To see if the Town will vote to transfer \$46,000 from Water Surplus to purchase & equip a new water truck, or take any other action in relation thereto

Proposed by the Board of Water Commissioners

**Explanation:** This new truck will replace a 2006 Ford F350 which has approximately 135,000 miles on it.

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**ARTICLE 16:** To see if the town will vote to authorize the Board of Selectmen to accept and enter into a contract for the expenditure of any allocated or to be allocated funds by the Commonwealth and/or County for the construction, reconstruction and improvements of Town roads. Said sum of money to be expended under the direction of the Board of Selectmen, or to take any action in relation thereto.

Proposed by the Board of Selectmen

**Explanation:** This article is a requirement of the Commonwealth of Massachusetts for the Town of Hanson to accept state funding, including Chapter 90 funding for accepted roadways. This article authorizes use of funds which will be 100% reimbursed by the Commonwealth of Massachusetts. The budget approved each fiscal year by the legislature and governor establishes the total funding available for Chapter 90 local transportation aid for that year. These funds are then apportioned to the 351 Massachusetts towns and cities.

**ARTICLE 17:** To see if the Town will vote to approve the establishment of a Stabilization Fund according to Massachusetts General Laws c.71, Sec. 16 G1/2 for the South Shore Regional School District or take any other action in relation thereto.

Proposed by the South Shore Regional School District

**ARTICLE 18:** To see if the Town will vote to approve the establishment of a Stabilization Fund according to Massachusetts General Laws c.71, Sec. 16 G1/2 for the Whitman-Hanson Regional School District or take any other action in relation thereto.

Whitman Hanson Regional School Committee

**Explanation:** On September 11, 2013 the Whitman-Hanson Regional School District School Committee requested to review creating a Stabilization Account for the purpose of allocating funding for District Capital projects which would not be specifically assessed to the member towns. Research was done and on February 26, 2014, the School Committee, in accordance to Massachusetts General Law Chapter 71 Section 16G ½ voted unanimously to establish a Stabilization Fund. Chapter 71 Section 16G 1/2 also requires the approval of a majority of the local appropriating authorities (Town Meetings) of the member municipalities. **This is the non-monetary action vote to allow the District to create the fund.**

As a proactive and fiscally responsible regional school district, the primary purpose of a stabilization fund is to give the Whitman-Hanson Regional School District a method to have funds available for planned and unplanned capital expenses (such as building repairs, field replacements, equipment and vehicles) and to avoid the need for further borrowing or assessments to the member municipalities, as authorized under our

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Regional Agreement. One major expense in the near future is the replacement of the High School Football Field which is estimated to be in excess of \$500,000 to replace. This vote will allow the Regional School District School Committee to be proactive in preparing for major expenses, rather than leaving the uncertainty in annual requests. The account would have funds annually budgeted and deposited as part of our budget process, with the specific intent to ensure a funding source is available and sustainable for capital projects.

A summary of the account activity reports must be sent to the member municipalities annually which include fund balance, withdrawals, and additions for the year.

**ARTICLE 19:** To See if the Town will vote to accept G.L. c. 59, Section 5N, authorizing the Board of Selectmen to establish a program to allow Veterans who qualify for participation to volunteer to provide services to the Town in exchange for a reduction in the real property tax obligation of that Veteran on the Veteran's tax bills, in addition to any exemption or abatements to which that person is otherwise entitled, not to exceed \$1,000.00 and not to exceed the current minimum wage of the Commonwealth per hour, or take any other action relative thereto.

Proposed by the Veterans Agent

**Explanation:** Effective May 31, 2012, the Legislature created a new local option by which cities and towns may establish programs to allow qualified Veterans to volunteer to provide services to that city or town in exchange for a reduction in real property tax obligations. This is similar to the Senior Citizen Program work-off program that Hanson has adopted. The reduction would be the same as the Senior Citizen Program which is \$750.00 per fiscal year. The rate per hour of services cannot exceed the Commonwealth of Massachusetts minimum wage. The Board of Assessors recommend the amount of \$7,500.00 which would be paid from the overlay account.

**ARTICLE 20:** To see if the Town will vote to reauthorize the following revolving accounts pursuant to Massachusetts General Laws, Chapter 44, Section 53E ½, which shall be kept separate and apart from other monies by the Treasurer, and which shall be deposited receipts received that may be spent only from those sources identified below under "Source of Funds" without further appropriation during Fiscal Year 2014 and as identified below under "Use of Funds", and shall be expended under the direction of those so indicated. Said annual amount expended from each revolving account shall not exceed the amount indicated below under "Annual Expenditure"



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Source of Funds	Use of Funds	Expended Under Direction of:	FY 15 Limit
<b><i>Assessors</i></b> Counter Sales of Maps	Purchase and Maintenance of maps including GIS	Board of Assessors	\$1,500
<b><i>Parks &amp; Fields</i></b> Recycling, rental fees Repair reimbursement & Donations	Park & Field Maintenance and equipment	Parks & Fields	\$10,000
<b><i>Library</i></b> Fines, Fees and Copier Charges	Library Operations, Copier Purchase, maintenance, Repair & supplies. Printer Supplies. Replacement of Lost or damaged books	Board of Library	\$7,000
<b><i>Senior Center</i></b> Events, programs and Education Seminars	Senior Center Operations Events, programs, Seminars Training & Reimbursements	Director of Elder Affairs	\$2,500
<b><i>Senior Center</i></b> Program Fees	Supportive Day Care Program	Director of Elder Affairs	\$85,000
<b><i>Conservation Comm.</i></b> Wetlands Fees	Engineering, Surveying Legal & Environmental Consulting	Conservation Commission	\$7,500
<b><i>Nathaniel Thomas Mill</i></b> Rental Fees	Maintenance & Repairs of building and grounds	Conservation	\$1,500

or take any other action in relation thereto.

Proposed by the Board of Selectmen

**Explanation:** There are the annual revolving accounts which have been consolidated into one article to streamline the warrant process.

**ARTICLE 21:** To see if the Town will vote to accept the provisions of G.L. c.41, s.81U, concerning the use of security funds to complete improvements shown on an approved subdivision plan or take any other action in relation thereto.

Proposed by the Planning Board

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**Explanation:** In any town which accepts the provisions of this paragraph, the proceeds of any such bond or deposit shall be made available to the town for expenditure to meet the cost and expenses of the municipality in completing the work as specified in the approved plan. If such proceeds do not exceed one hundred thousand dollars, the expenditure may be made without specific appropriation under section fifty-three of chapter forty-four; provided, however, that such expenditure is approved by the board of selectmen.

**ARTICLE 22:** To see if the Town will vote to delete in its entirety the existing Section VI.J.3, Adult Entertainment Overlay District of the Town of Hanson, County of Plymouth, Massachusetts, Land Use Regulations Zoning Bylaw, amended October, 2007, and adopt, in its entirety, a following new Section VI.J.3 Adult Entertainment Overlay District:

### 3. Adult Entertainment Overlay District

The Adult Entertainment Overlay District is herein established as an overlay district. A plan entitled "Proposed Adult Entertainment Overlay District Plan Job No. P2967" prepared by Land Planning, Inc. of Hanson, Massachusetts is on file in the office of the Town Clerk delineating this district and is hereby part of this by-law.

or take any other action in relation thereto.

Proposed by the Planning Board

**Explanation:** The purpose of this Article is to amend and re-state a Section of the Town of Hanson, County of Plymouth, Massachusetts, Land Use Regulations Zoning Bylaw, amended October, 2007 Section VI.J entitled Adult Entertainment District. To amend Section VI.J.3 Adult Entertainment Overlay District in order to designate an area for Adult Entertainment. The Adult Entertainment Overlay District is herein established as an overlay district. The article will amend the section of town where these types of are permitted by Special Permit of the Zoning Board of Appeals.

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**ARTICLE 23:** To see if the Town will vote to amend Section VI.J.5.c, Adult Entertainment Uses by Special Permit Criteria of the Town of Hanson, County of Plymouth, Massachusetts, Land Use Regulations Zoning Bylaw, amended October, 2007, and adopt an amended Section VI.J.5.c Adult Entertainment Uses by Special Permit Criteria by deleting the existing language and inserting in its place the following:

Adult entertainment uses shall not be located within:

1. 1,000 feet from the nearest church, school, park, playground, play field, youth center or other location where groups of minors regularly congregate; or
2. 1,000 feet from the nearest establishment licensed under M.G.L. Chapter 138, Section 12; or
3. 1000 feet from the nearest adult entertainment use as defined herein; or
4. 500 feet from the nearest residential zoning district.

The distances specified above shall be measured by a straight line from the nearest property line of the premises on which the proposed adult entertainment use is to be located to the nearest boundary line of a residential zoning district or to the nearest property line of any other designated uses set forth above.

or take any other action in relation thereto.

Proposed by the Planning Board

**Explanation:** The purpose of this Article is to amend and re-state a Section of the Town of Hanson, County of Plymouth, Massachusetts, Land Use Regulations Zoning Bylaw, amended October, 2007 Section VI.J.5.c entitled Adult Entertainment Uses by Special Permit Criteria. To amend Section VI.J.5.c Adult Entertainment Uses by Special Permit Criteria in order to revise setback distances for Adult Entertainment uses. This amended by-law will increase setback distances from the nearest adult entertainment use from a distance of five hundred (500) feet to one thousand (1000) feet and decrease the setback of Adult Entertainment use from the nearest residential zoning district from one thousand (1000) feet to a setback requirement of five hundred (500) feet from the nearest residential zoning district.

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**ARTICLE 24:** To see if the Town will vote to amend the Town of Hanson, County of Plymouth, Massachusetts, Land Use Regulations Zoning Bylaw, amended October, 2007 by adding Section VI.L Special Requirements for Medical Marijuana Facilities. The purpose of this Section VI.L is to allow and regulate the location of Medical Marijuana Facilities by Special Permit of the Board of Selectmen.

### **Section VI.L Special Requirements for Medical Marijuana Facilities**

#### **1. *Purposes***

- A. To provide for the establishment of Medical Marijuana Facilities in appropriate places and under strict conditions in accordance with the passage of Initiative Petition 11-11 (Question #3 on the November, 2012 state ballot).
- B. To minimize the adverse impacts of Medical Marijuana Facilities on adjacent properties, residential neighborhoods, schools and other places where children congregate, local historic districts, and other land uses potentially incompatible with said Facilities.
- C. To regulate the siting, design, placement, security, safety, monitoring, modification, and removal of Medical Marijuana Facilities.

#### **2. *Applicability***

- A. The commercial cultivation [unless it meets the requirements for an agricultural exemption under Chapter 40A Section 3], production, processing, assembly, packaging, retail or wholesale sale, trade, distribution or dispensing of Marijuana for Medical Use is prohibited unless permitted as a Medical Marijuana Facility under this Section VI.L.
- B. No Medical Marijuana Facility shall be established except in compliance with the provisions of this Section VI.L.
- C. Nothing in this Bylaw shall be construed to supersede federal and state laws governing the sale and distribution of narcotic drugs.
- D. If any provision of this Section or the application of any such provision to any person or circumstance shall be held invalid, the remainder of this Section, to the extent it can be given effect, or the application of those provisions to persons or circumstances other than those to which it is held invalid, shall not be affected thereby, and to this end the provisions of this Section are severable.

#### **3. *Definitions***

***Medical Marijuana Facility*** – Shall mean a “Medical marijuana treatment center” to mean a not-for-profit entity, as defined by Massachusetts law only, registered under this law, that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials

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to qualifying patients or their personal caregivers. These facilities shall be located inside a structure or building.

***Marijuana for Medical Use*** – Marijuana that is designated and restricted for use by, and for the benefit of, Qualifying Patients in the treatment of Debilitating Medical Conditions as set forth in Citizens Petition 11-11.

***Marijuana*** – The same substance defined as “marihuana” under Chapter 94C of the Massachusetts General Laws.

#### ***4. Eligible Locations for Medical Marijuana Facilities.***

Medical Marijuana Facilities, other than agricultural operations meeting exemption standards under Chapter 40A Section 3, may be allowed by Special Permit from the Town of Hanson Board of Selectmen on *Assessors Map 59 Lots 17-3, 17-4, 17-5, 17-6, 17-7, 17-8, 17-10, 17-11, 17-12, 17-13, Assessors Map 52 Lot 17-16 and Assessors Map 24 Lot 70* as depicted on a map entitled Proposed Medical Marijuana Distribution Area Overlay District Plan, Job Number P-2967, prepared by Land Planning, Inc. of Hanson, Massachusetts, provided the facility meets the requirements of this Section VI.L.

#### ***5. General Requirements and Conditions for all Medical Marijuana Facilities.***

- A. All non-exempt Medical Marijuana Facilities shall be contained within a building or structure.
- B. No Medical Marijuana Facility shall have a gross floor area of less than 2,500 square feet or in excess of 20,000 square feet.
- C. A Medical Marijuana Facility shall not be located in buildings that contain any medical doctors' offices or the offices of any other professional practitioner authorized to prescribe the use of medical marijuana.
- D. The hours of operation of Medical Marijuana Facilities shall be set by the Special Permit Granting Authority, but in no event shall said Facilities be open and/or operating between the hours of 8:00 PM and 8:00 AM.
- E. No smoking, burning or consumption of any product containing marijuana or marijuana-related products shall be permitted on the premises of a Medical Marijuana Facility.
- F. No Medical Marijuana Facility shall be located inside a building containing residential units, including transient housing such as motels and dormitories, or inside a movable or mobile structure such as a van or truck.
- G. Signage for the Medical Marijuana Facility shall include the following language: “Registration card issued by the MA Department of Public Health required.” The required text shall be a minimum of two inches in height.

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- H. Medical Marijuana Facilities shall provide the Hanson Police Department, Building Commissioner and the Special Permit Granting Authority with the names, phone numbers and email addresses of all management staff and key holders to whom one can provide notice if there are operating problems associated with the establishment.

### **6. *Special Permit Requirements***

- A. A Medical Marijuana Facility shall only be allowed by special permit from the Town of Hanson Board of Selectmen in accordance with G.L. c. 40A, §9, subject to the following statements, regulations, requirements, conditions and limitations.
- B. A special permit for a Medical Marijuana Facility shall be limited to one or more of the following uses that shall be prescribed by the Special Permit Granting Authority:
- 1) cultivation of Marijuana for Medical Use (horticulture) except that sites protected under Chapter 40A Section 3 shall not require a special permit;
  - 2) processing and packaging of Marijuana for Medical Use, including Marijuana that is in the form of smoking materials, food products, oils, aerosols, ointments, and other products;
  - 3) retail sale or distribution of Marijuana for Medical Use to Qualifying Patients;
- C. In addition to the application requirements set forth in Sections VI.L.5 and VI.L.6 of this Bylaw, a special permit application for a Medical Marijuana Facility shall include the following:
- 1) the name and address of each owner of the facility;
  - 2) copies of all required licenses and permits issued to the applicant by the Commonwealth of Massachusetts and any of its agencies for the Facility;
  - 3) evidence of the Applicant's right to use the site of the Facility for the Facility, such as a deed, or lease;
  - 4) if the Applicant is a business organization, a statement under oath disclosing all of its owners, shareholders, partners, members, managers, directors, officers, or other similarly-situated individuals and entities and their addresses. If any of the above are entities rather than persons, the Applicant must disclose the identity of the owners of such entities until the disclosure contains the names of individuals;
  - 5) a certified list of all parties in interest entitled to notice of the hearing for the special permit application, taken from the most recent tax list of the town and certified by the Town Assessor;
  - 6) Proposed security measures for the Medical Marijuana Facility, including lighting, fencing, gates and alarms, etc., to ensure the safety of persons and to protect the premises from theft.

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**D. Mandatory Findings.** The Special Permit Granting Authority shall not issue a special permit for a Medical Marijuana Facility unless it finds that:

- 1) the Facility is designed to minimize any adverse visual or economic impacts on abutters and other parties in interest, as defined in G.L. c. 40A, §11;
- 2) the Facility demonstrates that it will meet all the permitting requirements of all applicable agencies within the Commonwealth of Massachusetts and will be in compliance with all applicable state laws and regulations; and
- 3) the applicant has satisfied all of the conditions and requirements of Sections VI.L.5 and VI.L.6 herein;

**E. Annual Reporting.** Each Medical Marijuana Facility permitted under this Bylaw shall as a condition of its special permit file an annual report to and appear before the Special Permit Granting Authority and the Town Clerk no later than January 31st, providing a copy of all current applicable state licenses for the Facility and/or its owners and demonstrate continued compliance with the conditions of the Special Permit.

**F.** A special permit granted under this Section shall have a term limited to the duration of the applicant's ownership of the premises as a Medical Marijuana Facility. A special permit may be transferred only with the approval of the Special Permit Granting Authority in the form of an amendment to the special permit with all information required in this Section 13.

**G.** The Board shall require the applicant to post a bond at the time of construction to cover costs for the removal of the Medical Marijuana Facility in the event the Town must remove the facility. The value of the bond shall be based upon the ability to completely remove all the items noted in 13.7.2 and properly clean the facility at prevailing wages. The value of the bond shall be developed based upon the applicant providing the Town of Hanson Board of Selectmen with three (3) written bids to meet the noted requirements. An incentive factor of 1.5 shall be applied to all bonds to ensure compliance and adequate funds for the town to remove the tower at prevailing wages.

### **7. *Abandonment or Discontinuance of Use***

**A.** A Special Permit shall lapse if not exercised within one year of issuance.

**B.** A Medical Marijuana Facility shall be required to remove all material, plants equipment and other paraphernalia:

- 1) prior to surrendering its state issued licenses or permits; or
- 2) within six months of ceasing operations; whichever comes first.

Or take any other action in relation thereto.

Proposed by the Planning Board

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**Explanation:** The purpose of this Article is to provide for the establishment of Medical Marijuana Facilities in appropriate places and under strict conditions in accordance with the passage of Initiative Petition 11-11 (Question #3 on the November, 2012 state ballot). To minimize the adverse impacts of Medical Marijuana Facilities on adjacent properties, residential neighborhoods, schools and other places where children congregate, local historic districts, and other land uses potentially incompatible with said Facilities. And to regulate the siting, design, placement, security, safety, monitoring, modification, and removal of Medical Marijuana Facilities.

**ARTICLE 25:** To bring in their votes for the following offices: A Moderator for one year, two Selectmen for three years, an Assessor for three years, a Board of Health member for three years, a Cemetery Commissioner for three years, a member of the Planning Board for five years, a member of the Housing Authority for five years, two Trustees of Memorial Field for three years, two Trustees of the Public Library for three years, one member of the Whitman-Hanson Regional School District Committee PreK-12 for three years, and one Water Commissioners for three years and one question:

### **Question 1:**

Shall the Town of Hanson be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay its allocable share of the bond issued by the Whitman-Hanson Regional School District for the purpose of paying costs of demolishing and removing the existing Maquan Elementary School located at 38 School Street and the Indian Head Elementary School located at 720 Indian Head Street, and designing, constructing, originally equipping and furnishing a new pre-kindergarten through grade 5 Elementary School to be located at 720 Indian Head Street, Hanson, Massachusetts, including the payment of all costs incidental or related thereto ?

Yes \_\_\_\_\_

No \_\_\_\_.

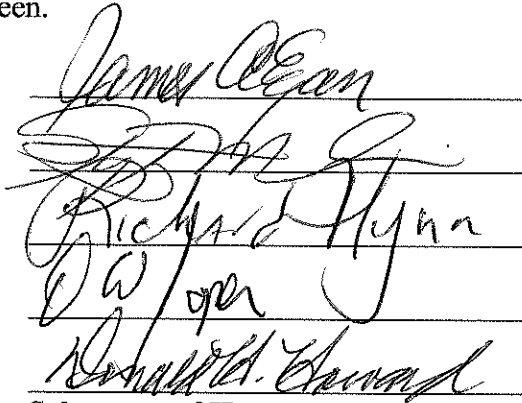


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And you are directed to serve this Warrant by posting attested copies thereof, at the Town Hall, the Fire Station, the public stores, and Post Offices, seven days at least, before the said meeting.

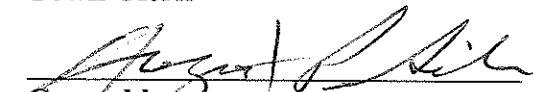
Hereof fail not, and make due return of this Warrant, with your doings thereon, to the Town Clerk at the time and place above-mentioned.

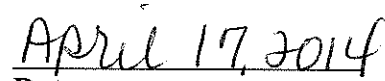
Given under our hands, this 15th day of April, in the year of our Lord two thousand fourteen.

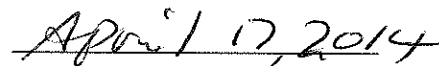
  
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Town Clerk

  
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Date