



TOWN OF MILLIS

Robert Cantoreggi, *Chairman*
George Yered, *Clerk*
James McKay
Nicole Riley
Richard Nichols
Carlo Molinari, *Assoc. Member*

OFFICE OF THE PLANNING BOARD

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October 5, 2017

Received: October 11, 2017
Patricia M. Spigner
Assistant Town Clerk

To: Town Clerk, Town of Millis

From: Town of Millis Planning Board
Robert Cantoreggi, Chairman (no)

Re: Public Hearing held Tuesday, October 3, 2017, at the Veterans Memorial Building, Room 229, to consider amending the Town of Millis Zoning By-Laws as follows:

To see if the Town will vote to amend the Town's Zoning Bylaw by adding a new Section V, Use Regulations, Subsection G., **TEMPORARY MORATORIUM ON RECREATIONAL MARIJUANA ESTABLISHMENTS**, and further to amend the Table of Contents to add Section V.G, "Temporary Moratorium on Recreational Marijuana Establishments." "Recreational Marijuana Establishment" shall mean a "marijuana cultivator, independent testing laboratory, marijuana product manufacturer, marijuana retailer or any other type of licensed marijuana-related business." The Town intends to adopt a temporary moratorium on the use of land and structures in the Town for Recreational Marijuana Establishments so as to allow sufficient time to address the effects of such structures and uses in the Town and to enact bylaws in a consistent manner. The moratorium shall be in effect through December 31, 2018. Or take any action relative thereto.

The complete text of the proposed amendment is as follows:

Section V, G.

Purpose

On November 8, 2016, the voters of the Commonwealth approved a law regulating the cultivation, processing, distribution, possession and use of marijuana for recreational purposes (new G.L. c. 94G, Regulation of the Use and Distribution of Marijuana Not Medically Prescribed). The law, which allows certain personal use and possession of marijuana, took effect on December 15, 2016 and (as amended on December 30, 2016 by Chapter 351 of the Acts of 2016 and thereafter, on July 28, 2017 by Chapter 55 of the Acts of 2017) requires a Cannabis Control Commission to issue regulations regarding the licensing of commercial activities by March 15, 2018 and to begin accepting applications for licenses no later than April 1, 2018. Currently under the Zoning Bylaw, a non-medical Marijuana Establishment (hereinafter, a "Recreational Marijuana Establishment"), as defined in G.L. c. 94G, §1, is not specifically addressed in the Zoning Bylaw. Regulations to be promulgated by the Cannabis Control Commission may provide guidance on certain aspects of local regulation of Recreational Marijuana Establishments. The regulation of recreational marijuana raises novel legal, planning, and public safety

issues, and the Town needs time to study and consider the regulation of Recreational Marijuana Establishments and address such issues, as well as to address the potential impact of the State regulations on local zoning and to undertake a planning process to consider amending the Zoning Bylaw regarding regulation of Recreational Marijuana Establishments. The Town intends to adopt a temporary moratorium on the use of land and structures in the Town for Recreational Marijuana Establishments so as to allow sufficient time to address the effects of such structures and uses in the Town and to enact bylaws in a consistent manner.

Definition

“Recreational Marijuana Establishment” shall mean a “marijuana cultivator, independent testing laboratory, marijuana product manufacturer, marijuana retailer or any other type of licensed marijuana-related business.”

Temporary Moratorium

For the reasons set forth above and notwithstanding any other provision of the Zoning Bylaw to the contrary, the Town hereby adopts a temporary moratorium on the use of land or structures for a Recreational Marijuana Establishment and other uses related to recreational marijuana. 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 recreational marijuana in the Town, and to consider the Cannabis Control Commission regulations regarding Recreational Marijuana Establishments, and shall consider adopting new Zoning Bylaws in response to these new issues.

The public hearing was opened at 7:30 p.m., with notice being read by Mr. Yered, Clerk. Mr. James McCaffrey, Chair of the Board of Selectmen, stated that they have met and discussed the proposed bylaw and recommend approval of the temporary moratorium bylaw. He hopes that the Planning Board recommends approval as well. Mr. McCaffrey said that the purpose of the Temporary Moratorium Bylaw is “to buy additional time” to establish/develop proper bylaws and regulations.

Mr. Scott Fuzy expressed his concerns over recreational marijuana establishments and stated that he is in favor of the moratorium for public safety reasons and to give law enforcement time as well.

After due notices having been published in the Milford Daily News, a newspaper of local circulation, under dates of September 18, 2017, and September 25, 2017, a public hearing was held on Tuesday, October 3, 2017 at 7:30 p.m. in the Veterans’ Memorial Building, Room 229.

Planning Board Members present: Robert Cantoreggi, Chairman
George Yered, Clerk
James McKay
Nicole Riley
Richard Nichols

Others present: James McCaffrey, Selectman
Scott Fuzy, 15 Stoney Brook Drive
Ellen Rosenfeld, 730 Main St.
Marc Rosenfeld, 730 Main St.

There being no further discussion, on a motion made by Mr. Richard Nichols, seconded by Ms. Nicole Riley, it was unanimously voted to close the public hearing on the proposed bylaw amendments at 7:37 p.m.

At a meeting of the Millis Planning Board held on October 3, 2017, on a motion made by Ms. Nicole Riley, seconded by Mr. George Yered, it was unanimously voted (5-0) to recommend approval of the amendments as proposed/written. The Planning Board **recommends approval** of the bylaw amendments article at the Town Meeting to be held on November 6, 2017. Voting on this article was: Robert Cantoreggi, George Yered, James McKay, Nicole Riley, and Richard Nichols.

Cc: Michael Guzinski, Town Administrator
Board of Selectmen
Finance Committee
Finance Director
File