

The Commonwealth of Massachusetts

HAMPSHIRE, SS.

To either of the Constables of the Town of Chesterfield in the County of Hampshire,

GREETING.

IN THE NAME OF The Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of said Town qualified to vote in elections and Town affairs, to meet at the Community Center, 400 Main Road, in said Chesterfield on the 26th of March next, at 7:00 o'clock in the evening, then and there to act on the following articles:

In the case of inclement weather, the alternative date will be the Twenty-eighth day of March next, at 7:00 o'clock in the evening.

ARTICLE 1: To see if the Town will vote to transfer from the Enterprise Fund, now in the Treasury, the sum of \$24,070.27 to pay Westfield Gas & Electric for an unpaid Internet Service Provider bill from FY23, or take any other action relative thereto.

MLP Note: This bill was inadvertently overlooked in FY23 and could not be paid in FY24 unless approved at Town Meeting. This vote requires a 9/10 approval.

ARTICLE 2:

To see if the Town will vote to amend Section 6.4 (“Adult Use Marijuana Establishments (ME)”) and Section 3.0 (“Table 1 Schedule of Use Regulations”) of the Town of Chesterfield Zoning By-Law, by deleting the text in strikethrough and inserting the text that is bold and underlined, as set forth below, or take any other action relative thereto.

6.4.3 Definitions

Marijuana Courier – Means an entity licensed **with a Delivery License (defined as either a Marijuana Courier License or a Marijuana Delivery Operator License) or a Delivery Endorsement defined as an authorization granted to Licensees in categories of Marijuana Establishments identified by the Commission to perform deliveries directly from the establishment to Consumers (935 CMR 500.002)** to deliver Finished Marijuana Products, Marijuana Accessories and Branded Goods directly to Consumers from a Marijuana Retailer, or directly to Registered Qualifying Patients or Caregivers from a Marijuana Treatment Center. **A Marijuana Courier**, ~~but~~ is not authorized to sell Marijuana or Marijuana Products directly to Consumers, Registered Qualifying Patients or Caregivers and is not authorized to Wholesale, Warehouse,

~~Process, Repackage, or White Label and. A Marijuana Courier is an additional license type under G.L. c. 94G, § 4(b)(1) that allows for limited delivery of Marijuana or Marijuana Products to Consumers; and shall not be considered to be a Marijuana Retailer under 935 CMR 500.002: Definitions or 935 CMR 500.050: Marijuana Establishments and shall be subject to 935 CMR 500.050(1)(b): Control Limitations.~~

Marijuana Courier means an entity licensed to deliver Finished Marijuana Products, Marijuana Accessories and Branded Goods directly to Consumers from a Marijuana Retailer, or directly to Registered Qualifying Patients or Caregivers from an MTC, but is not authorized to sell Marijuana or Marijuana Products directly to Consumers, Registered Qualifying Patients or Caregivers and is not authorized to Wholesale, Warehouse, Process, Repackage, or White Label. A Marijuana Courier is an additional license type under M.G.L. c. 94G, § 4(b)(1) that allows for limited delivery of Marijuana or Marijuana Products to Consumers; and shall not be considered to be a Marijuana Retailer under 935 CMR 500.002 or 500.050 and shall be subject to 935 CMR 500.050(1)(b).

Marijuana Research Facility Licensee – An **academic institution, nonprofit corporation or domestic corporation or entity authorized to do business in the Commonwealth, including a licensed Marijuana Establishment or MTC, that is licensed to conduct research.** ~~entity licensed to engage in research projects by the Commission.~~

Marijuana Retailer – An entity licensed to purchase, **Repackage, White Label,** and transport ~~cannabis or~~ **M**marijuana **P**product from Marijuana Establishments and to sell or otherwise transfer this product to ~~Marijuana Establishments and to consumers.~~ **Unless licensed, r**Retailers are prohibited from **offering Marijuana or Marijuana Products for the purposes of on-site social consumption on the premises of a Marijuana Establishment.** ~~delivering cannabis or marijuana products to consumers.~~

Medical Marijuana Treatment Center (MTC) – formerly known as a Registered Marijuana Dispensary (RMD), means an entity licensed under or Registered Marijuana Dispensary (RMD) – A use operated by an not profit entity registered and approved by the MA Department of Public Health in accordance with licensed under 935 CMR 501.101 ~~105 CMR 725.000,~~ and pursuant to all other applicable state laws and regulations, also to be known as a Medical Marijuana Treatment Center, that acquires, cultivates, ~~possesses,~~ possesses, **P**processes (including development of related products such as ~~food~~ **Edibles, MIPs, T**inctures, aerosols, oils, or ointments), **Repackages,** ~~transfers,~~ transports, sells, distributes, **delivers,** dispenses, or administers **M**marijuana, products containing **M**marijuana, related supplies, or educational materials to **R**egistered **Q**ualifying **P**atients or their **P**ersonal **C**aregivers **for medical use. Unless otherwise specified, MTC refers to the site(s) of dispensing, cultivation, and preparations of Marijuana for medical use.** An RMD shall ~~explicitly include facilities which cultivate and process medical marijuana, and which may also dispense and deliver medical marijuana and related products.~~

6.4.24.2 Physical Requirements

- b. Marijuana Establishments shall abide by the following development standards: where these standards conflict with those in Section 7.2, the provisions herein shall apply.
11. Energy Efficiency: Marijuana Establishments are required to prepare and submit an energy efficiency plan: **as part of its application to the town and consistent with Cannabis Control Commission regulations. 935 CMR 500.103 (b) requires an applicant to submit an energy compliance letter prepared by a Massachusetts Licensed Professional Engineer or Massachusetts Licensed Registered Architect with supporting documentation; 935 CMR 500.105 (1) (g) requires an ME to have a detailed written operating procedure than includes policies and procedures for energy efficiency and conservation; 935 CMR 500.105 (15) requires an applicant to demonstrate consideration of the factors related to energy efficiency and conservation as part of its operating plan and application for licensure; and 935 CMR 500.120 (11) requires a cultivator to satisfy minimum energy efficiency and equipment standards established by the commission and be subject to minimum energy efficiency and equipment standards established by the CCC.** The use of renewable energy sources such as on-site solar should be considered.

6.4.4.3 • Location

- a. Marijuana Establishments may be located only within the Town Center, Agricultural-Residential (AR-1) or Agricultural-Residential (AR-II) Zoning Districts with an approved Special Permit with Site Plan approval and as shown in Table 1, Schedule of Use Regulations.

TABLE 1 SCHEDULE OF USE REGULATIONS

Definitions of the terms used in this table can be found in Section 6.4.3.

- b. No Marijuana Establishment shall be located on a parcel which is within one-half mile ~~(to be measured in a straight line from the nearest point of the property line in question to the nearest point of the property line where the Marijuana Establishment will be located)~~ of a parcel occupied by a pre-existing public or private school (existing at the time the Applicant's license application was received by the Cannabis Control Commission) providing education in kindergarten or any grades 1-12 or within 500 feet of any public park or public recreation area. **The buffer zone distance of 500 feet shall be measured in a straight line from the geometric center of the Marijuana Establishment Entrance to the geometric center of the nearest School Entrance, unless there is an Impassable Barrier within those 500 feet; in these cases, the buffer zone distance shall be measured along the center of the shortest publicly-accessible pedestrian**

travel path from the geometric center of the Marijuana Establishment Entrance to the geometric center of the nearest School Entrance.

6.4.5 Application Requirements

Applications for Special Permits with Site Plan Approvals for Marijuana Establishments will be processed in the order that complete applications are received by the Planning Board. The approval of a Special Permit for any Marijuana Establishment is up to the discretion of the Planning Board who will be making its determination based on each application's adherence to the standards stated in this bylaw and in other applicable sections of Section 7.0. ~~Applicants are required to attend a duly advertised Planning Board meeting prior to submitting an application for a Special Permit to review the submission requirements for a complete application.~~

3.0 SCHEDULE OF USE REGULATIONS

**TABLE 1
SCHEDULE OF USE REGULATIONS**

Bylaw Number	Land Use Classification	Standards and Conditions	Zoning Districts					
			TC	AR-I	AR-II	FP	WRP	WS
3.088.1	Craft Marijuana Cooperation	See Section 6.4	N	SPA <u>N</u>	SPA <u>N</u>	N	N	N
3.088.2	Marijuana Cultivator, Indoor/Outdoor	See Section 6.4	N	SPA <u>N</u>	SPA <u>N</u>	N	N	N
3.088.3	Marijuana Product Manufacturer	See Section 6.4	N	SPA <u>N</u>	SPA <u>N</u>	N	N	N
3.088.4	Marijuana Retailer	See Section 6.4	SPA	SPA	SPA	N	N	N
3.088.5	Marijuana Independent Testing Laboratory	See Section 6.4	N	SPA <u>N</u>	SPA <u>N</u>	N	N	N
3.088.6	Marijuana Microbusiness	See Section 6.4	N	SPA <u>N</u>	SPA <u>N</u>	N	N	N

3.088.7	Marijuana Research Facility	See Section 6.4	N	SPA <u>N</u>	SPA <u>N</u>	N	N	N
3.088.8	Marijuana Transporter	See Section 6.4	N	SPA <u>N</u>	SPA <u>N</u>	N	N	N
3.088.9	Marijuana Courier	See Section 6.4	N	SPA <u>N</u>	SPAN <u>N</u>	N	N	N
3.088.10	Marijuana Delivery Operator	See Section 6.4	N	SPA <u>N</u>	SPA <u>N</u>	N	N	N
3.088.11	Medical Marijuana Treatment Ctr.	See Section 6.4	N	SPA <u>N</u>	SPA <u>N</u>	N	N	N

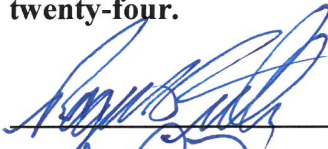
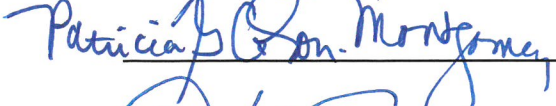

Definitions of the terms in this section can be found in Section VIII

ARTICLE 3: To take up any other matter which may legally be brought before this meeting.

And you are hereby directed to serve this Warrant, by posting up attested copies thereof at the Chesterfield Post Office and the Town Office Building in said Town, fourteen days at least before the time of holding said meeting.

HEREOF FAIL NOT, and make due return of this Warrant, with your doings thereon, to the Town Clerk, at the time and place of meeting, as aforesaid.

Given under our hands this 11th day of March in the year of our Lord two thousand twenty-four.


 _____ Roger A. Fuller, Chair

 _____ Patricia G. Colson-Montgomery

 _____ Donald Willard

Select Board of Chesterfield

