

# MARIJUANA ZONING PUBLIC HEARING

Presenting for Planning Board:

Patricia Lambert

2/10/22

# OVERVIEW - ADULT USE MARIJUANA BYLAW

## TWO ARTICLES AT TOWN MEETING

- **Article No. xx:** ADULT USE BYLAW ([establishes the details for permitting](#))
- **Article No. xx:** REFERENDUM to RETAIN or RESCIND EXISTING BAN ON ADULT (RECREATIONAL) USE ([the bigger decision](#))

## ARTICLE NO. XX: The ADULT USE BYLAW is intended to serve multiple purposes

- **First**, it provides the framework for the key discussion and vote to Retain or Rescind the Ban.
  - If the Town votes to retain the Ban, nothing changes regarding Adult Use;
  - If the Town votes to rescind the Ban, the proposed Bylaw defines just how Adult Use will be located and permitted in the Town.
- **Second**, it locks in the specifics upon which a RESCIND vote is cast
- **Third**, if the decision is to RESCIND, it provides immediate controls on permitting (no gaps)
- **Finally**, it also updates the Medical Marijuana Bylaw to be consistent with current state laws

## BACKGROUND/HISTORY

- The Town approved the use, production and sale of Medical Marijuana with the passage of a Bylaw at the 2014 Town Meeting
- The Town approved a Ban on the use of Adult (Recreational) Marijuana with the passage of a Bylaw at the 2018 Town Meeting
- The Planning Board's mandate is to regulate legal land uses.
- The regulation of legal land use is implemented via Zoning Bylaws with specific, detailed limitations and requirements;
- Last year, a Citizens' Petition [for permitting Adult Use MJ] was proposed at the Special 2021 Town Meeting but:
  - The Petition did not have the Planning Board's input prior to submission; and
  - The Petition did not include the detailed permitting safeguards/protections of a bylaw
- In order to address those concerns, the Planning Board has proposed a Bylaw that will implement the detailed limitations, requirements and safeguards for the siting of adult-use Marijuana Establishments in Town.
- These warrants are not a referendum on the legal use of marijuana in Massachusetts;
  - Use is legal in the Commonwealth;
  - Nothing decided tonight will limit an of-age individual's right to personally grow and/or use (in private) Marijuana;
- The discussion at Town Meeting is around retaining or rescinding the Ban within the framework of a bylaw that would govern the siting of adult use Marijuana Establishment in the Town **if** the Ban were to be rescinded.

# The PB's BYLAW DEVELOPMENT PROCESS

## Steps to proposing a Bylaw to Town Meeting:

- Planning Board writes a **draft Bylaw**
- Planning Board holds a **public workshop** to hear public comment(s)
- Planning Board holds a **Public Hearing(s)** to hear public comment(s)
- Planning Board provides a **recommendation** for Town Meeting
- **Select Boards and Advisory Committee** provide a recommendation for Town Meeting
- **Proposed Bylaw is presented on the floor of Town Meeting**
- Town Meeting Discussion and **Vote** on Bylaw

## WHAT DOES THE PROPOSED BYLAW DO?

- **Defines** Marijuana Establishments as an identified list;
  - Marijuana Courier, Marijuana Cultivator, Marijuana Delivery Operator, Marijuana Product Manufacture, Marijuana Retailer, Marijuana Testing Facility, Marijuana Transporter
- **Limits the Number** of Marijuana retail establishments within the Town of Scituate to **2**
- **Requires a Host Agreement** be granted by the Select Board for any type of Marijuana Establishment
- **Limits Size** of an Establishment
- **Limits Canopy Size**
- **Prohibits drive-through** marijuana dispensaries
- **Requires Special Permit** and Site Plan Approval by the Planning Board

## WHAT DOES THE PROPOSED BYLAW DO?

- **Limits Locations** – to Business/Village Center & Neighborhood Districts (VCN)
  - Marijuana Establishments are **NOT** allowed in Residential Districts
  - Marijuana Establishments are **NOT** allowed to be located within 500 feet of a public or private school providing education K-12
  - Marijuana Establishments are **NOT** allowed to be located within 500 feet of a daycare or preschool facility licensed by the Mass Department of Early Education and Care
  - Marijuana Establishment are **NOT** allowed to be located within 500 feet of any religious educational facility
  - Marijuana Establishments are **NOT** allowed to be located within 500 of any addiction treatment or recovery center.

## WHERE DOES THE BYLAW ALLOW ESTABLISHMENTS?

- Although the following districts are listed as acceptable in the Bylaw's Table of Uses, the proposed Marijuana Establishment must still comply with the required setbacks under the Bylaw, and be awarded a Host Community Agreement from Select Board
  - **Business District:**
    - Marijuana Retailer is only allowed by Special Permit and Site Plan Approval
  - **Village Center & Neighborhood District:**
    - Marijuana Retailer, Operator or Courier, Transporter, Testing Facility are only allowed by Special Permit and Site Plan Approval in the following subdistricts.
      - Greenbush Village Center (GVC)
      - Greenbush Gateway Business (GWB)
      - New Driftway Transit Village (NDTV)
      - Driftway Business Park (DBP)
      - North Scituate Village Center (VC)
      - North Scituate Outer Village (OC)
    - Marijuana Cultivator and Marijuana Product Manufacturer are only allowed by Special Permit and Site Plan Approval in the following subdistrict ONLY.
      - Driftway Business Park (DBP)

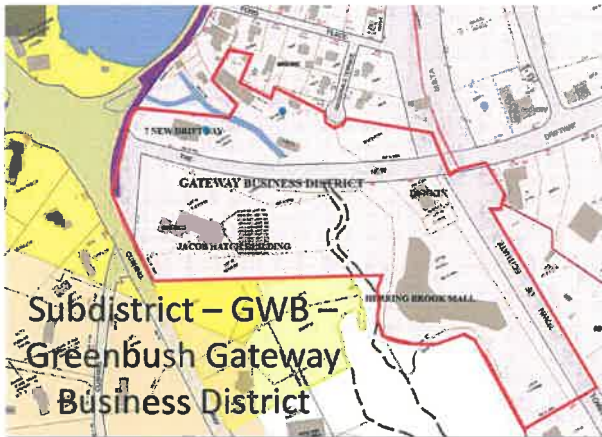
# WHAT DOES THE PROPOSED BYLAW DO?

- Update the terminology and regulations for the medical marijuana portion of the Zoning Bylaw to comply with the Cannabis Control Commission (CCC) and the Code of Massachusetts Regulations 935 CMR 501.000
  - <https://masscannabiscontrol.com/>
  - Change Registered Marijuana Dispensary (RMD) to Medical Marijuana Treatment Center (MTC)
  - Consistency in buffer zones with Adult Use Marijuana Establishments



WHERE?

# WHERE? 4 AREAS IN GREENBUSH



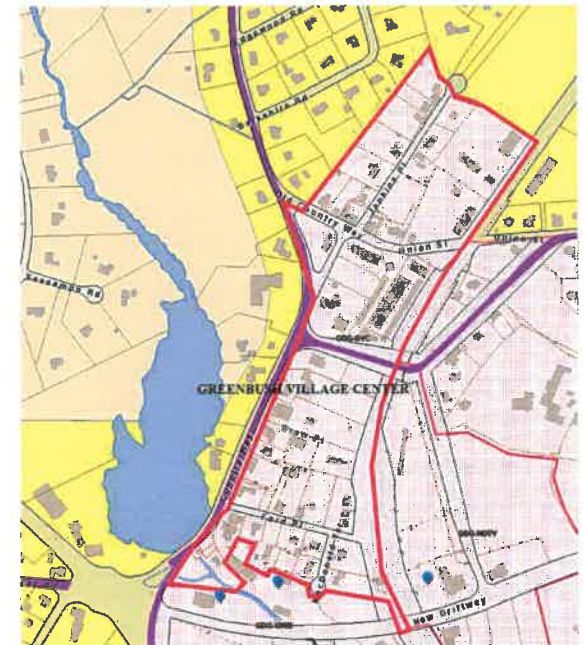
Subdistrict – GWB –  
Greenbush Gateway  
Business District



Subdistrict – DBP –  
Greenbush Driftway  
Business Park



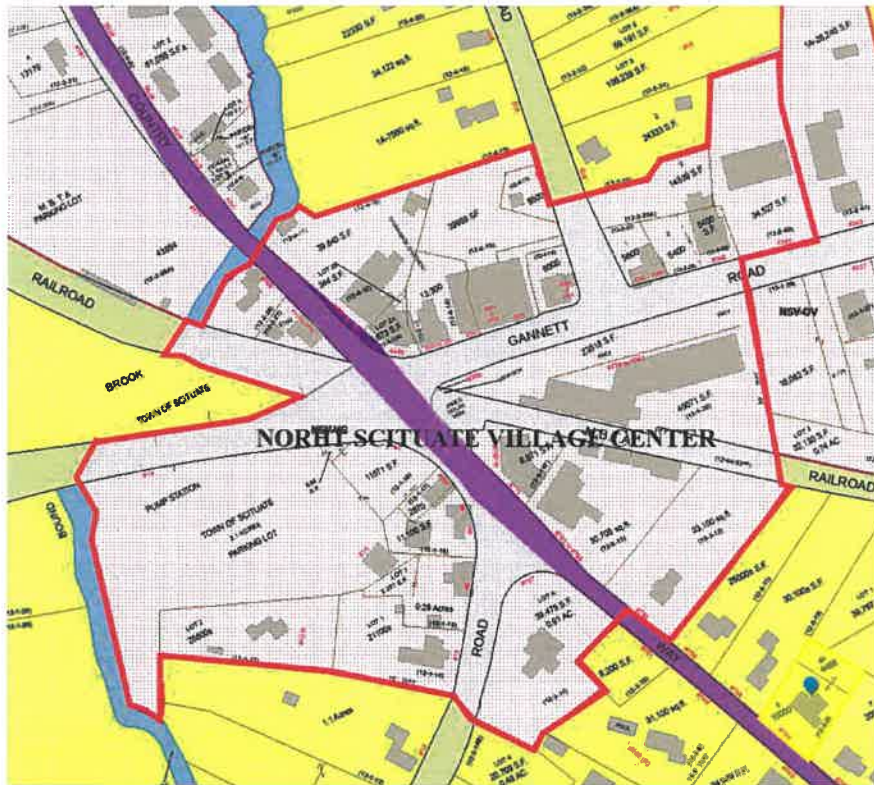
Subdistrict – NDTV –  
Greenbush New  
Driftway Transit  
Village



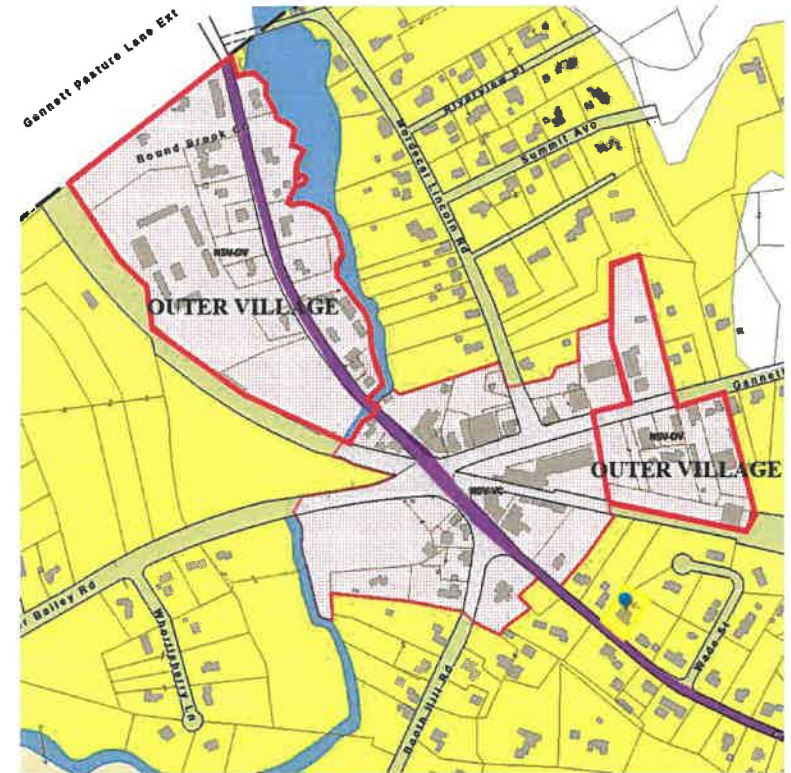
Subdistrict  
Greenbush Village  
Center (GVC):



# WHERE? 2 AREAS IN NORTH SCITUATE



Subdistrict – NSV – VC – North Scituate  
Village Center



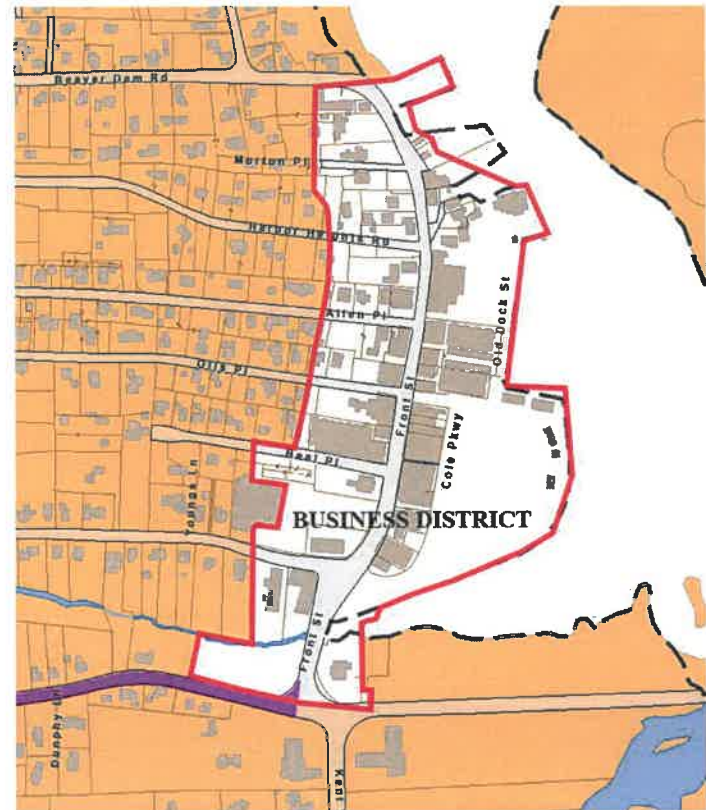
Subdistrict – NSV – OV – North  
Scituate Outer Village

# WHERE: 1 AREA IN SCITUATE HARBOR

## Business District: Scituate Harbor

Allowed Marijuana Establishments by Special Permit and Site Plan Approval ONLY:

- Marijuana Retailer





# WHERE? 1 AREA IN HUMAROCK

## Business District: Humarock

Allowed Marijuana Establishment Special Permit and  
Site Plan Approval ONLY:

- Marijuana Retailer

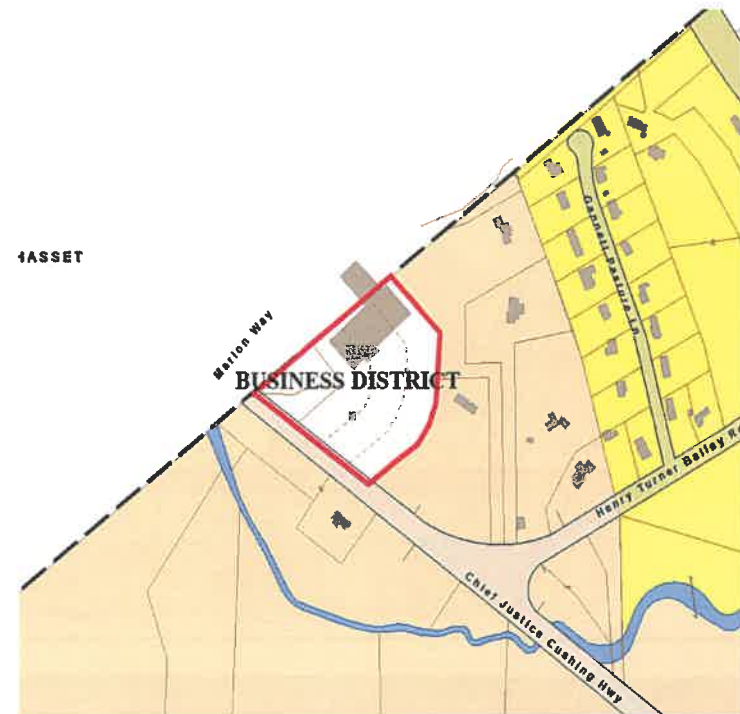


# WHERE? 1 AREA IN 3A BUSINESS DISTRICT

## Business District: RTE. 3A

Allowed Marijuana Establishment by Special Permit and Site Plan Approval ONLY:

- Marijuana Retailer



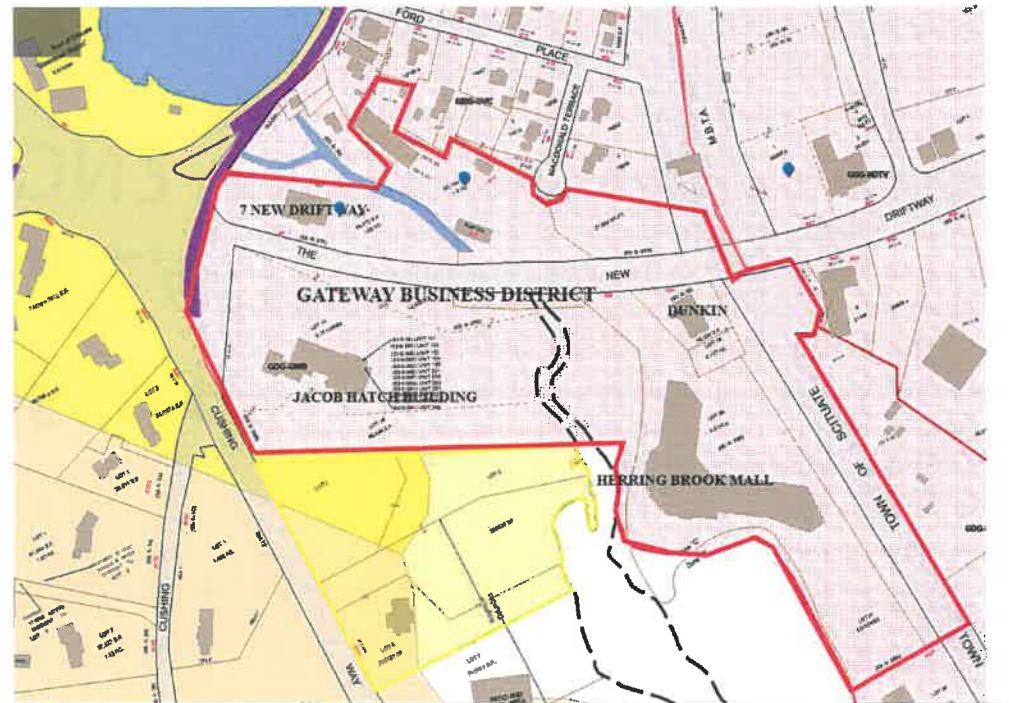
WHAT TYPES ARE  
ALLOWED IN EACH  
LOCATION?

# POSSIBLE LOCATIONS - GREENBUSH

Village Center & Neighborhood District: [Subdistrict – GWB – Greenbush Gateway Business District](#)

Allowed Marijuana Establishments by Special Permit and Site Plan Approval ONLY:

- Marijuana Retailer
- Marijuana Operator
- Marijuana Courier
- Marijuana Transporter
- Marijuana Testing Facility



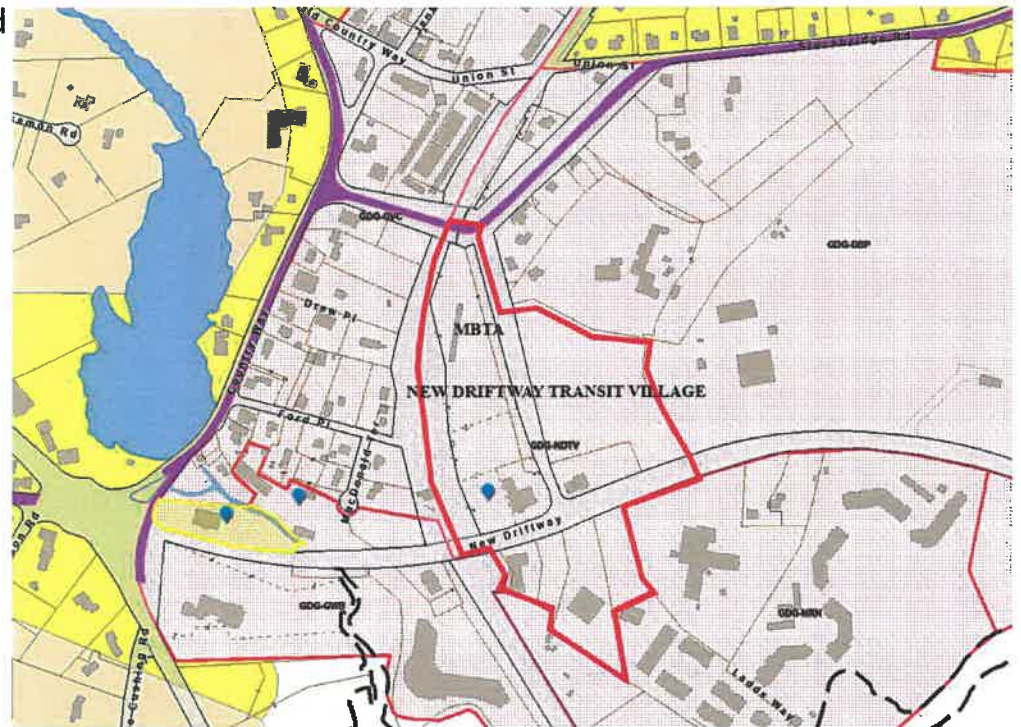


# POSSIBLE LOCATIONS - GREENBUSH

Village Center & Neighborhood District: [Subdistrict – NDTV – Greenbush New Driftway Transit Village](#)

Allowed Marijuana Establishments by Special Permit and Site Plan Approval ONLY:

- Marijuana Retailer
- Marijuana Operator
- Marijuana Courier
- Marijuana Transporter
- Marijuana Testing Facility

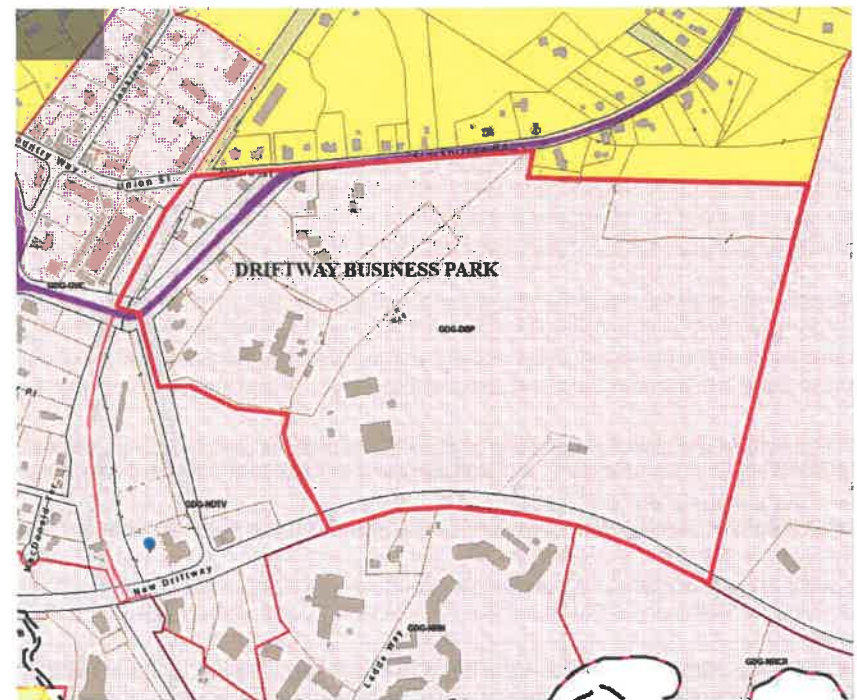


# POSSIBLE LOCATIONS - GREENBUSH

Village Center & Neighborhood District: **Subdistrict – DBP – Greenbush Driftway Business Park**

Allowed Marijuana Establishments by Special Permit and Site Plan Approval ONLY;

- Marijuana Retailer
- Marijuana Operator
- Marijuana Courier
- Marijuana Transporter
- Marijuana Testing Facility
- Marijuana Cultivator
- Marijuana Product Manufacturer



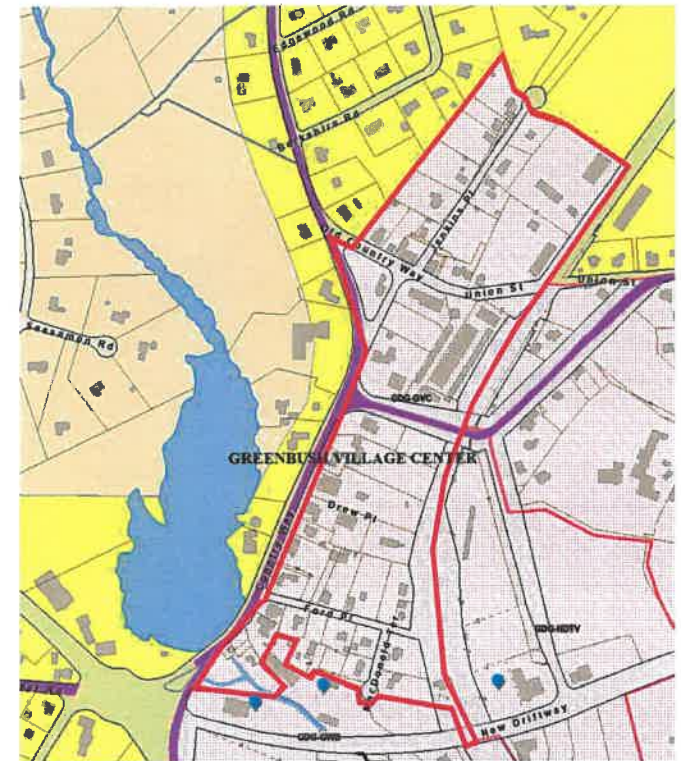
# POSSIBLE LOCATIONS - GREENBUSH

## Village Center & Neighborhood District:

### Subdistrict Greenbush Village Center (GVC):

Allowed Marijuana Establishments by Special Permit and Site Plan Approval  
ONLY:

- Marijuana Retailer
- Marijuana Operator
- Marijuana Courier
- Marijuana Transporter
- Marijuana Testing Facility





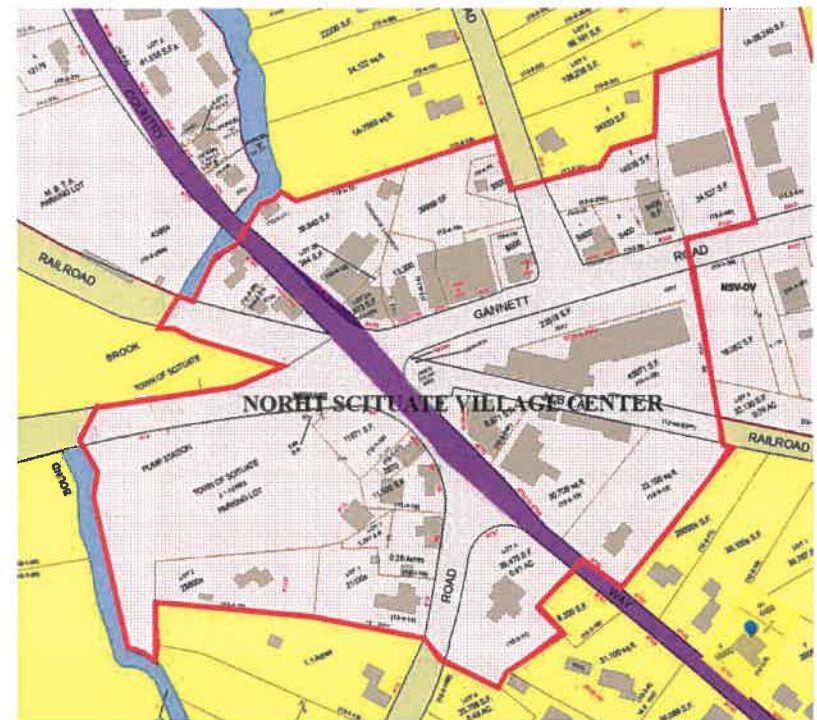
# POSSIBLE LOCATIONS – NORTH SCITUATE

Village Center & Neighborhood District: Subdistrict – NSV – VC – North Scituate Village Center

Allowed Marijuana Establishments by Special Permit and Site Plan

Approval ONLY:

- Marijuana Retailer
- Marijuana Operator
- Marijuana Courier
- Marijuana Transporter
- Marijuana Testing Facility



# POSSIBLE LOCATIONS – NORTH SCITUATE

Village Center & Neighborhood District: [Subdistrict – NSV – OV – North Scituate Outer Village](#)

Allowed Marijuana Establishments by Special Permit and Site Plan

Approval ONLY;

- Marijuana Retailer
- Marijuana Operator
- Marijuana Courier
- Marijuana Transporter
- Marijuana Testing Facility

