

LEGAL NOTICE
PUBLIC HEARING
TOWN OF WAKEFIELD

In accordance with the provisions of Chapter 40A, §5, of the General Laws of Massachusetts, the Planning Board will hold a Public Hearing at the Wakefield Town Hall, 1st Floor Conference Room, One Lafayette Street, Wakefield, Massachusetts on Tuesday, April 11, 2017 commencing at 7:00 p.m. to hear and act upon the following zoning text amendment adding the following:

"ARTICLE XIX Temporary Moratorium on Marijuana Establishments

"§ 190-111. Purpose

"At the Massachusetts election held on November 8, 2016, the voters of the Commonwealth approved a new law which, among other things, established G.L. c. 94G, entitled 'Regulation of the Use and Distribution of Marijuana Not Medically Prescribed.' That statute permits 'marijuana establishments' to be licensed by a new Cannabis Control Commission (the 'Commission') throughout Massachusetts for the cultivation, testing, manufacture and sale of marijuana products. The Commission was initially to promulgate regulations concerning marijuana establishments by September 15, 2017, which date has been extended to March 15, 2018 by Chapter 351 of the Acts of 2016. The regulation of recreational marijuana raises many complex questions concerning law, planning and public safety. The Town cannot adequately address those questions until the Commission issues its regulations. The purpose of this temporary moratorium is to provide the Town time for study, reflection and decision concerning the said regulations and the challenges posed by recreational marijuana.

"§ 190-112. 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 for a 'marijuana establishment' as defined in G.L. c. 94G, § 1. This moratorium shall not apply to the sale, distribution or cultivation of marijuana for medical purposes licensed under Chapter 369 of the Acts of 2012. 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 on the Town, consider the regulations to be issued by the Commission, determine whether the Town should ban any or all types of marijuana establishments within the Town, decide whether to prohibit on-site consumption of marijuana products at marijuana establishments, and otherwise weigh its options in addressing the issues raised by recreational marijuana.

"§ 190-113. Severability

"The provisions of this Section are severable. If any provision, paragraph, sub-section, sentence or clause hereof, or the application thereof to any person, establishment or circumstance, shall be held invalid or illegal, such invalidity or illegality shall not affect the other provisions hereof, or the application hereof to other persons, establishments or circumstances."

A copy of the existing text and proposed amendment are available for inspection at the Town Clerk's Office Wakefield Town Hall, One Lafayette Street, Wakefield, Massachusetts during regular business hours. Any person wishing to be heard on this matter should appear at the time and place designated.

Wakefield Planning Board

William Spaulding

Chairperson

3/27/2017 & 4/3/2017