

Stockbridge Zoning Amendment – Medical Marijuana

To see if the Town will vote to amend the Zoning Bylaw as follows:

1. By deleting the second sentence in Paragraph a of Section 6.29.1 in its entirety, and inserting, in place thereof, the following:

Applications for Special Permits shall conform to the Standards and Procedures of Section 6.3.6 and Section 6.29.

2. By inserting a new Paragraph c into Section 6.29.1, as follows:

c. Any Marijuana Establishment, licensed under *M.G.L. c.94G* and 935 CMR 500, that holds a Special Permit pursuant to 6.30 shall obtain a new Special Permit prior to converting to a RMD or commencing any operations regulated by 105 CMR 725.

3. By deleting Paragraph a of Section 6.29.2 in its entirety, and inserting, in place thereof, the following:

a. No RMD shall be located within the buffer zone of any pre-existing public or private school, child care facility, including preschools and daycare centers, or any facility in which children commonly congregate, including, but not limited to, a public library, a playground, an athletic field or recreational facility, a place of worship, or a Town-owned beach; provided, however, that a bus stop shall not be considered to be a facility for the purposes of this section. The buffer zones shall be as follows:

District	Buffer Zone
R-C	One thousand (1,000) feet
B	One hundred (100) feet
M	One thousand (1,000) feet

4. By inserting into Paragraph a of Section 6.29.3, after the term “RMD,” the following:

unless the Town votes to authorize social consumption pursuant to *M.G.L. c.94G*, §3 and the establishment holds a Social Consumption Establishment Primary or Mixed Use license, in accordance with Section 6.30 and all applicable state laws and regulations.

5. By deleting Paragraph f of Section 6.29.3 in its entirety, and inserting, in place thereof, the following:
 - f. An RMD shall be open and operational only during the times specified in its Special Permit. The hours of operation shall be reasonable given the type and location of the establishment.
6. By deleting Subparagraph 4 of Paragraph j of Section 6.29.3 in its entirety, and inserting, in place thereof, the following:
 4. Trees, bushes and other foliage outside of an RMD shall be maintained so as to prevent a person or persons from concealing themselves from sight.
7. By inserting a new Subparagraph 5 into Paragraph j of Section 6.29.3, as follows:
 5. A copy of the plan shall be provided to the Chief of Police and the Fire Chief. Any material modification to the security plan shall require an amendment to the Special Permit.

and

8. By inserting a new Paragraph c into Section 6.29.4, as follows:

No Special Permit shall be issued until the Town and the Marijuana Establishment have executed a Host Community Agreement consistent with the requirements of *M.G.L. c.94G, §3* and governing the operations regulated under Section 6.29; provided, however, that a new Host Community Agreement shall not be required for a recreational Marijuana Establishment converting to or expanding into medical use, if the existing agreement contemplates such conversion or expansion. . Compliance with such Host Community Agreement shall be a condition of any Special Permit issued pursuant to this section.

and assigning new letter designations to subsequent paragraphs accordingly.

or take any other action in relation thereto.