

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 **Sixth day of May, 2019** at 7:30 o'clock in the afternoon to act on the articles in this warrant and furthermore to meet in the **Hanson Middle School Gymnasium at 111 Liberty Street**, in said Hanson on Saturday, the **Eighteenth of May, 2019** at 10:00 o'clock in the forenoon, to bring in their votes for Town Officials as stipulated in **Article 31** 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 **2018** Town Report.

ARTICLE 2: To see if the Town will authorize the Treasurer/Collector to enter into compensating balance agreements during Fiscal 2020 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.

May 2019 ANNUAL Town Meeting

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:

	FY19	FY20
Town Clerk	\$69,221.00	\$71,297.00
Tree Warden	\$3,116.00	\$ 3,178.00

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, and Fund Balance Reserved for Reduction of Future Excluded Debt, to defray charges and expenses of the Town, including Debt and Interest, and to provide for a reserve fund for the **2020 Fiscal Year** or take any other action in relation thereto.

Proposed by the Board of Selectmen

Explanation: This article refers to the FY 2020 Annual Budget Lines

ARTICLE 6: To see if the Town will vote to raise and appropriate the following sums of money to operate the Recreation Department during fiscal year 2020, under the provisions of M.G.L. Chapter 44, Section 53F ½ .

Estimated Revenues	FY 19	FY 20
Item	Amount	Amount
Program Receipts (fees)	\$317,103	\$218,759
Retained Earnings	\$ 53,366	\$ 55,086
Taxation	<u>\$</u>	<u>\$ 95,750</u>
Total Budgeted Revenues:	\$370,469	\$369,595

May 2019 ANNUAL Town Meeting

Estimated Expenses

Item	Amount	Amount	Funding Source
Salaries	\$184,853	\$193,759	Program Revenues
Expenses	\$ 107,250	\$ 95,750	Taxation
Debt Service	\$ 53,366	\$ 55,086	Retained Earnings
Indirect Costs	<u>\$ 25,000</u>	<u>\$ 25,000</u>	Program Revenues
Total Budgeted Expenses:	\$370,469	\$369,595	

or take any other action in relation thereto.

Proposed by the Recreation Commission

Explanation: Recreation program cost now 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 7: To see if the Town will vote to raise and appropriate the following sums of money to operate the Transfer Station during fiscal year 2020, under the provisions of M.G.L. Chapter 44, Section 53F ½ .

Estimated Revenues	FY19	FY 20
Item	Amount	Amount
Program Receipts (fees)	\$187,369	\$193,489
Retained Earnings	\$ 57,647	\$ 61,473
Taxation	<u>\$ 86,690</u>	<u>\$ 90,000</u>
Total Budgeted Revenues:	\$331,706	\$344,962

Estimated Expenses

Item	Amount	Funding Source
Salaries	\$116,632	\$121,473 \$64,473 Retained Earnings <u>\$57,000 Taxation</u>
Expenses	\$187,369	\$193,489 Program Revenues
Indirect Costs	<u>\$ 27,705</u>	<u>\$ 30,000</u> Taxation
Total Budgeted Expenses:	\$331,706	\$344,962

or take any other action in relation thereto

Proposed by the Board of Health

Explanation: The total cost of operating the Transfer Station is \$344,962. A portion of the Salaries \$60,000 and indirect costs \$30,000 will come from general taxation. The balance of expenses \$254,962 will be paid through the Enterprise Fund.

ARTICLE 8: To see if the Town will vote to appropriate or reserve from **Fiscal Year 2020 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 2020, with each item to be considered a separate appropriation:

Appropriations:

From FY 2020 estimated revenues for Committee Administrative Expenses \$ 10,000

Reserves:

From FY 2020 estimated revenues for Historic Resource Reserve \$25,000

From FY 2020 estimated revenues for Community Housing Reserve \$25,000

From FY 2020 estimated revenues for Open Space Reserve \$25,000

or take any other action in relation thereto.

Proposed by the Community Preservation Committee

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 9: To see if the Town will vote to adopt the Capital Improvement Program as presented by the Capital Improvement Committee or take any other action in relation thereto.

Proposed by the Capital Improvement Comm.
And Board of Selectmen

Explanation: This is the annual article which approves the Capital Improvement matrix for the next fiscal year.

May 2019 ANNUAL Town Meeting

ARTICLE 10: To see if the Town will vote to appropriate and/or transfer from available funds to various department Capital Accounts for the following items or take any other action in relation thereto.

Line	Dept.	Item	FY20 CIP Report	Town Admin. Recommendation	Funding Source
1	Selectmen	Fiber Network	\$145,000	Town Admin. Recommends	Free Cash
2	Fire	Replace Garage Doors Main St. Station	\$62,000	Town Admin. Recommends	Free Cash
3	School - Hanson Middle and Indian Head	Add thumb pieces to all classroom and office doors	\$38,000	Town Admin. Recommends	Free Cash
4	School – Indian Head	2 nd floor ceiling projects	\$55,000	Town Admin. Recommends	Free Cash
5	School-Indian Head	Roof Repairs –Old pitch library	\$65,000	Town Admin. Recommends	Free Cash
6	School – Indian Head	Parking Spaces on School Street	\$45,000	Town Admin. Recommends	Free Cash
7	School – Middle School	Roof shingles Replacement gym	\$65,000	Town Admin. Recommends	Free Cash
8	School – Indian Head	Energy Management	\$45,000	Town Admin. Recommends	Free Cash
9	School – Hanson Middle	Auditorium Theatrical lighting and stage curtains	\$38,000	Town Admin. Recommends	Free Cash
		<i>TOTAL</i>	<i>\$558,000</i>		

May 2019 ANNUAL Town Meeting

Proposed by the Capital Improvement Committee &
Board of Selectmen

Explanation: *Item 1* – To install a fiber network in order to connect all the town buildings. *Item 2* - To replace the garage doors at the Main Street fire station which have fallen in disrepair. *Item 3* - Safety and Security: the current locking system does not allow locking of the doors from inside the classroom or office. *Item 4* – Identified issue from original ceiling falling through the 1999 replacement tile. Remove and install new ceilings on 2nd floor classrooms: rooms 217, 218 teachers' room and corridor *Item 5* – Old library pitched roof needs replacement. *Item 6* - Replace gravel parking spaces with asphalt. *Item 7* – Replace shingles on gym and entry vestibule. The school fully adhered EPDM are at the 20 year anticipated life span. We are starting to see failure of roofs, water infiltration and leakage. *Item 8* - Update controller at the site and add CO2 reset devices to improve energy efficiencies and lower operating costs. *Item 8* – Replace falling theatrical lighting system. Replace on stage lighting and controls with newer LED technology. The inadequate leg and border curtains need to be replaced.

ARTICLE 11:

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money to Capital Accounts for the following Whitman Hanson Regional High School items or take any other action in relation thereto.

Line	Dept.	Item	FY20 CIP Report	Town Admin. Recommendation	Funding Source
1	School - High School	Add thumb pieces latches to all classrooms and office doors	\$14,063		
2	School - High School	Existing Fire lane	\$10,045		
3	School - High School	Purchase and install solar powered site lighting	\$30,135		
4	School High School	Roadway Repairs	\$84,378		

May 2019 ANNUAL Town Meeting

5	School - High School	Roof Top Unit Replacements	\$40,180		
6	School - High	Vehicle Purchase	\$30,135		
7	School - High School	Resurface Outdoor Track	\$90,405		
8	School - High School	Gym Floor Refinish	\$12,054		
	Total		\$311,395		

Explanation: *Item 1-* Safety and Security: the current locking system does not allow the locking of the door from inside the classroom without using a key. *Item 2* – Existing roadway/drainage does not meet standards. Roadway is becoming worst due to water and sheet draining across the road and increased sand and salt during poor weather conditions *Item 3* – Security lighting needed for recreation area and other parking lot areas where trenching and access is limited for underground utilities. *Item 4* – Additional roadway repairs needed. *Item 5* – RTU 1 continues not to be dependable. Thus unit feeds the Dr. John McEwan Performing Arts Center that is used daily and nightly. *Item 6* – Purchase (2) new facility vehicles. The existing vehicles are beyond life expectancy. *Item 7* – The outdoor track is beyond its useful life and to not resurface, the track will deteriorate and would have to be completely replaced. *Item 8-* Wear and tear after 15 years of use. This will be a complete re-sand and refinish.

ARTICLE 12: To see if the Town will approve the \$675,000 borrowing authorized by the Whitman-Hanson Regional School District to pay costs of designing and carrying out HVAC improvements at the Hanson Middle School (Phase Two), including the payment of all costs incidental or related thereto; or to take any other action relative thereto.

Proposed by the School Committee

Explanation: The Project shall consist of providing a high efficiency variable refrigerant flow (VRF) heat pumps air conditioning system for the First Floor Classrooms and Learning Spaces at the Hanson Middle School (Phase Two) located at 111 Liberty Street, Hanson MA. The Middle School was constructed in 1998, is approximately 83,700 square feet and consists of two floors. The existing buildings classrooms are heated and ventilated through the use of hot water classroom

May 2019 ANNUAL Town Meeting

unit ventilator units, and currently do not have air conditioning. As part of this project scope, indoor ductless wall mounted or ceiling mounted AC units shall be installed within the classroom and shall be piped with insulated refrigeration piping to outdoor grade or roof mounted air cooled heat pump condensing equipment.

Multiple indoor units shall be connected to each outdoor condensing unit to maximize system sizing, efficiency and diversity. A new direct digital control system shall be provided to control and monitor the VRF system. All newly installed systems shall be fully tested, adjusted and commissioned.

ARTICLE 13: 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 pursuant to G.L. c. 90 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 14: To see if the Town will vote to raise and appropriate or transfer a sum of money from Free Cash for improvements to the former Plymouth County Hospital property under the direction of the Board of Selectmen or take any other action in relation thereto

Proposed by the Board of Selectmen

Explanation:

ARTICLE 15: To see if the Town will vote to transfer \$48,500 from any available funding source to cover the cost of a two day Tactical Combat Casualty Care Course or take any other action in relation thereto.

Proposed by the Fire and Police Chiefs.

Explanation: This funding will provide 20 police officers and 18 firefighters with a two day Tactical Course of Instruction that will lay the foundation for our departments to mitigate an Active Shooter Hostile Event Response. This funding covers all overtime expenses as well as the cost of the program.

ARTICLE 16: To see if the Town will vote to raise and appropriate or transfer from Free Cash a sum of money to be added to Stabilization or take any other action in relation thereto.

Proposed by the Board of Selectmen

Explanation: This money will be used to increase the Stabilization Fund. A stabilization fund is a mechanism for setting aside money either for unforeseen needs or for capital projects. Such a fund is intended to equalize the effect of capital expenditures over time and to provide a “rainy day” fund. The Town’s target has been to maintain close to 5% which is the industry standard minimum amount for Stabilization Funds as recommended by our auditors and will help to maintain a positive bond rating for future borrowing purposes.

ARTICLE 17: To see if the Town will vote to raise and appropriate or transfer a sum of money from Free Cash to be added to the Regional Schools Capital Stabilization fund as established by the October 2014 Special Town Meeting or take any other action in relation thereto.

Proposed by the Board of Selectmen

Explanation: This Stabilization Fund sets asides funds for the exclusive use of paying for capital improvements to the Hanson School Buildings and the Whitman Hanson Regional High School.

ARTICLE 18: To see if the Town will vote to raise and appropriate \$6,000 from Water Revenue to be added to the 1992 Town Meeting Water Emergency Fund Article 15 or take any other action in relation thereto.

Proposed by the Board of Water Commissioners

Explanation: This article is basically to replenish the Emergency Line to \$25,000 which is used for unexpected emergency expenses that are not budgeted for in the general budget line.

ARTICLE 19: To see if the Town will vote to transfer from Water Surplus \$40,000 to re-pave the parking lot at the Water Department office at 1073 West Washington Street. Or take any other action in relation thereto.

Proposed by the Board of Water Commissioners

Explanation: The parking lot is in desperate need of repaving. The water department has been in this building for over 20 years and the parking lot has never been done over.

May 2019 ANNUAL Town Meeting

This amount of money will cover only the front section. The back section will be done at a later date.

ARTICLE 20: To see if the Town will vote to transfer from Water Surplus, \$15,000 to purchase a new VFD (Variable Frequency Drive) for the Crystal Springs Deep Well or take any other action in relation thereto.

Proposed by the Board of Water Commissioners

Explanation: The VFD in the deep well has reached its life capacity and is in need of replacement. VFD drives usually last around 3 to 5 years. This one has been in the well for over 6 years and has had several maintenance issues.

ARTICLE 21: To see if the Town will vote to raise and appropriate, transfer from available funds, the sum of \$50,000 for Stormwater Management Services and related items or take any other action thereto.

Proposed by the Highway Surveyor

Explanation: This money will be used for engineering, mapping, and testing related to the Town's Municipal Separate Storm Sewer System (MS4) permit issue by the U.S. Environmental Protection Agency.

ARTICLE 22: To see if the Town will vote to confirm the approval of Article 17 of the May 4, 2015 Special Town Meeting and to accept the donation of land and buildings located at 100 Hawks Avenue as depicted as Lot 1 on a Plan entitled: "PLAN OF LAND HAWKS AVENUE IN HANSON, MA AUGUST 24, 2018" prepared for GEI Consultants, 400 Unicorn Park, Woburn, MA 01801, by Land Planning, Inc., 1115 Main Street, Hanson, MA 02341, Job No. P-2992, on file with the Town Clerk's Office, containing 9.52 acres, more or less, according to said Plan. Said property to be used for general municipal purposes, or take any other action in relation thereto.

Proposed by the Board of Selectmen

Explanation: Town Meeting accepted the donation of land and buildings located at 100 Hawks Avenue at the Special Town Meeting on May 4, 2015. However, the plan referenced in that Town Meeting article was unclear as to the extent of the donation of land. A fully engineered plan has been prepared to document the full extent of the donation. Accordingly, a confirmatory vote of the original acceptance is required to verify that the Town Meeting wishes to accept the full 9.52 acres of land.

ARTICLE 23: To see if the Town will vote to adopt a Tax Increment Financing (“TIF Plan”) pursuant to G.L. c. 40, § 59 and G.L. c. 23A for personal property located at 1101-Rear Main Street in Hanson and known as Town Assessor Map 42, Parcel 60A (“TIF Zone”) and pursuant to the Tax Increment Financing Agreement among Teleconstructors, Inc., and Joseph Marangiello, Trustees of the J&M Realty Trust, the Town of Hanson (“TIF Agreement”) on file with the Board of Selectmen and Town Clerk, which TIF Agreement provides for real property tax exemptions at the exemption rate schedule set forth therein for the consideration and commitments set forth therein; to authorize the Board of Selectmen to approve proposed projects as provided in the TIF Plan; to authorize the Board of Selectmen to apply to the Economic Assistance Coordinating Council (“EACC”) of the Commonwealth of Massachusetts under the Economic Development Incentives Program (“EDIP”) for approval and designation of the economic opportunity area, the TIF zone, the TIF Plan and any certified projects; to authorize the Board of Selectmen to execute the TIF Agreement and any documents relating thereto and to take such other actions as necessary or appropriate to implement the TIF Agreement and such documents; to take such other and further action as may be necessary or appropriate to carry out the TIF Plan as it relates to the project as described by the TIF Agreement and the purposes of this article; or to take any action in relation thereto.

Proposed by the Board of Selectmen

Explanation: Tax Increment Financing (TIF) – is a form of real or personal property tax relief under the state’s Economic Development Incentive Program that allows municipalities to provide flexible targeted incentives to stimulate job creating development. The municipality and the prospective Certified Project candidate agree to a property tax exemption based on a percentage of the value added through new construction or significant improvements for a period of no less than five (5) and no more than twenty (20) years. The exemptions terms are calculated and negotiated between the municipality and the Certified Project candidate. The negotiated TIF is presented to the Board of Selectmen for recommendation to Town Meeting. Once Town Meeting has approved the TIF, the Certified Project is presented to the state’s Economic Assistance Coordinating Council for final approval. The Company is also eligible to benefit from the state’s 5% EOA Investment Tax Credit on qualifying tangible depreciable assets.

ARTICLE 24: To see if the Town will vote to submit to the Commonwealth of Massachusetts Legislature a Home Rule Petition to change the use of that parcel of land, approximately 62-acres, known as the Webster-Billings Conservation Area, so called “Article 97 Land”, as set forth in that certain Order of Taking dated February 25, 1975 and recorded at the Plymouth Registry of Deeds in Book 4050, Page 355 and on file with the Town Clerk’s Office, which Order of Taking states that the parcel shall be used for conservation purposes, to be used as conservation land and well head area purposes and to remove any other encumbrances on the title as may be required, and to authorize the Board of Selectmen to dedicate for conservation purposes another suitable parcel of land of equal or greater size and value for conservation and to do or act thereon.

May 2019 ANNUAL Town Meeting

Proposed by the Board of Selectmen and
Board of Water Commissioners

Explanation: This process is required to change the use of any property which is protected pursuant to Article 97. The Town has determined that the property would be suited to serve as a water resource. This additional use will not interfere in its existing use as conservation land in any tangible way.

ARTICLE 25: To see if the Town will vote to adopt a minimum value of \$3,000 for the issuance of personal property tax bills or take any other action in relation thereto.

Proposed by the Board of Assessors

Explanation: M.G.L. Chapter 59, Section 5, clause 54 establishes a minimum value of personal property subject to taxation. The value may not be in excess of \$10,000. It has become increasingly expensive to collect many of the smaller bills, as businesses close or move out of town.

ARTICLE 26: To see if the Town will vote to increase the amount of funding for STAP (Senior Tax Abatement Program) and the Veteran's Work off Program by \$10,000 under the provision of MGL Chapter 59, Section 5K, and Section 5N or take other action in relation thereto.

Proposed by the Board of Assessors

Explanation: May 2003 Special Town Meeting accepted MGL.Ch.59, Section K, which provides residents over 60 years of age to volunteer their services to the municipality in exchange for a reduction of their tax bills. Seniors may earn a maximum reduction of \$1,000.00 per fiscal year, based on a rate per hour of services that cannot exceed the Commonwealth minimum wage. At the Annual Town Meeting of May 6, 2013 the amount for funding was increased to \$30,000. The program has grown in popularity and now includes (10) positions for workers that are Veterans that was accepted at the Annual Town Meeting, May 5, 2014 (MGL 59, Section 5N.) The Board of Assessors recommends increasing the amount of funding to \$40,000. These funds would be paid from the overlay account.

ARTICLE 27: To see if the town will vote to accept the provisions of Massachusetts General Laws Chapter 59, Section 5 Clause 22H, real estate to the full amount of the taxable valuation of the real property of the surviving parents or guardians of soldiers and sailors, members of the National Guard and Veterans who: (i) during active duty service, suffered an injury or illness documented by the United States Department of Veteran Affairs or a branch of the armed forces that was a proximate cause of their death; or (ii) are missing in action with a presumptive finding of death as a result of active duty service as members of the armed forces of the united states; provided, however, that the real estate shall be occupied by the surviving parents or guardians as the surviving parent's' or guardians' domicile; and provided

further, that the surviving parents or guardians shall have been domiciled in the commonwealth for 5 consecutive years immediately before the date of filing for an exemption pursuant to this clause or the soldier or sailor, member of the National Guard or veteran was domiciled in the commonwealth for not less than 6 months prior to entering the service or take any other action in relation thereto.

Proposed by the Veterans Agent

Explanation: Acceptance of this section provides tax relief to parents/guardians of military service members who have died or are missing in action. Eligibility for this exemption is without regard to when the service member died or became missing in action. However, the exemption only applies to tax years beginning on or after January 1, 2019 and until the surviving parents or guardians are deceased.

ARTICLE 28: To see if the town will accept General Laws Chapter 44, Section 53F ¾, which establishes a special revenue Fund known as the PEG Access and Cable related Fund, to reserve cable franchise fees and other cable related revenues for appropriation to support PEG access services and oversight and renewal of the cable franchise agreement, the fund to begin operation for fiscal year 2020, which begins on July 1, 2019 or take any other action relative thereto.

Proposed by the Whitman Hanson Community Access

Explanation: Monies in this fund will only be appropriated for cable-related purposes consistent with the franchise agreement, including, but not limited to (i) support of public, educational or governmental access cable television services; (ii) monitor compliance of the cable operator with the franchise agreement; or (iii) prepare for renewal of the franchise license. This allows for better accounting of cable resources.

ARTICLE 29: To see if the Town will vote to amend the Town of Hanson Zoning Bylaws, expressly contingent on an affirmative vote by the Town residents at the local Town Election on November 6, 2018, by amending Section VI, subsection M, Marijuana Establishments, as to prohibit Marijuana Retailers in all districts or take any other action relative thereto, by making the following changes thereto, by deleting the text shown with a ~~strikethrough~~, and inserting the text shown in *italics*:

M SPECIAL REQUIREMENTS FOR MARIJUANA ESTABLISHMENTS

1. Purposes

A. *To prohibit Marijuana Retailers in the Town of Hanson in all zoning districts.*

B. To provide for the establishment of Marijuana Establishments, *excluding Marijuana Retailers*, in appropriate places and under strict conditions in accordance with the Regulation and Taxation of Marijuana Act, as amended, and as codified in G.L. c. 94G, §1, *et seq.*, and the

May 2019 ANNUAL Town Meeting

Cannabis Control Commission (CCC) Regulations promulgated thereunder, 935 CMR 500.000, as the same may be amended from time-to-time.

C. To minimize the adverse impacts of Marijuana Establishments on adjacent properties, residential neighborhoods, schools and other places where children congregate, local historic districts, and other land uses potentially incompatible with said Establishments.

D. To regulate the siting, design, placement, security, safety, monitoring, modification, and removal of Marijuana Establishments, *excluding Marijuana Retailers*.

2. Applicability

A. *Marijuana Retailers shall be prohibited in all zoning districts in the Town of Hanson.*

B. The commercial cultivation, production, processing, assembly, packaging, ~~retail~~ or wholesale sale, trade, ~~or distribution or dispensing~~ of Marijuana as regulated pursuant to G.L. c. 94G is prohibited unless permitted as a Marijuana Establishment under this Section VI.M.

C. No Marijuana Establishment shall be established except in compliance with the provisions of this Section VI.M.

D. Nothing in this Bylaw shall be construed to supersede federal and state laws governing the sale and distribution of narcotic drugs.

E. 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

Craft Marijuana Cultivator Cooperative - shall mean a marijuana cultivator comprised of residents of the commonwealth organized as a limited liability company or limited liability partnership under the laws of the commonwealth, or an appropriate business structure as determined by the commission, and that is licensed to cultivate, obtain, manufacture, process, package and brand marijuana and marijuana products to deliver marijuana to marijuana establishments but not to consumers, as defined the Massachusetts General Laws, Chapter 94G.

Marijuana Cultivator - shall mean an entity licensed to cultivate, process and package marijuana, to deliver marijuana to marijuana establishments and to transfer marijuana to other marijuana establishments, but not to consumers, as defined the Massachusetts General Laws, Chapter 94G.

Marijuana Establishment - shall mean considered a cultivator, marijuana testing facility, marijuana product manufacturer, marijuana retailer or any other type of licensed marijuana-related business, all as defined the Massachusetts General Laws, Chapter 94G, said Marijuana Establishments shall be deemed independent of any other definition in this by-law and not a subset or subcategory of any other category.

Marijuana Product Manufacturer - shall mean an entity licensed to obtain, manufacture, process and package marijuana and marijuana products, to deliver marijuana and marijuana products to marijuana establishments and to transfer marijuana and marijuana products to other marijuana establishments, but not to consumers, as defined the Massachusetts General Laws, Chapter 94G.

Marijuana Retailer - shall mean an entity licensed to purchase and deliver marijuana and marijuana products from marijuana establishments and to deliver, sell or otherwise transfer marijuana and marijuana products to marijuana establishments and to consumers, as defined the Massachusetts General Laws, Chapter 94G, further provided that Marijuana Retailers may not be considered Retail Business in any other context.

Marijuana Testing Facility - shall mean an entity licensed to test marijuana and marijuana products, including certification for potency and the presence of contaminants, as defined the Massachusetts General Laws, Chapter 94G.

4. Eligible Locations for Marijuana Establishments.

~~Marijuana Retailers may be allowed by Special Permit from the Town of Hanson Board of Selectmen only in the Marijuana Retail Area Overlay District, which is comprised of the following locations, those areas in the Town of Hanson zoned as the Business District and which also have frontage on Route 27, Franklin Street and Main Street, as depicted on a plan entitled Proposed Marijuana Retail Area Overlay District Plan, Job Number _____, prepared by Land Planning, Inc. of Hanson, Massachusetts, provided the facility meets the requirements of this Section VI.M. shall be prohibited in the Town of Hanson.~~

Marijuana Establishments, expressly excluding Marijuana Retailers, may be allowed by Special Permit from the Town of Hanson Board of Selectmen in the following locations: 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, as depicted on a plan entitled 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.M.

5. General Requirements and Conditions for all Marijuana Establishments.

A. All Marijuana Establishments shall be contained within a building or structure.

B. No Marijuana Establishment may be located within 1,000 feet of a pre-existing public or private school providing education in kindergarten or any of grades 1 through 12.

C. No Marijuana Establishment shall have a gross floor area of less than 2,500 square feet or in excess of 20,000 square feet.

D. A Marijuana Establishment shall not be located in buildings that contain any medical doctors in excess of 20,000 square feet.

E. The hours of operation of Marijuana Establishments shall be set by the Special Permit Granting Authority, but in no event shall said Establishments be open and/or operating between the hours of 8:00 PM and 8:00 AM.

F. No smoking, burning or consumption of any product containing marijuana or marijuana-related products shall be permitted on the premises of a Marijuana Establishment.

G. No Marijuana Establishment 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.

H. Marijuana Establishments 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 Marijuana Establishment shall only be allowed by special permit from the Town of Hanson Board of Selectmen in accordance with G.L. c. 40A, *except Marijuana Retailers which are prohibited*.

B. A special permit for a Marijuana Establishment shall be limited to one or more of the uses that shall be prescribed by the Special Permit Granting Authority as defined in the definitions section above.

C. In addition to the application requirements set forth in Sections VI.M.5 and VI.M.6 of this Bylaw, a special permit application for a Marijuana Establishment 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 Establishment;
- 3) evidence of the Applicant's tenancy or ownership of the site for the Establishment, 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 Marijuana Establishment, including lighting, fencing, gates and alarms, etc., to ensure the safety of persons and to protect the premises from theft.

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

- 1) the Marijuana Establishment is designed to minimize any adverse visual or economic impacts on abutters and other parties in interest, as defined in G.L. c. 40A, § 9.

- 2) the Marijuana Establishment 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.M.5 and VI.M.6 herein;

E. Annual Reporting. Each Marijuana Establishment 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 Marijuana Establishment 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 state approval as a Marijuana Establishment. 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 VI-M.

G. The Board shall require the applicant to post a bond at the time of construction to cover costs for the removal of the Marijuana Establishment in the event the Town must remove the Marijuana Establishment. The value of the bond shall be based upon the ability to completely remove all the items associated with the Marijuana Establishment 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 Marijuana Establishment 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 Marijuana Establishment 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.

This section shall be effective only upon passage by the voters at the Town Election on November 6, 2018.

Or take any other action in relation thereto.

Proposed by the Board of Selectmen

Explanation: This article amending the Zoning By-law is presented in order to bring the Town's General By-laws and Zoning By-laws in alignment to avoid conflict. The new Zoning Bylaws would prohibit the retail sale of recreational marijuana to consumers.

ARTICLE 30: To see if the Town will vote to set the spending limits of the following revolving accounts in accordance with Hanson General By-law Article 2 – 9 Section 3 as follows:

<i>Fund</i>	<i>Spending Limit</i>
Assessors	\$1,500
Parks & Fields	\$10,000
Library	\$7,000
Senior Center Programs	\$2,500
Senior Center Fees	\$95,000
Conservation Comm.	\$7,500
Nathaniel Thomas Mill	\$1,500

Explanation: This article sets the spending limits for the revolving the annual revolving accounts.

ARTICLE 31: To bring in their votes for the following offices: A Moderator for one year, a Selectman for three years, an Assessor for three years, a Town Clerk for three years, a Board of Heath member for three years, a Cemetery Commissioner for three years, a Planning Board member for five years, a member of the Hanson Housing Authority for five years, a member of the Hanson Housing Authority for four years, a Tree Warden for three years, two Trustees of Public Library for three year terms, two member of the Whitman-Hanson Regional School District Committee PreK-12 for three years and two Water Commissioners for three years

May 2019 ANNUAL Town Meeting

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.

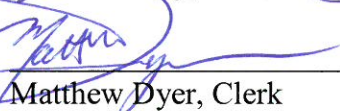
Hereof fail not, and make due return of this Warrant, with your doings thereon, to the Town Clerk at the time and place above-mentioned.

Given under our hands, this 16th day of April, in the year of our Lord two thousand Nineteen.

Selectmen of Hanson


Kenneth Mitchell, Chairman



James Hickey, Vice-Chairman

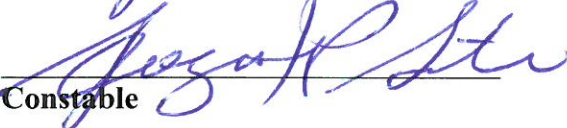

Matthew Dyer, Clerk

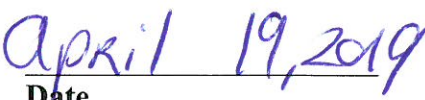

Wesley Blauss, Member


Laura FitzGerald-Kemmett, Member

A true attest copy


Town Clerk


Constable


Date


4/19/19