SPECIAL TOWN MEETING

COMMONWEALTH OF MASSACHUSETTS

PLYMOUTH COUNTY, SS.

To either of the Constables of West Bridgewater, in the County of Plymouth

Greeting:

In the name of the Commonwealth of Massachusetts you are hereby directed to notify and warn the inhabitants of the Town of West Bridgewater qualified to vote in Elections and Town Affairs to meet at the West Bridgewater Middle/Senior High School Auditorium.

IN SAID TOWN ON
December 14, 2016 at 7:00 p.m.

Then and there to act on the following Articles, to wit:

Article 1: To see if the Town will vote to approve a PILOT (Payment in Lieu of Taxes) agreement negotiated by the Board of Selectmen and the Board of Assessors with Ajax Solar, LLC, 1360 Garrison Avenue, Bronx, New York, 10474, for the purposes of a solar array, or to take any other action relative thereto.

Article 2: To see if the Town will vote to amend the Town’s Zoning Bylaws by adding the following new section:

"10.0 TEMPORARY MORATORIA." and further to amend the Table of Contents to add Section 10.0. "Temporary Moratoria” and the ensuing parts as proposed herein.

"10.1. Temporary Moratorium on the Sale and Distribution of Recreational Marijuana

10.1.1 Purpose: By vote at the State election on November 8, 2016, the voters of the Commonwealth approved a law regulating the cultivation, distribution, possession and use of marijuana for recreational purposes. The law provides that it is effective on December 15, 2016 and the Cannabis Advisory Board is required to issue regulations regarding implementation by September 15, 2017.

Currently under the Zoning Bylaw, Recreational Marijuana Establishments and Marijuana Retailers are not a permitted use in the Town and any regulations promulgated by the State Cannabis Advisory Board are expected to provide guidance to the Town in regulating Recreational Marijuana Establishments and Marijuana Retailers. Further, the ballot measure establishes two important provisions that require ballot action by the Town prior to the adoption of zoning. First, the Town must, by ballot, determine whether it will issue licenses for Recreational Marijuana Establishments and Marijuana Retailers and second, by ballot that cannot
occur prior to November 6, 2018, the next biennial state election, on whether to allow on-site consumption of marijuana products should the Town decide to allow licenses for such facilities.

The regulation of Recreational Marijuana Establishments and Marijuana Retailers raise novel and complex legal, planning, and public safety issues and the Town needs time to study and consider the regulation of Recreational Marijuana Establishments and Marijuana Retailers and address such novel and complex 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 and Marijuana Retailers and other uses related to the regulation of recreational marijuana. The Town intends to adopt a temporary moratorium on the use of land and structures in the Town for Recreational Marijuana Establishments and Marijuana Retailers so as to allow the Town sufficient time to engage in a planning process to address the effects of such structures and uses in the Town and to adopt provisions of the Zoning Bylaw in a manner consistent with sound land use planning goals and objectives.

10.1.2 Definitions

"Manufacture", to compound, blend, extract, infuse or otherwise make or prepare a marijuana product.

"Marijuana accessories", equipment, products, devices or materials of any kind that are intended or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, ingesting, inhaling or otherwise introducing marijuana into the human body.

"Marijuana cultivator", 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.

"Marijuana establishment", a marijuana cultivator, marijuana testing facility, marijuana product manufacturer, marijuana retailer or any other type of licensed marijuana-related business. (k) "Marijuana product manufacturer", 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.

"Marijuana products", products that have been manufactured and contain marijuana or an extract from marijuana, including concentrated forms of marijuana and products composed of marijuana and other ingredients that are intended for use or consumption, including edible products, beverages, topical products, ointments, oils and tinctures.

"Marijuana testing facility", an entity licensed to test marijuana and marijuana products, including certification for potency and the presence of contaminants.

"Marijuana retailer", 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.
10.1.3 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 Recreational Marijuana Establishments and Marijuana Retailers. The moratorium shall be in effect through June 30, 2018. During the moratorium period, the Town shall undertake a planning process to address the potential impacts of recreational marijuana in the Town, consider the Cannabis Advisory Board regulations regarding Recreational Marijuana Establishments and Marijuana Retailers and related uses, determine whether the town shall restrict any, or all, licenses for Recreational Marijuana Establishments and Marijuana Retailers, determine whether the town will prohibit on-site consumption at Recreational Marijuana Establishments and Marijuana Retailers and shall consider adopting new provisions of the Zoning Bylaw to address the impact and operation of Recreational Marijuana Establishments and Marijuana Retailers and related uses.

10.1.5 Severability. The provisions of this by-law are severable. If any provision, paragraph, sentence, or clause of this By-law or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this bylaw."

or take any action relative thereto.
And you are directed to serve this Warrant, by posting attested copies thereof, as directed by the By-Laws of the Town, at least fourteen days before the time of holding the aforesaid meeting.

Hereof fail not, and make due return of this Warrant, with your doings thereon to the Town Clerk of said West Bridgewater, at the time and place of meeting as aforesaid.

Given under our hands and seal this 30th day of November, in the year of our Lord two thousand and sixteen

A true record. Attest:

Anne G. Iannitelli, Town Clerk

Selectmen of the Town of West Bridgewater

Eldon F. Moreira, Chairman

Jerry D. Lawrence, Vice Chairman

Anthony J. Kinahan, Clerk

Pursuant to the within Warrant, I have this day notified and warned the inhabitants of the Town of West Bridgewater qualified to vote in elections and Town Affairs to meet at the time and place within mentioned by posting fifteen attested copies of within Warrant at various locations throughout precincts one and two fourteen days at least before the aforesaid Special Town Meeting.

November 30, 2016

BRUCE L. HOLMQVIST, CONSTABLE
TOWN OF WEST BRIDGEWATER

(end)