

Hanson Town Meeting

Marijuana Zoning Articles Handout

Article 25

(combining medical and recreational bylaws)

ARTICLE 25: To see if the Town will vote to amend Section VI of the Town of Hanson Zoning Bylaws by deleting both subsection L, Medical Marijuana Facilities and subsection M, Marijuana Establishments in their current forms; combining the two subsections; and updating the language accordingly as more particularly described in the bylaw changes on file with the Town Clerk as of the posting hereof; or take any other action relative thereto.

Proposed by the Planning Board

Explanation: This article simply works to re-codify the existing language for both Medical and Recreational Marijuana by combining them into a single section and eliminating superfluous or unnecessary language/requirements. At the state level, review has also been centralized, falling now under the Cannabis Control Commission. Moreover, the impacts of Marijuana Establishments and Medical Marijuana Treatment Centers for cultivation, manufacture, and other use types is the same.

A separate, comprehensive handout will be provided at Town Meeting. The full text of the bylaw is not included in the warrant as Town Meeting's vote on Articles 45-48 may modify each subsequent vote in terms of the placement of these amendments within the existing bylaw and the specific wording of each amendment. *This requires 2/3rds majority vote.*

BYLAW LANGUAGE CHANGES BELOW
~ STRIKETHROUGH TO BE DELETED; UNDERLINE TO BE ADDED ~

L. SPECIAL REQUIREMENTS FOR MEDICAL MARIJUANA FACILITIES AND MARIJUANA ESTABLISHMENTS

1. Purposes

- A. To provide for the ~~establishment operation~~ of licensed Medical Marijuana Facilities and Marijuana Establishments, except Marijuana Retailers, in appropriate places and under strict conditions in accordance with applicable State laws and regulations. ~~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 and 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 Facilities and Establishments.
- C. To regulate the siting, design, placement, security, safety, monitoring, modification, and ~~removal~~ discontinuance of Medical Marijuana Facilities and Marijuana Establishments, except Marijuana Retailers.
- D. To prohibit Marijuana Retailers in the Town of Hanson in all zoning districts.

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 or Marijuana Establishment under this Section VI.L.

- B. No Medical Marijuana Facility or Marijuana Establishment 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

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

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 a marijuana 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 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 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.

Medical Marijuana Facility – Shall mean a “Medical marijuana treatment center” or “MTC” ~~to mean a not-for-profit entity, as defined and licensed under 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 to qualifying patients or their personal caregivers. These facilities shall be located inside a structure or building.

4. Eligible Locations for Medical Marijuana Facilities and Marijuana Establishments.

Marijuana Retailers shall be prohibited in the Town of Hanson.

Medical Marijuana Facilities and Marijuana Establishments, expressly excluding Marijuana Retailers, may be allowed by Special Permit from the Town of Hanson Board of Selectmen in the following locations: 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 plan 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.

Medical Marijuana Facilities and Marijuana Establishments, expressly excluding Marijuana Retailers, may be allowed by Special Permit from the Town of Hanson Board of Selectmen in the following locations: The Industrial Zone.

5. General Requirements and Conditions for all Medical Marijuana Facilities and Marijuana Establishments.

- ~~A.~~ All permitted Medical Marijuana Facilities and Marijuana Establishments 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.~~ A. No Marijuana Establishment shall be located within 1,000 feet of a pre-existing public or private school providing education in kindergarten or any grades 1 through 12.
- ~~E.~~ B. The hours of operation of Medical Marijuana Facilities and Marijuana Establishments 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.~~
- ~~F.~~ C. 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 or Marijuana Establishment.
- ~~G.~~ D. No Medical Marijuana Facility or 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. E.~~ Signage for the Medical Marijuana Facility shall comply with the sign requirements of this bylaw and the regulations imposed by the Cannabis Control Commission. 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.~~

~~I. F.~~ Medical Marijuana Facilities and 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 Medical Marijuana Facility or Marijuana Establishment 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 or Marijuana Establishment 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 or Recreational 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 or Recreational 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;
- 4) Other uses as defined in the definitions section above, excluding retail.

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 or Marijuana Establishment shall include the following:

- ~~1) 1)~~ 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 or Establishment;~~
- ~~3) 2)~~ 2) evidence of the Applicant’s tenancy or ownership of the site of the Facility/Establishment, such as a deed, or lease;
- ~~4) 3)~~ 3) 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) 4)~~ 4) 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) 5)~~ 5) a statement by the Chief of Police approving Pproposed security measures for the Medical

Marijuana Facility or 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 Medical Marijuana Facility or Marijuana Establishment unless it finds that:

- 1) the Facility/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;
- 2) the Facility/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 this Section.

E. Annual Reporting. ~~Each~~ Prior to commencement of operations, each Medical Marijuana Facility and Marijuana Establishment shall provide to the Special Permit Granting Authority and the Town Clerk, proof of receipt of all required licenses and permits issued to the applicant by the Commonwealth of Massachusetts and any of its agencies for the Facility or Establishment. Each Medical Marijuana Facility and 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 of each year, providing a copy of all current applicable state licenses for the Facility/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 ownership, and consistent with the terms of any Host Community Agreement, of the premises as a Medical Marijuana Facility or 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.

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 or Marijuana Establishment in the event the Town must remove the facility/establishment. The value of the bond shall be based upon the ability to completely remove all the items associated with the facility/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 tower at prevailing wages. This condition may be waived upon evidence of a similar bond issued to the Cannabis Control Commission.

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 or 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.

If Article 25 (combining medical and recreational bylaws) *passes*

Article 26

(allowing retail)

ARTICLE 26: To see if the Town will vote to amend Section VI of the Town of Hanson Zoning Bylaws by allowing for Marijuana Retailers (retail sale of adult-use marijuana to consumers) by special permit in the same locations as is allowed for other Marijuana Establishments as more particularly described in the bylaw changes on file with the Town Clerk as of the posting hereof; or take any other action relative thereto, as follows:

Proposed by the Planning Board

Explanation: This bylaw change will repeal the prohibition of Marijuana Retailers in the Town of Hanson, whereby brick and mortar retail stores will be allowed, and cannabis can be purchased by consumers in said stores. Marijuana Retailers, which meet special permit requirements, will be permitted to operate 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 Medical Marijuana Distribution Area Overlay District Plan, Job Number P-2967, prepared by Land Planning, Inc. of Hanson, Massachusetts.

A separate, comprehensive handout will be provided at Town Meeting. The full text of the bylaw is not included in the warrant as Town Meeting's vote on Articles 45-48 may modify each subsequent vote in terms of the placement of these amendments within the existing bylaw and the specific wording of each amendment. ***This requires 2/3rds majority vote.***

By amending Section VI-L, subsection 1, 4, and 6 as shown below:

BYLAW LANGUAGE CHANGES BELOW
~ STRIKETHROUGH TO BE DELETED; UNDERLINE TO BE ADDED ~

L. SPECIAL REQUIREMENTS FOR MEDICAL MARIJUANA FACILITIES AND MARIJUANA ESTABLISHMENTS

1. Purposes

- A. To provide for the operation of licensed Medical Marijuana Facilities and Marijuana Establishments, ~~except Marijuana Retailers~~, in appropriate places and under strict conditions in accordance with applicable State laws and regulations.
- B. To minimize the adverse impacts of Medical Marijuana Facilities and Marijuana Establishments on adjacent properties, neighborhoods, schools, and other land uses potentially incompatible with said Facilities and Establishments.
- C. To regulate the siting, design, placement, security, safety, monitoring, modification, and discontinuance of Medical Marijuana Facilities and Marijuana Establishments, ~~except Marijuana Retailers~~.
- ~~D. To prohibit Marijuana Retailers in the Town of Hanson in all zoning districts.~~

4. Eligible Locations for Medical Marijuana Facilities and Marijuana Establishments.

~~Marijuana Retailers shall be prohibited in the Town of Hanson.~~

Medical Marijuana Facilities and Marijuana Establishments, ~~expressly excluding Marijuana Retailers~~, may be allowed by Special Permit from the Town of Hanson Board of Selectmen in the following locations: 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 plan 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.

Medical Marijuana Facilities and Marijuana Establishments, expressly excluding Marijuana Retailers, may be allowed by Special Permit from the Town of Hanson Board of Selectmen in the following locations: The Industrial Zone.

6. Special Permit Requirements

- A.** A Medical Marijuana Facility or Marijuana Establishment 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 or Marijuana Establishment 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 or Recreational Use (horticulture);
 - 2)** processing and packaging of Marijuana for Medical or Recreational 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;
 - 4)** Other uses as defined in the definitions section above, ~~excluding retail.~~

If Article 25(combining medical and recreational bylaws) *fails*

Article 26

(allowing retail)

ARTICLE 26: To see if the Town will vote to amend Section VI of the Town of Hanson Zoning Bylaws by allowing for Marijuana Retailers (retail sale of adult-use marijuana to consumers) by special permit in the same locations as is allowed for other Marijuana Establishments as more particularly described in the bylaw changes on file with the Town Clerk as of the posting hereof; or take any other action relative thereto, as follows:

Proposed by the Planning Board

Explanation: This bylaw change will repeal the prohibition of Marijuana Retailers in the Town of Hanson, whereby brick and mortar retail stores will be allowed, and cannabis can be purchased by consumers in said stores. Marijuana Retailers, which meet special permit requirements, will be permitted to operate 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 Medical Marijuana Distribution Area Overlay District Plan, Job Number P-2967, prepared by Land Planning, Inc. of Hanson, Massachusetts.

A separate, comprehensive handout will be provided at Town Meeting. The full text of the bylaw is not included in the warrant as Town Meeting's vote on Articles 45-48 may modify each subsequent vote in terms of the placement of these amendments within the existing bylaw and the specific wording of each amendment. ***This requires 2/3rds majority vote.***

By amending Section VI-M, subsection 1, 2, and 4 as shown below:

BYLAW LANGUAGE CHANGES BELOW
~ STRIKETHROUGH TO BE DELETED; UNDERLINE TO BE ADDED ~

M. SPECIAL REQUIREMENTS FOR MARIJUANA ESTABLISHMENTS

1. Purposes

- ~~A.~~ To prohibit Marijuana Retailers in the Town of Hanson in all zoning districts.
- ~~B.~~ A. To provide for the establishment of Licensed Marijuana Establishments in appropriate places and under strict conditions in accordance ~~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 Cannabis Control Commission (CCC) Regulations promulgated thereunder, 935 CMR 500.000, as the same may be amended from time to time~~ applicable State laws and regulations.
- ~~C.~~ B. 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.~~ C. 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 district in the Town of Hanson.

- ~~B.~~ A. The commercial cultivation, production, processing, assembly, packaging or wholesale sale, trade or distribution of Marijuana as regulated pursuant to G.L. c. 94G is prohibited unless permitted as a Marijuana Establishment under this Section VI.M.
- ~~C.~~ B. No Marijuana Establishment shall be established except in compliance with the provisions of this Section VI.M.
- ~~D.~~ 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.

4. Eligible Locations for Marijuana Establishments.

~~Marijuana Retailers 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: 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, as depicted on a plan entitled 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.M.

If Article 25(combining medical and recreational bylaws)*fails*
and
Article 26 (allowing retail)*fails*

Article 27

(expanding marijuana (excluding retail) to Hawks Ave)

ARTICLE 27: To see if the Town will vote to amend Section VI of the Town of Hanson Zoning Bylaws by adding Hawks Avenue to the list of eligible locations for Marijuana Establishments, excluding Marijuana Retailers, as more particularly described in the bylaw changes on file with the Town Clerk as of the posting hereof; or take any other action relative thereto.

Proposed by the Planning Board

Explanation: This bylaw change will allow the siting of Marijuana Establishments, excluding Marijuana Retailers, along Hawks Avenue.

A separate, comprehensive handout will be provided at Town Meeting. The full text of the bylaw is not included in the warrant as Town Meeting's vote on Articles 45-48 may modify each subsequent vote in terms of the placement of these amendments within the existing bylaw and the specific wording of each amendment. ***This requires 2/3rds majority vote.***

To amend Section VI, subsection M, Marijuana Establishments, subsection 4, Eligible Locations, to add and amend the same as shown below:

BYLAW LANGUAGE CHANGES BELOW
~ STRIKETHROUGH TO BE DELETED; UNDERLINE TO BE ADDED ~

Marijuana Establishments, expressly excluding Marijuana Retailers, may be allowed by Special Permit from the Town of Hanson Board of Selectmen in the following locations, 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, as depicted on a plan entitled Medical Marijuana Distribution Area Overlay District Plan, Job Number P-2967, prepared by Land Planning, Inc. of Hanson, Massachusetts, and Hawks Avenue, provided the facility meets the requirements of this Section VI.M.

If Article 25(combining medical and recreational bylaws) *passes*
and
Article 26 (allowing retail) *fails*

Article 27

(expanding marijuana (excluding retail) to Hawks Ave)

ARTICLE 27: To see if the Town will vote to amend Section VI of the Town of Hanson Zoning Bylaws by adding Hawks Avenue to the list of eligible locations for Marijuana Establishments, excluding Marijuana Retailers, as more particularly described in the bylaw changes on file with the Town Clerk as of the posting hereof; or take any other action relative thereto.

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Explanation: This bylaw change will allow the siting of Marijuana Establishments, excluding Marijuana Retailers, along Hawks Avenue.

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To amend Section VI, subsection L, Marijuana Establishments, subsection 4, Eligible Locations, to add and amend the same as shown below:

Marijuana Establishments, expressly excluding Marijuana Retailers, may be allowed by Special Permit from the Town of Hanson Board of Selectmen in the following locations, 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, as depicted on a plan entitled Medical Marijuana Distribution Area Overlay District Plan, Job Number P-2967, prepared by Land Planning, Inc. of Hanson, Massachusetts, and Hawks Avenue, provided the facility meets the requirements of this Section VI.L.

If Article 25(combining medical and recreational bylaws) *fails*
and
Article 26 (allowing retail) *passes*

Article 27

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To amend Section VI, subsection M, Marijuana Establishments, subsection 4, Eligible Locations, to add and amend the same as shown below:

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

And replacing said paragraph with the following two paragraphs

Marijuana Establishments, expressly excluding Marijuana Retailers, may be allowed by Special Permit from the Town of Hanson Board of Selectmen in the following locations, 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, as depicted on a plan entitled Medical Marijuana Distribution Area Overlay District Plan, Job Number P-2967, prepared by Land Planning, Inc. of Hanson, Massachusetts, and Hawks Avenue, provided the facility meets the requirements of this Section VI.M.

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If Article 25(combining medical and recreational bylaws) **passes**
and
Article 26 (allowing retail) **passes**

Article 27

(expanding marijuana (excluding retail) to Hawks Ave)

ARTICLE 27: To see if the Town will vote to amend Section VI of the Town of Hanson Zoning Bylaws by adding Hawks Avenue to the list of eligible locations for Marijuana Establishments, excluding Marijuana Retailers, as more particularly described in the bylaw changes on file with the Town Clerk as of the posting hereof; or take any other action relative thereto.

Proposed by the Planning Board

Explanation: This bylaw change will allow the siting of Marijuana Establishments, excluding Marijuana Retailers, along Hawks Avenue.

A separate, comprehensive handout will be provided at Town Meeting. The full text of the bylaw is not included in the warrant as Town Meeting's vote on Articles 45-48 may modify each subsequent vote in terms of the placement of these amendments within the existing bylaw and the specific wording of each amendment. ***This requires 2/3rds majority vote.***

To amend Section VI, subsection L, Marijuana Establishments, subsection 4, Eligible Locations, to add and amend the same as shown below:

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

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If Article 25(combining medical and recreational bylaws) *fails*

Article 28

(allowing delivery)

ARTICLE 28: To see if the Town will vote to amend Section VI of the Town of Hanson Zoning Bylaws by allowing Marijuana Delivery Operators and Marijuana Couriers in Industrial Zones and certain other eligible locations, as more particularly described in the bylaw changes on file with the Town Clerk as of the posting hereof; or take any other action relative thereto.

Proposed by the Planning Board

Explanation: Marijuana Delivery Operators and Marijuana Couriers are relatively new uses which now may be permitted through the Cannabis Control Commission. Neither use permits brick and mortar retail stores. Instead, marijuana may be ordered remotely and delivered to the consumers residence. A strict seed to sale tracking process is required for these sales. No sales to persons under 21 years of age is allowed.

A separate, comprehensive handout will be provided at Town Meeting. The full text of the bylaw is not included in the warrant as Town Meeting's vote on Articles 45-48 may modify each subsequent vote in terms of the placement of these amendments within the existing bylaw and the specific wording of each amendment. *This requires 2/3rds majority vote.*

BYLAW LANGUAGE CHANGES BELOW
~ STRIKETHROUGH TO BE DELETED; UNDERLINE TO BE ADDED ~

To modify "Section VI, subsection M, Marijuana Establishments, subsection 3, Definitions by deleting the following:

Marijuana Courier – shall mean an entity licensed to deliver Finished Marijuana Products, Marijuana Accessories and Branded Goods directly to Consumers from a Marijuana Retailer, or directly to Registered Qualifying Patients or Caregivers from an MTC, but is not authorized to sell Marijuana or Marijuana Products directly to Consumers, Registered Qualifying Patients or Caregivers and is not authorized to Wholesale, Warehouse, Process, Repackage, or White Label. A Marijuana Courier is an additional license type under M.G.L. c. 94G, § 4(b)(1) that allows for limited delivery of Marijuana or Marijuana Products to Consumers; and shall not be considered to be a Marijuana Retailer under 935 CMR 500.002 or 500.050 and shall be subject to 935 CMR 500.050(1)(b).

Marijuana Delivery Operator – shall mean an entity licensed to purchase at Wholesale and Warehouse Finished Marijuana Products acquired from a Marijuana Cultivator, Marijuana Product Manufacturer, Microbusiness or Craft Marijuana Cooperative, and White Label, sell and deliver Finished Marijuana Products, Marijuana Accessories and Marijuana Branded Goods directly to Consumers, but is not authorized to Repackage Marijuana or Marijuana Products or operate a storefront under this license. A Delivery Operator is an additional license type under M.G.L. c. 94G, § 4(b)(1) that allows for limited delivery of Marijuana or Marijuana Products to Consumers; and shall not be considered to be a Marijuana Retailer under 935 CMR 500.002 or 500.050 and shall be subject to 935 CMR 500.050(1)(b).

Marijuana Establishment - shall mean a marijuana cultivator, marijuana testing facility, marijuana product manufacturer, marijuana retailer, marijuana delivery operator, marijuana courier 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.

If Article 25(combining medical and recreational bylaws) *passes*

Article 28

(allowing delivery)

ARTICLE 28: To see if the Town will vote to amend Section VI of the Town of Hanson Zoning Bylaws by allowing Marijuana Delivery Operators and Marijuana Couriers in Industrial Zones and certain other eligible locations, as more particularly described in the bylaw changes on file with the Town Clerk as of the posting hereof; or take any other action relative thereto.

Proposed by the Planning Board

Explanation: Marijuana Delivery Operators and Marijuana Couriers are relatively new uses which now may be permitted through the Cannabis Control Commission. Neither use permits brick and mortar retail stores. Instead, marijuana may be ordered remotely and delivered to the consumers residence. A strict seed to sale tracking process is required for these sales. No sales to persons under 21 years of age is allowed.

A separate, comprehensive handout will be provided at Town Meeting. The full text of the bylaw is not included in the warrant as Town Meeting's vote on Articles 45-48 may modify each subsequent vote in terms of the placement of these amendments within the existing bylaw and the specific wording of each amendment. *This requires 2/3rds majority vote.*

BYLAW LANGUAGE CHANGES BELOW
~ STRIKETHROUGH TO BE DELETED; UNDERLINE TO BE ADDED ~

To modify "Section VI, subsection L, Marijuana Establishments, subsection 3, Definitions by deleting the following:

Marijuana Courier – shall mean an entity licensed to deliver Finished Marijuana Products, Marijuana Accessories and Branded Goods directly to Consumers from a Marijuana Retailer, or directly to Registered Qualifying Patients or Caregivers from an MTC, but is not authorized to sell Marijuana or Marijuana Products directly to Consumers, Registered Qualifying Patients or Caregivers and is not authorized to Wholesale, Warehouse, Process, Repackage, or White Label. A Marijuana Courier is an additional license type under M.G.L. c. 94G, § 4(b)(1) that allows for limited delivery of Marijuana or Marijuana Products to Consumers; and shall not be considered to be a Marijuana Retailer under 935 CMR 500.002 or 500.050 and shall be subject to 935 CMR 500.050(1)(b).

Marijuana Delivery Operator – shall mean an entity licensed to purchase at Wholesale and Warehouse Finished Marijuana Products acquired from a Marijuana Cultivator, Marijuana Product Manufacturer, Microbusiness or Craft Marijuana Cooperative, and White Label, sell and deliver Finished Marijuana Products, Marijuana Accessories and Marijuana Branded Goods directly to Consumers, but is not authorized to Repackage Marijuana or Marijuana Products or operate a storefront under this license. A Delivery Operator is an additional license type under M.G.L. c. 94G, § 4(b)(1) that allows for limited delivery of Marijuana or Marijuana Products to Consumers; and shall not be considered to be a Marijuana Retailer under 935 CMR 500.002 or 500.050 and shall be subject to 935 CMR 500.050(1)(b).

Marijuana Establishment - shall mean a marijuana cultivator, marijuana testing facility, marijuana product manufacturer, marijuana retailer, marijuana delivery operator, marijuana courier 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.