

COMMONWEALTH OF MASSACHUSETTS

BERKSHIRE COUNTY

To one of the constables of the Town of Stockbridge in said county.

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the inhabitants of said Town, qualified to vote in Town affairs, to meet at the

**STOCKBRIDGE TOWN OFFICES
50 MAIN STREET**

in Stockbridge on **MONDAY, THE TWENTY-SECOND DAY OF JANUARY, 2018** at 6:30 o'clock in the evening Eastern Daylight Time, for the following purposes, to wit:

ARTICLE 1: To see if the Town will vote to amend the Zoning Bylaws by:

- (1) Inserting, in appropriate alphabetic order, a definition of the term "Marijuana Establishment" in Section 2 as follows:

Marijuana Establishment - A marijuana cultivator, marijuana testing facility, marijuana product manufacturer, marijuana retailer, or any other type of marijuana-related business, subject to regulation under Chapter 94G of the Massachusetts General Laws; provided, however, that a Registered Medical Marijuana Dispensary shall not be deemed to be a Marijuana Establishment.

and,

- (2) Inserting a new Section 6.30, entitled "Temporary Moratorium on Marijuana Establishments," as follows:

6.30.1 Purpose. By vote at the State election on November 8, 2016, the voters of the Commonwealth approved a law regulating the cultivation, manufacture, processing, distribution, sale, possession, testing and use of marijuana. The law provides that it is effective on December 15, 2016, and that a new state agency, the Cannabis Control Commission (CNB), is required to issue regulations regarding implementation by March 15, 2018.

Section 6.29 of the Zoning Bylaws allows Registered Medical Marijuana Dispensaries by Special Permit. The regulation of other types of Marijuana Establishments, however, raises novel and complex legal, planning, and public safety issues. The Town needs time to consider and address these issues, as well as the potential impact of the forthcoming Cannabis Control Commission regulations, by means of a comprehensive planning process to consider amending the Zoning Bylaws to regulate Marijuana Establishments. The temporary moratorium provided in Section 6.30 is intended to allow sufficient time for the Town to engage in such a planning process and to adopt suitable Zoning Bylaw provisions in a manner consistent with sound land-use planning objectives.

6.30.2 Temporary Moratorium. For the reasons set forth above and notwithstanding any other provision of the Zoning Bylaws to the contrary, the Town hereby adopts a temporary moratorium on the use of land or structures as a Marijuana Establishment. The moratorium shall be in effect through December 31, 2018. During the moratorium period, the Town shall undertake a planning process to address the potential impacts of Marijuana Establishments and other related land uses and structures, consider the Cannabis Control Commission regulations regarding Marijuana Establishments when they are issued, and shall consider adopting new provisions of the Zoning Bylaws governing the location, operation and effects of Marijuana Establishments for consideration by a future Town Meeting.

or take any other act in relation thereto.

ARTICLE 2: To see if the Town will vote to authorize the Board of Selectmen, on behalf of the Town, to petition the General Court for a special act providing for the appointment of a treasurer-collector in the Town of Stockbridge substantially as provided below. The Legislature may make clerical or editorial changes in form only to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the Legislature. The Board of Selectmen is hereby authorized to approve amendments that shall be within the scope of the general public objectives of this petition.

**AN ACT PROVIDING FOR THE APPOINTMENT OF A
TREASURER-COLLECTOR IN THE TOWN OF STOCKBRIDGE**

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:

SECTION 1. Notwithstanding any general or special law to the contrary, there is hereby established an office of treasurer-collector in the town of Stockbridge. The treasurer-collector shall have all the powers, perform the duties and be subject to the liabilities and penalties now or hereafter conferred and imposed by law on town treasurers and town collectors of taxes. The treasurer-collector shall be appointed and may be removed by the board of selectmen of the town. The board of selectmen may establish an employment contract with the treasurer-collector for salary, fringe benefits and other conditions of employment, including, but not limited to, severance pay, reimbursement for expense incurred in the performance of the duties of office, liability insurance, conditions of discipline, termination dismissal, reappointment, performance standards and leave.

SECTION 2. Notwithstanding section 1, upon the effective date of this act, the offices of elected town treasurer and elected tax collector shall be abolished and the terms of the officers holding the offices shall be terminated. The elected incumbent holding the office of town treasurer, if any, shall thereupon become the first appointed treasurer-collector and shall serve in such capacity for a period of time equivalent to the remainder of the incumbent's elected term or sooner resignation or retirement. Thereafter, appointments to the position of treasurer-collector shall be made in accordance with said section 1.

SECTION 3. This act shall take effect upon its passage.

or take any other act in relation thereto.

ARTICLE 3: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow, or otherwise provide a sum or sums of money to supplement the transfer made pursuant to Article 1 of the January 23, 2017 Special Town Meeting Warrant for the design, engineering, development, demolition construction, reconstruction, repair and upgrade of the highway garage located at 1 West Stockbridge Road in Stockbridge, or take any other action in relation thereto.

ARTICLE 4: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow, or otherwise provide a sum of money for the purpose of obtaining an updated Traffic Study related to intersections on Main Street, or to take any other action in relation thereto.

You are directed to post true and attested copies of this Warrant, one in each of the Post Offices of said Town, the Town Hall, Stockbridge Firehouse and Interlaken Firehouse, at least fourteen days before the time of said meeting. Hereof fail not and make due return of this warrant with your doings thereon to the undersigned or to the Town Clerk at or before the time of said meeting.

Given under our hands at Stockbridge, January 3, 2018

Board of Selectmen



Donald M. Chabon, Chairman



Ernest J. Cardillo



Terry Flynn

By HAND

Indicate Method of Service

1/31/18

Date



Constable

POSTED AT:

Stockbridge Post Office
Glendale Post Office
Stockbridge Firehouse

Interlaken Firehouse
Stockbridge Town Offices