



PLANNING BOARD

Report to Town Meeting

Article 30. Zoning – Medical Marijuana Treatment Center & Off-site Dispensary (Planning Board)

To see if the Town will amend the Zoning Bylaw by amending Article 12, Definitions, Sections 12.32, Medical Marijuana Treatment Center (MMTC) and Section 12.33, Off-Site Medical Marijuana Dispensary (OMMD), by deleting the ~~lined-out~~ language and adding the language in ***bold italics***, as follows:

~ SEE WARRANT ~

Recommendation

The Planning Board voted 6-0-0 (with 3 members absent) to recommend that Town Meeting adopt Article 30, which deletes the words “not-for-profit” and “non-profit” from the definitions of Medical Marijuana Treatment Center (MMTC) and Off-Site Medical Marijuana Dispensary (OMMD).

Background and Purpose

In July of 2017, the Massachusetts Legislature passed legislation controlling the sale and use of marijuana for non-medical purposes.

Previous state law governing the sale of medical marijuana had required MMTC’s and OMMD’s to be non-profit entities.

In October of 2017 the Massachusetts Legislature passed legislation allowing MMTC’s and OMMD’s to convert from non-profit status to for profit status.

In March of 2018 the Cannabis Control Commission issued its regulations controlling the activities of marijuana establishments.

The intent of this article is to make local zoning conform to state regulations. The state is now allowing medical marijuana facilities to be co-located with recreational marijuana establishments and to allow non-profit establishments to convert to for profit status.

Many marijuana establishments that had been created solely for medical marijuana purposes have

expressed interest in adding retail sales to their operation or converting to retail sales for non-medical use.

Therefore it makes sense to remove the words “not-for-profit” and “non-profit” from the definitions and to allow the state to control the “for-profit” or “non-profit” status of marijuana establishments.

Process and Recommendation

A Planning Board held a public hearing on February 21, 2018. There was no public comment.

After hearing from the Zoning Subcommittee about the change in state law, the Planning Board voted 6-0-0 with 3 members absent to recommend that Town Meeting adopt the article.