



**Minutes of May 6, 2019 Annual Town Meeting  
Commonwealth of Massachusetts  
County of Hampden, ss.  
Town of Blandford**

At a legal meeting of the qualified voters of the TOWN OF BLANDFORD, held on May 6, 2019 at 7 P.M., at Blandford Town Hall, One Russell Stage Road, Blandford, Massachusetts the following business was transacted:

**Article 1:** To see if the Town will vote, pursuant to the provisions of M.G.L. c. 39, §15 that the Town Moderator be authorized to declare a two-thirds vote without a count when passage of an article requires a two-thirds vote by statute, provided, however, that if the vote is immediately questioned by seven or more voters, a count shall be taken, or take any other action relative thereto.

**Motion made and seconded; article passed unanimously**

**Article 2:** To see if the Town will vote to amend the Town's General Bylaws, Article II(C), Town Moderator, by inserting the following new provision:

Authority of the Town Moderator: If in consideration of a warrant article at Town Meeting a two-thirds vote is required by statute for passage of such article, the Moderator may declare the vote to be a two-thirds vote without a count, provided, however, that if the vote is immediately questioned by seven or more voters, a count shall be taken. Or take any other action relative thereto.

**Motion made and seconded; article passed unanimously**

**Article 3:** To see if the Town will vote to accept the reports of the Town Officials and act thereon; or take any other action relative thereto.

**Motion made and seconded; article passed unanimously**

**Article 4:** To see if the Town will vote to approve the Gateway Regional School District Amended Regional Agreement as presented by the School Committee dated March 13, 2019, which is on file at the Town Clerk's Office, the Superintendent of Schools' Office and the Porter Memorial Public Library as well as being posted on the District's website ([www.grsd.org](http://www.grsd.org)); or take any other action relative thereto.

**Motion made and seconded; article passed unanimously**

**Motion made and seconded to take up Article 21 at this time. Motion carried unanimously**

**Article 21:** To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$2,053,182.98 to defray the expenses of the Town for the Fiscal Year beginning July 1, 2019 and ending June 30, 2020; or take any other action relative thereto. (See proposed Departmental Budgets).

**Article amended dollar amount to read:**

**Article 21:** To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$2,680,858.98 to defray the expenses of the Town for the Fiscal Year beginning July 1, 2019 and ending June 30, 2020; or take any other action relative thereto. (See proposed Departmental Budgets).

**Motion made and seconded; article carried**

**Article 5:** To see if the Town will vote to raise and appropriate the sum of \$1,566,796 for the Gateway Regional School District as determined using the alternative assessment method for the period of July 1, 2019 through June 30, 2020; or take any other action relative thereto.

**Motion made and seconded; article carried unanimously**

**Article 6:** To see if the Town will vote to raise and appropriate the sum of \$100,000 for the Vocational Education (account #015301.000) for the period of July 1, 2019 through June 30, 2020; or take any other action relative thereto.

**Motion made and seconded; article carried unanimously**

**Article 7:** To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$4,862.68 Building Stabilization Account; or take any other action relative thereto.

**Selectmen asked that this article be passed over**

**Article 8:** To see if the Town will vote to raise and appropriate the sum of \$35,000.00 for the transportation expenses (account #015302.000) for Vocational Education for the period of July 1, 2019 through June 30, 2020; or take any action relative thereto.

**Motion made and seconded; article carried unanimously**

**Article 9:** To see if the Town will vote to authorize the Town Treasurer, with the approval of the Board of Selectmen, to borrow money from time to time in anticipation of the revenue of the fiscal year beginning July 1, 2019 and ending June 30, 2020, in accordance with the provisions of M.G.L., c. 44, sec. 4, and to issue a note or notes as may be given for a period of less than one year in accordance with M.G.L., c. 44, sec. 17; or take any other action relative thereto.

**Motion made and seconded; article carried unanimously**

**Article 10:** To see if the Town will vote to establish the spending limit for the Council on Aging Revolving Fund as found in Article XXI of the General Bylaw entitled Revolving Funds, as \$7,500 pursuant to the provisions of MGL c 44, sec 53E½; or take any other action relative thereto.

**Motion made and seconded; article carried unanimously**

**Article 11:** To see if the Town will vote to transfer from free cash the sum of \$217,837 for Stabilization Account to replace funds transferred from stabilization during FY19 for municipal finance reorganization plan and vehicles for highway and fire department; or take any other action relative thereto.

**Motion made and seconded; article carried**

**Article 12:** To see if the town will vote to transfer from free cash the sum of \$100,000 for (Stabilization Account); or take any other action relative thereto.

**Motion made and seconded; article carried unanimously**

**Article 13:** To see if the Town will vote to transfer from free cash a sum of \$15,000 for the Reserve Account (account #015132.000); or take any other action relative thereto.

**Motion made and seconded; article carried unanimously**

**Article 14:** To see if the Town will vote to transfer from free cash a sum of \$85,800 for the Capital Projects account (#015920.000); or take any other action relative thereto.

**Motion made and seconded; article carried unanimously**

**Article 15:** To see if the Town will vote to transfer from free cash the sum of \$15,000 for the Capital Projects account to pave and extend the parking lot at the Porter Memorial Library; or take any other relative action thereto.

**Motion made and seconded; article carried**

**Article 16:** To see if the Town will vote to transfer from free cash the sum of \$15,000 for the Capital Projects account to pave the lot at the Transfer Station; or take any other relative action thereto.

**Motion made and seconded; article carried unanimously**

**Article 17:** To see if the Town will vote to transfer from free cash the sum of \$143,000 for the Capital Projects account for road improvements; or take any action relative thereto.

**Motion made and seconded; article carried unanimously**

**Article 18:** To see if the Town will vote to transfer from free cash a sum of \$205,570 for the Capital Projects account to purchase single axle class 8 dump truck for Highway Department; or take any other action relative thereto.

**Motion made and seconded; article carried**

**Article 19:** To see if the Town will vote to transfer from free cash the sum of \$5,000 for the Capital Projects account for constructing an animal holding pen for the Animal Control Officer; or take any other action relative thereto.

**Motion made and seconded; article carried unanimously**

**Article 20:** To see if the Town will vote to transfer from free cash the sum of \$15,000 for an Other Post Employment Benefit (OPEB) Actuary Study; or take any other action relative thereto.

**Motion made and seconded; article carried unanimously**

**Article 22:** To see if the Town will appropriate a sum of money for Town road improvements; and to determine whether such amount should be raised by taxation, borrowing, transfer from available funds or otherwise; or take any other action relative thereto.

**Article amended to read:**

Article 22: To see if the town will borrow a sum of money for Town road improvements; That the sum of \$499,999. Is appropriated to repair and reconstruct roads in the town; that to meet this appropriation, the Treasurer, with the approval of the Selectmen, is authorized to borrow said amount under and pursuant to Chapter 44, Section 7(1) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefor.

**Motion made and seconded; article carried**

**Article 23:** To see if the Town will vote to transfer the sum of \$535,082.80 from Water Department Receipts to operate the Water Department for the Fiscal Year beginning July 1, 2019 and ending June 30, 2020; or take any other action relative thereto. (See proposed departmental budgets).

**Motion made and seconded; article carried unanimously**

**Article 24:** To see if the Town will vote to transfer from Water Department Retained Earnings the sum of \$44,000 for account Water Dept. Capital Expenses account to support the water meter reader purchase installation to be bought and installed within fiscal year 2019; or take any other action relative thereto.

**Motion made and seconded; article carried**

**Article 25:** To see if the Town will vote to transfer from Water Department Retained Earnings the sum of \$106,022 to Water Stabilization account; or take any other action relative thereto.

**Motion made and seconded; article carried unanimously**

**Article 26:** To see if the Town will vote to accept the provisions of G.L. c.64N, § 3(a), as recently amended by Section 13 of Chapter 55 of the Acts of 2017, and to authorize the Town to impose a 3% local sales tax upon the sale or transfer of marijuana or marijuana products by a marijuana retailer operating within the Town to anyone other than a marijuana establishment, or take any other action relative thereto.

**Motion made and seconded; article carried unanimously**

**Article 27:** To see if the Town will vote to delete the title in Chapter V of the General Bylaws that reads “V. Liquor-Gaming”, and replace with “V. Liquor-Gaming-Marijuana”; or take any other action relative thereto.

**Motion made and seconded; article carried unanimously**

**Article 28:** To see if the Town will vote to amend its General By-laws, Chapter V, to add the following section, or take any other relative action thereto:

“D. No person shall inhale, ingest, or otherwise use or consume marijuana or THC (as defined in G.L. c. 94C, § 1, as amended) while in or upon any street, sidewalk, public way, footway, passageway, stairs, bridge, park, playground, beach, recreation area, boat landing, public building, schoolhouse, school grounds, cemetery, parking lot, or any area owned by or under the control of the Town; or in or upon any bus or other passenger conveyance operated by a common carrier; or in any place accessible to the public. Whoever is found in violation of this by-law shall, when requested by an official authorized to enforce this by-law, state their true name and address to such official.

This By-law may be enforced through any lawful means in law or in equity including, but not limited to, enforcement or complaint pursuant to G.L. c.40, § 21, or by noncriminal disposition pursuant to G.L. c. 40, § 21D, or any police officer. The fine for violation of this By-law shall be three hundred dollars (\$300) for each offense. Any penalty imposed under this By-law shall be in addition to any civil penalty imposed under G.L. c. 94C, § 32L.

This By-law shall not alter or affect the jurisdiction of the Board of Health under the provisions of G.L. c.111, §31 or any other applicable law, including but not limited to the regulation of combustion and inhalation of tobacco and non-tobacco products in workplaces and public spaces in the Town.”

**Motion made and seconded; article carried unanimously**

**Article 29:** To see if the Town will vote to delete Zoning By-law SECTION XV: TEMPORARY MORATORIUM ON MARIJUANA ESTABLISHMENTS, or take any other relative action thereto.

**Motion made and seconded; article carried with two-thirds vote as declared by Moderator**

**Article 30:** To see if the Town will vote to amend Zoning By-law SECTION XIII: DEFINITIONS to add the following definitions, or take any other action relative thereto:

13.19. Cannabis or Marijuana or Marihuana: All parts of any plant of the genus Cannabis, not excepted in 935 CMR 500.002: Cannabis or Marijuana or Marihuana (a) through (c) and whether growing or not; the seeds thereof; and resin extracted from any part of the plant; clones of the plant; and every compound, manufacture, salt, derivative, mixture or preparation of the plant, its seeds or resin including tetrahydrocannabinol as defined in M.G.L. c. 94G, § 1; provided that cannabis shall not include:

(a) the mature stalks of the plant, fiber produced from the stalks, oil, or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture or preparation of the mature stalks, fiber, oil, or cake made from the seeds of the plant or the sterilized seed of the plant that is incapable of germination;

- (b) hemp; or
  - (c) the weight of any other ingredient combined with cannabis or marijuana to prepare topical or oral administrations, food, drink or other products.
- 13.20. Cannabis or Marijuana Products: Cannabis or marijuana and its products unless otherwise indicated. These include products have been manufactured and contain cannabis or marijuana or an extract from cannabis or 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.
- 13.21. Commission: The Massachusetts Cannabis Control Commission established by M.G.L. c. 10, § 76, or its designee. The Commission has authority to implement the state marijuana laws, which include, but are not limited to, St. 2016, c. 334 as amended by St. 2017, c. 55, M.G.L. c. 94G, and 935 CMR 500.000.
- 13.22. Craft Marijuana Cooperative: A Marijuana Cultivator comprised of residents of the Commonwealth and organized as a limited liability company, limited liability partnership, or cooperative corporation under the laws of the Commonwealth. A cooperative is licensed to cultivate, obtain, manufacture, process, package and brand cannabis or marijuana products to transport marijuana to Marijuana Establishments, but not to consumers.
- 13.23. Hemp: The plant of the genus Cannabis or any part of the plant, whether growing or not, with a delta-9-tetrahydrocannabinol concentration that does not exceed 0.3% on a dry weight basis of any part of the plant of the genus Cannabis, or per volume or weight of cannabis or marijuana product, or the combined percent of delta-9-tetrahydrocannabinol and tetrahydrocannabinolic acid in any part of the plant of the genus Cannabis regardless of moisture content.
- 13.24. Host Community Agreement: An agreement, pursuant to General Laws, Chapter 94G, Section 3(d), between a Marijuana Establishment and a municipality setting forth additional conditions for the operation of a Marijuana Establishment, including stipulations of responsibility between the parties and up to a 3% community impact fee.
- 13.25. Licensee: A person or entity licensed by the Commission to operate a Marijuana Establishment under 935 CMR 500.000.
- 13.26. Manufacture: To compound, blend, extract, infuse or otherwise make or prepare a cannabis or marijuana product.
- 13.27. Marijuana Cultivation: The use of land and/or buildings for planting, tending, improving, harvesting, processing and packaging, the preparation and maintenance of soil and other media and promoting the growth of marijuana by a marijuana cultivator, micro-business, research facility, craft marijuana cultivator cooperative, registered marijuana dispensary or other entity licensed by the Commission for marijuana cultivation. Marijuana cultivation as defined herein and in accordance with G.L. c.94G and regulations adopted thereunder shall not constitute agriculture, aquaculture, floriculture or horticulture for purposes of this Zoning By-law and G.L. c.40A, §3. Note this term is not defined in 935 CMR 500.

- 13.28. Marijuana Cultivator: An entity licensed to cultivate, process and package marijuana, and to transfer marijuana to other Marijuana Establishments, but not to consumers. A Craft Marijuana Cooperative and a Marijuana Microbusiness are a type of Marijuana Cultivator.
- 13.29. Marijuana Establishment: A Marijuana Cultivator, Craft Marijuana Cooperative, Marijuana Product Manufacturer, Marijuana Retailer, Marijuana Independent Testing Laboratory, Marijuana Research Facility, Marijuana Transporter, or any other type of licensed marijuana-related business, except a Registered Marijuana Dispensary or Off-site Medical Marijuana Dispensary. Marijuana Establishments shall not constitute agriculture, aquaculture, floriculture or horticulture for purposes of this Zoning By-law and G.L. c.40A, §3.
- 13.30. Marijuana Independent Testing Laboratory: A laboratory that is licensed by the Commission and is:
- (a) accredited to the International Organization for Standardization 17025 (ISO/IEC 17025: 2017) by a third-party accrediting body that is a signatory to the International Laboratory Accreditation Accrediting Cooperation mutual recognition arrangement or that is otherwise approved by the Commission;
  - (b) independent financially from any Medical Marijuana Treatment Center (RMD), Marijuana Establishment or licensee for which it conducts a test; and
  - (c) qualified to test cannabis or marijuana in compliance with 935 CMR 500.160 and M.G.L. c. 94C, § 34.
- 13.31. Marijuana Microbusiness: A collocated Marijuana Establishment that can be either a Tier 1 Marijuana Cultivator or Product Manufacturer or both, in compliance with the operating procedures for each license. A Microbusiness that is a Marijuana Product Manufacturer may purchase no more than 2,000 pounds of marijuana per year from other Marijuana Establishments.
- 13.32. Marijuana Process or Processing: To harvest, dry, cure, trim and separate parts of the cannabis or marijuana plant by manual or mechanical means, except it shall not include manufacture as defined in 935 CMR 500.002.
- 13.33. Marijuana Product Manufacturer: An entity licensed to obtain, manufacture, process and package cannabis or marijuana products and to transfer these products to other Marijuana Establishments, but not to consumers.
- 13.34. Marijuana Research Facility: An entity licensed to engage in research projects by the Commission.
- 13.35. Marijuana Retailer: An entity licensed to purchase and transport cannabis or marijuana product from Marijuana Establishments and to sell or otherwise transfer this product to Marijuana Establishments and to consumers. Retailers are prohibited from delivering cannabis or marijuana products to consumers; and from offering cannabis or marijuana products for the purposes of on-site social consumption on the premises of a Marijuana Establishment.
- 13.36. Marijuana Transporter: An entity, not otherwise licensed by the Commission, that is licensed to purchase, obtain, and possess cannabis or marijuana product solely for the purpose of transporting, temporary storage, sale and distribution to

Marijuana Establishments, but not to consumers. Marijuana Transporters may be an Existing Licensee Transporter or Third Party Transporter.

**Motion to amend Article 30 to read as follows:**

To see if the town will vote to amend the Zoning By-law SECTION XIII: DEFINITIONS by accepting those definitions as contained in MGL 94G as may be amended and regulations as promulgated thereunder.

**Planning board recommended**

**Motion made and seconded; article carried unanimously as amended**

**Article 31:** To see if the Town will vote to amend its Zoning By-law, Section XII: SCHEDULE USE OF TABLE, to provide for Marijuana Establishments, as follows, or take any other action relative thereto:

	AG	R	B	LPWP	Notes
5.5 Craft Marijuana Cooperative	SP/SPA	N	N	N	See Sections IX & XVI
5.6 Marijuana Cultivator	SP/SPA	N	N	N	See Sections IX & XVI
5.7 Marijuana Product Manufacturer	SP/SPA	N	N	N	See Sections IX & XVI
5.8 Marijuana Retailer	N	N	SP/SPA	N	See Sections IX & XVI
5.9 Marijuana Independent Testing Laboratory	N	N	SP/SPA	N	See Sections IX & XVI
5.10 Marijuana Microbusiness	SP/SPA	N	N	N	See Sections IX & XVI
5.11 Marijuana Research Facility	SP/SPA	N	N	N	See Sections IX & XVI
5.12 Marijuana Transporter	N	N	SP/SPA	N	See Sections IX & XVI
5.13 Any other type of licensed marijuana-related business, except a medical marijuana treatment center	N	N	N	N	
SP – Special Permit by Planning Board SPA – Site Plan Approval					

**Motion made and seconded; Planning Board recommended; article carried unanimously**

**Article 32:** To see if the Town will vote to amend its Zoning By-law to insert a new Section XVI “ADULT USE MARIJUANA ESTABLISHMENTS”, as follows, or take any other action relative thereto:

1. **Purpose.** The purpose of this bylaw is to allow for the siting of state-licensed Marijuana Establishments in appropriate locations in accordance with applicable state laws and regulations regarding adult use marijuana in accordance with state law, including G.L. c.94G and 935 CMR 500.00 and G.L. c.94I and 105 CMR 725.00 and to impose reasonable safeguards to govern the time place and manner of Marijuana Establishments to ensure public health, safety, well-being and mitigate against undue impacts on the town and its residents.
2. **Requirements/Conditions.** The Planning Board shall be the Special Permit Granting Authority and Site Plan Review authority for Marijuana Establishments. In addition to the standard requirements for uses permitted by-right or requiring a Special Permit or Site Plan Approval, as set forth in Sections V and IX of the By-law, the following shall also apply to all Marijuana Establishments:
  - a. Use:

- i. Any type of Marijuana Establishment may only be involved in the uses permitted by its definition and may not include other businesses or services.
- ii. No marijuana shall be smoked, eaten, topically applied or otherwise consumed or ingested within the premises of any Marijuana Establishment unless expressly permitted under this law and permitted by state law or regulation.
- iii. The hours of operation shall be set by the Special Permit Granting Authority, but in no event shall a Marijuana Establishment other than a Marijuana Retailer be open to the public, and no sale or other distribution of marijuana shall occur upon the premises or via delivery from the premises of a Marijuana Retailer between the hours of 8:00 p.m. and 8:00 a.m.
- iv. No marijuana establishment may commence operation or apply for a building permit prior to its receipt of all required permits and approvals including, but not limited, to its Final License from the Cannabis Control Commission.
- v. The number of Marijuana Retailers permitted to be located within the Town of Blandford shall not exceed 20% of the number of licenses issued within the town for the retail sale of alcoholic beverages not to be drunk on the premises where sold under chapter 138 of the General Laws. For the purposes of determining this number, any fraction shall be rounded up to the next highest whole number.

b. Physical Requirements:

- i. All aspects of the any Marijuana Establishment, except for the transportation of product or materials, relative to the acquisition, cultivation, possession, processing, sales, distribution, dispensing, or administration of marijuana, products containing marijuana, related supplies, or educational materials must take place at a fixed location within a fully enclosed building (including greenhouses) and shall not be visible from the exterior of the business. Marijuana Establishments may not be located within a trailer, storage freight container, motor vehicle or other similar type potentially movable enclosure.
- ii. No outside storage is permitted.
- iii. No Marijuana Retailer shall have a gross floor area open to the public in excess of 2,500 square feet.
- iv. Ventilation – all Marijuana Establishments shall be ventilated in such a manner that no:
  - 1. Pesticides, insecticides or other chemicals or products used in the cultivation or processing are dispersed into the outside atmosphere, and
  - 2. No odor from marijuana or its processing can be detected by a person with an unimpaired and otherwise normal sense of smell at the exterior of the Marijuana Establishment or at any adjoining use or property.
- v. Signage shall be displayed on the exterior of the Marijuana Establishment’s entrance in plain sight of the public stating that “Access to this facility is limited to individuals 21 years or older.” in text two inches in height.

All other signage must comply with all other applicable signage regulations in the Zoning By-law and 935 CMR 500.

- vi. Marijuana plants, products, and paraphernalia shall not be visible from outside the building in which the Marijuana Establishment is located and shall comply with the requirements of 935 CMR 500. The Board may require or allow the use of vegetative and artificial screening to eliminate the view from the public way. In making its determination, the Board shall consider the surrounding landscape and viewshed, and may require a vegetative screen in addition to or in place of artificial screening if an artificial screen would be out of character with the neighborhood.

- c. Location:
- i. Marijuana Establishments are encouraged to utilize existing vacant buildings where possible.
  - ii. No Marijuana Establishment shall be located on a parcel which is within three hundred (300) feet (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 is or will be located) of a parcel occupied by a preexisting public or private school chartered by the state (existing at the time the applicant's license application was received by the Cannabis Control Commission) (homeschools are not included) providing education in kindergarten or any of grades 1-12.
  - iii. No Marijuana Retailer shall be located on a parcel which is within three hundred (300) feet (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 retailer is or will be located) of a parcel occupied by another Marijuana Retailer.
  - iv. No Marijuana Establishment shall be located within the town's Residential Zoning District.
  - v. No Marijuana Establishment shall be located inside a building containing residential units, including transient housing such as motels and dormitories.
  - vi. No Marijuana Establishment is permitted to utilize or provide a drive through service.
- d. Reporting Requirements:
- i. Prior to the commencement of the operation or services provided by a Marijuana Establishment, the owner/applicant shall provide the Police Department, Fire Department, Building Commissioner/Inspector and the Special Permit Granting Authority with the names, phone numbers and email addresses of all management staff and key-holders, including a minimum of two (2) operators or managers of the facility identified as contact persons to whom one can provide notice if there are operating problems associated with the establishment. All such contact information shall be updated as needed to keep it current and accurate.
  - ii. The local Building Commissioner/Inspector, Board of Health, Police Department, Fire Department and Special Permit Granting Authority shall be notified in writing by the Marijuana Establishment facility owner/operator/ manager:
    1. A minimum of 30 days prior to any change in ownership or management of that establishment.
    2. A minimum of 12 hours following a violation or potential violation of any law or any criminal or potential criminal activities or attempts of violation of any law at the establishment or by its employees.
  - iii. Permitted Marijuana Establishments shall file an annual written report to, and appear before, the Special Permit Granting Authority no later than January 31st of each calendar year, providing a copy of all current applicable state licenses for the facility and/or its owners and demonstrate continued compliance with the conditions of the Special Permit/Site Plan Approval.
  - iv. The owner or manager of a Marijuana Establishment is required to respond by phone or email within twenty-four hours of contact by a duly authorized town official concerning their Marijuana Establishment at the phone number or email address provided to the town as the contact for the business.
- e. Issuance/Transfer/Discontinuance of Use
- i. Special Permits/Site Plan Approvals shall be issued to the Marijuana Establishment owner.
  - ii. Special Permits/Site Plan Approvals shall be issued for a specific type of Marijuana Establishment on a specific site/parcel.

- iii. Special Permits/Site Plan Approvals shall be non-transferable to either another Marijuana Establishment owner or another site/parcel.
- iv. Special Permits/Site Plan Approvals shall have a term limited to the duration of the applicant's ownership/control of the premises as a Marijuana Establishment, and shall lapse/expire if
  - 1. the Marijuana Establishment ceases operation (not providing the operation or services for which it is permitted) for 365 days, and/or
  - 2. the Marijuana Establishment's registration/license by the Cannabis Control Commission expires or is terminated.
- v. The Marijuana Establishment shall notify the Zoning Enforcement Officer and Special Permit Granting Authority in writing within 48 hours of such lapse, cessation, discontinuance or expiration or revocation.
- vi. A Marijuana Establishment shall be required to remove all material, plants equipment and other paraphernalia prior to surrendering its state registration/license or ceasing its operation.
  - 1. Prior to the issuance of a Building Permit for a Marijuana Establishment the applicant shall post with the Town Treasurer a bond or other form of financial security acceptable to said Treasurer in an amount set by the Planning Board. The amount shall be sufficient to cover the costs of the town removing all materials, plants, equipment and other paraphernalia if the applicant fails to do so. The Building Inspector shall give the applicant 45 days' written notice in advance of taking such action. Should the applicant remove all materials, plants, equipment and other paraphernalia to the satisfaction of the Building Inspector prior to the expiration of the 45 days written notice, said bond shall be returned to the applicant.

3. **Application Requirements.** Applications for Special Permits and Site Plan Approvals for Marijuana Establishments will be processed in the order that they are filed with the town.

In addition to the standard application requirements for Special Permits and Site Plan Approvals, such applications for a Marijuana Establishment shall include the following:

- a. The name and address of each owner and operator of the marijuana establishment.
- b. A copy of an approved and fully executed Host Community Agreement.
- c. A copy of its Provisional License from the Cannabis Control Commission pursuant to 935 CMR 500.
- d. If the Marijuana Establishment will be operated in conjunction with an approved RMD, a copy of its registration as an RMD from the Massachusetts Department of Public Health in accordance with 105 CMR 725.000 or from the Cannabis Control Commission in accordance with 935 CMR 500.
- e. Proof of Liability Insurance Coverage or Maintenance of Escrow as required in 935 CMR 500.
- f. Evidence that the Applicant has site control and right to use the site for a Marijuana Establishment in the form of a deed or valid purchase and sales agreement or, in the case of a lease a notarized statement from the property owner and a copy of the lease agreement.
- g. A notarized statement signed by the Marijuana Establishment organization's Chief Executive Officer and corporate attorney disclosing all of its designated representatives, including officers, directors, shareholders, partners, members, managers, or other similarly-situated individuals and entities and their addresses. If any of the above are entities rather than persons, the Applicant must disclose the identity of all such responsible individual persons.
- h. In addition to what is normally required in a Site Plan, details showing all exterior proposed security measures for the Marijuana Establishment including lighting, fencing, gates and

- alarms, etc. ensuring the safety of employees and patrons and to protect the premises from theft or other criminal activity.
- i. A detailed floor plan identifying the areas available and functional uses (including square footage).
  - j. All signage being proposed for the Marijuana Establishment.
  - k. A pedestrian/vehicular traffic impact study to establish the Marijuana Retailer's impact at peak demand times, including a line queue plan to ensure that the movement of pedestrian and/or vehicular traffic, including but not limited to, along the public right of ways will not be unreasonably obstructed.
  - l. An odor control plan detailing the specific odor-emitting activities or processes to be conducted on-site, the source of those odors, the locations from which they are emitted from the Marijuana Establishment, the frequency of such odor-emitting activities, the duration of such odor-emitting activities, and the administration of odor control including maintenance of such controls.
  - m. A Management Plan including a description of all activities to occur on site, including all provisions for the delivery of marijuana and related products to the Marijuana Establishment or off-site direct delivery.
  - n. Individual written plans which, at a minimum comply with the requirements of 935 CMR 500, relative to the Marijuana Establishment's:
    - i. Operating procedures
    - ii. Waste disposal
    - iii. Transportation and delivery of marijuana or marijuana products
    - iv. Energy efficiency and conservation
    - v. Security and Alarms
    - vi. Decommissioning of the Marijuana Establishment including a cost estimate taking into consideration the community's cost to undertake the decommissioning of the site.
- 4. Findings.** In addition to the standard Findings for a Special Permit or Site Plan Approval the Special Permit Granting Authority must also find all the following:
- a. The Marijuana Establishment is consistent with and does not derogate from the purposes and intent of this Section and the Zoning By-law.
  - b. That the Marijuana Establishment facility is designed to minimize any adverse visual or economic impacts on abutters and other parties in interest;
  - c. That the Marijuana Establishment meets or exceeds all the permitting requirements of all applicable agencies within the Commonwealth of Massachusetts and will be in compliance with all applicable state laws and regulations;
  - d. That the applicant has satisfied all of the conditions and requirements of this Section and other applicable Sections of this By-law;
  - e. That the Marijuana Establishment provides adequate security measures to ensure that no individual participant will pose a direct threat to the health or safety of other individuals, and that all operations of the facility, including storage, cultivation, and delivery are adequately secured on-site and via delivery.
  - f. That the Marijuana Establishment facility adequately addresses issues of traffic demand, circulation flow, parking and queuing, particularly at peak periods at the facility, and its impact on neighboring uses.

**Motion made and seconded; Planning Board recommended; article carried unanimously**

**Article 33:** To see if the Town will vote to amend the Zoning By-law, SECTION III: ESTABLISHMENT OF DISTRICTS, category 3.3: BOUNDARIES OF DISTRICTS, subcategory 3.3.3, by deleting

“BOUNDARIES OF RESIDENTIAL DISTRICT: Beginning at the intersection of Route 23 and Kaolin Road; thence running southwesterly in a straight line to the intersection of Falls Road or Herrick Road and the north line of the Sidney Dorrington property; thence running westerly in a straight line to the intersection of Route 23 and Bedlam Brook; thence running northerly along Bedlam Brook to the southeasterly line of the Roger Westcott property; thence northeasterly, following the Roger Westcott property line, to the North Blandford Road; thence northwesterly on the North Blandford Road to the south-easterly property line of the former Clifford Ripley property; thence northeasterly, following the Clifford Ripley property line, to north Street; thence north on North Street to the Massachusetts Turnpike bridge; thence southeasterly on the Massachusetts Turnpike to appoint at a right angle to the Turnpike; thence south to the point of beginning at the intersection of Route 23 and Kaolin Road, but excluding the Business District.”

as contained therein and inserting in place thereof the following:

“BOUNDARIES OF THE RESIDENTIAL DISTRICT: The residential district begins at the junction of South Street, on the north side of Rte 23, with GIS lot 113-0-11 (aka 60 Main Street), and continues to the junction of Kaolin Road, then follows north on Kaolin Road to GIS lot 1 (aka 2 Kaolin Road), then easterly along the northern boundary of lot 1 continuing easterly along the northern boundary of lot 4 (aka 72 Main Street) to the property of the Massachusetts Turnpike. It then continues along the southern border of the Massachusetts Turnpike back to the northeast corner of GIS lot 113-0-11 (aka 60 Main Street). The residential district includes all lots within the perimeter described above.

It then continues on the south side of Main Street at the junction of South Street and Main Street, (Rte 23), starting at GIS 113-0-16, (aka 59 Main Street), to GIS lot 111-0-4.01 (aka 71 Main Street), including all the lots between the aforementioned two lots.

The residential district includes all lots bordering the east and west sides of Sunset Road and all lots bordering the east and west sides of Glasgow Road, and all lots bordering the east and west sides of Wyman Road. All lots are south of the business district. The southern boundary of the residential district is as follows: starting at the south east corner of GIS lot 113-0-18,(aka 9 Sunset Road), then westerly along the southern boundary of lot 18, then northerly along the west side of lot 18 to the south east corner of lot 19,(aka 16 Sunset Road), then westerly along the southern boundary of lot 19, then northerly along the western boundary of lot 19, then easterly along the northern boundary of lot 19 to the south west corner of lot 111-0-12 , (aka 14 Sunset Road). It proceeds northerly along the western boundary of lot 12 to the southern boundary of lot 111-0- 19, (aka 70 Main Street). The residential district continues westerly along the south side of lot 111-0-19 to a point on lot 111-0-30 which borders on Glasgow Road. The residential district boundary continues southerly on the east side of lots 30 and 31 to the south east corner of lot 31 then continues westerly along lot 31 to lot 111-0-32 and then westerly along the southern border of lot 32, and westerly along the southern border of lot 110-0-6,and 110-0-16 whose western boundary borders along Herrick Road.

The residential district continues to where lot 110-0-6 meets the north east boundary of lot 414-0-2 (aka 23 Herrick Road). The boundary of the residential district then follows south along the eastern border of lot 414-0-2 and then west along the southern border of the same lot including the southern border of lot 414-0-3(aka 25 Herrick Road). The southern border of the residential district continues across Herrick

Road where it follows westerly along the southern border of lot 414-0-5.3. The residential district continues north along Herrick Road and includes all of the lots on the eastern and western sides of Herrick Road until it meets Otis Stage Road (aka Rte 23).

The residential district also includes Lots 110-0-24(105 Otis Stage Road) and 110-0-25, (107 Otis Stage Road).

The residential district follows northwest along both sides of North Blandford Road and stops at the northern border of lot 409-0-41 (aka 49 North Blandford Road) on the west side of North Blandford Road. The residential district includes all the lots on the eastern side of North Blandford Road to the junction of Gore Road.

The residential district includes all lots on the north and south sides of Gore Road to the junction of North Street. All lots within the boundary of North Blandford Road, Gore Road, and North Street are in the residential district.

The residential district continues on the east side of North Street starting at 104-0-6(aka 28 North Street) and continues south along North Street containing all lots between the east side of North Street and the boundary of the Massachusetts Turnpike Authority. The residential district ends where it meets the business district.”

and to amend the Zoning Map of the Town of Blandford, as established pursuant to Section 3.2 of this Zoning By-law, in accordance herewith, or take any other relative action thereto.

**Motion made and seconded;**

**Article amended to correct street name: Sunset Rock to be correct as Sunset Rock Road**

**Article 33 as amended:**

**Article 33:** To see if the Town will vote to amend the Zoning By-law, SECTION III: ESTABLISHMENT OF DISTRICTS, category 3.3: BOUNDARIES OF DISTRICTS, subcategory 3.3.3, by deleting

“BOUNDARIES OF RESIDENTIAL DISTRICT: Beginning at the intersection of Route 23 and Kaolin Road; thence running southwesterly in a straight line to the intersection of Falls Road or Herrick Road and the north line of the Sidney Dorrington property; thence running westerly in a straight line to the intersection of Route 23 and Bedlam Brook; thence running northerly along Bedlam Brook to the southeasterly line of the Roger Westcott property; thence northeasterly, following the Roger Westcott property line, to the North Blandford Road; thence northwesterly on the North Blandford Road to the south-easterly property line of the former Clifford Ripley property; thence northeasterly, following the Clifford Ripley property line, to north Street; thence north on North Street to the Massachusetts Turnpike bridge; thence southeasterly on the Massachusetts Turnpike to appoint at a right angle to the Turnpike; thence south to the point of beginning at the intersection of Route 23 and Kaolin Road, but excluding the Business District.”

as contained therein and inserting in place thereof the following:

“BOUNDARIES OF THE RESIDENTIAL DISTRICT: The residential district begins at the junction of South Street, on the north side of Rte 23, with GIS lot 113-0-11 (aka 60 Main Street), and continues to

the junction of Kaolin Road, then follows north on Kaolin Road to GIS lot 1 (aka 2 Kaolin Road), then easterly along the northern boundary of lot 1 continuing easterly along the northern boundary of lot 4 (aka 72 Main Street) to the property of the Massachusetts Turnpike. It then continues along the southern border of the Massachusetts Turnpike back to the northeast corner of GIS lot 113-0-11 (aka 60 Main Street). The residential district includes all lots within the perimeter described above.

It then continues on the south side of Main Street at the junction of South Street and Main Street, (Rte. 23), starting at GIS 113-0-16, (aka 59 Main Street), to GIS lot 111-0-4.01 (aka 71 Main Street), including all the lots between the aforementioned two lots.

The residential district includes all lots bordering the east and west sides of Sunset Rock Road and all lots bordering the east and west sides of Glasgow Road, and all lots bordering the east and west sides of Wyman Road. All lots are south of the business district. The southern boundary of the residential district is as follows: starting at the south east corner of GIS lot 113-0-18,(aka 9 Sunset Rock Road), then westerly along the southern boundary of lot 18, then northerly along the west side of lot 18 to the south east corner of lot 19,(aka 16 Sunset Rock Road), then westerly along the southern boundary of lot 19, then northerly along the western boundary of lot 19, then easterly along the northern boundary of lot 19 to the south west corner of lot 111-0-12 , (aka 14 Sunset Rock Road). It proceeds northerly along the western boundary of lot 12 to the southern boundary of lot 111-0- 19, (aka 70 Main Street). The residential district continues westerly along the south side of lot 111-0-19 to a point on lot 111-0-30 which borders on Glasgow Road. The residential district boundary continues southerly on the east side of lots 30 and 31 to the south east corner of lot 31 then continues westerly along lot 31 to lot 111-0-32 and then westerly along the southern border of lot 32, and westerly along the southern border of lot 110-0-6,and 110-0-16 whose western boundary borders along Herrick Road.

The residential district continues to where lot 110-0-6 meets the northeast boundary of lot 414-0-2 (aka 23 Herrick Road). The boundary of the residential district then follows south along the eastern border of lot 414-0-2 and then west along the southern border of the same lot including the southern border of lot 414-0-3(aka 25 Herrick Road). The southern border of the residential district continues across Herrick Road where it follows westerly along the southern border of lot 414-0-5.3. The residential district continues north along Herrick Road and includes all of the lots on the eastern and western sides of Herrick Road until it meets Otis Stage Road (aka Rte 23).

The residential district also includes Lots 110-0-24(105 Otis Stage Road) and 110-0-25, (107 Otis Stage Road).

The residential district follows northwest along both sides of North Blandford Road and stops at the northern border of lot 409-0-41 (aka 49 North Blandford Road) on the west side of North Blandford Road. The residential district includes all the lots on the eastern side of North Blandford Road to the junction of Gore Road.

The residential district includes all lots on the north and south sides of Gore Road to the junction of North Street. All lots within the boundary of North Blandford Road, Gore Road, and North Street are in the residential district.

The residential district continues on the east side of North Street starting at 104-0-6(aka 28 North Street) and continues south along North Street containing all lots between the east side of North Street and the boundary of the Massachusetts Turnpike Authority. The residential district ends where it meets the business district.”

**Article 33 as amended: motion made and seconded, article carried unanimously**

**Article 34:** To see if the Town will vote to amend Zoning By-law SECTION III: ESTABLISHMENT OF DISTRICTS, category 3.3: BOUNDARIES OF DISTRICTS, subcategory 3.3.3, by deleting

“BOUNDARIES OF BUSINESS DISTRICT: The south side of Main Street between Glasgow Road and the intersection of North Street, for a depth of 150 feet. The north side of Main Street between the easterly line of property now or formerly owned by John Peebles and the intersection of North Street, for depth of 150 feet.”

as contained therein and inserting in place thereof the following:

“BOUNDARIES OF THE BUSINESS DISTRICT: Starting on the east side of Kaolin Road, at lot 21, then following the southern border of lot 21 to lot 22 and then along the southern border of lot 22 to the border of the Massachusetts Turnpike. The business district then follows westerly along the southern border of the Massachusetts Turnpike including all of the lots between the Mass Turnpike and Kaolin Road.

The business district will also include all of the property encompassed within the boundaries of Russell Stage Road, Kaolin Road, and Main Street (Rte 23).

The business will continue from the intersection of Russell Stage Road and Maple Lane including all of the lots between Maple Lane and the Mass Turnpike including lot 30 AKA 10 Maple Lane. Then continuing along the western border of lot 29 then west along the southern border of lot 5 then southerly along the east side of lots 8 and 9 (aka 4 and 6 respectively) and westerly along the southern border of lot 9 to North Street.

Then continuing south on North Street to the junction of Main Street, ( Rte 23), and Russell Stage Road including lots 11, 12, 14, 15, 16, and 17 and excluding lot 13 also known as Watson Park. Then at the junction of Main Street and Russell Stage Road going North along Russell Stage Road to Maple Lane including all of the lots between Russell Stage Road and lot 13, (Watson Park), and then along the south side of Maple Lane to and including lot 28 aka 5 maple Lane.

The business district continues from the junction of Main Street and North Street Starting at lot 1, aka 99 Main Street, including all of the lots that border along the south side of Main Street and ending at lot 5 (aka 73) Main Street. The business district will extend to the southern border of each lot.”

and to amend the Zoning Map of the Town of Blandford, as established pursuant to Section 3.2 of this Zoning By-law, in accordance herewith, or take any other relative action thereto.

**Motion made and seconded; article carried unanimously**

**Article 35:** To see if the Town will vote pursuant to the provisions of G.L. c. 41, sec. 1 to authorize the Town Treasurer to act as Tax Collector and be referred to as the Town Treasurer/Collector, and, to implement such vote, to amend the General Bylaws, Section II, Officers, subsection E, Treasurer, by inserting the underlined text and deleting the strikethrough text as shown below; and to further to amend the General Bylaws by deleting Section II, Officers, subsection I, Tax Collector in its entirety and renumbering the remaining subsections of Section II accordingly; or take any other action relative thereto:

E. Town Treasurer/Collector

Appointed by Selectmen

Three (3) year term

~~Special Legislation enacted~~

~~September 18, 2014; signed by Governor Baker September 25, 2014~~

~~Chapter 324 of the Acts of 2014~~

~~See page 34 for exact language~~

~~Article 17 of Town Meeting 1961~~

**Motion made and seconded; motion amended to read:**

**Article 35:** To see if the Town will vote pursuant to the provisions of G.L. c. 41, sec. 1 to authorize the Town Treasurer to act as Tax Collector and be referred to as the Town Treasurer/Collector, and, to implement such vote, to amend the General Bylaws, Section II, Officers, subsection E, Treasurer, by inserting the underlined text and keeping the strikethrough text as shown below; and to further to amend the General Bylaws by deleting Section II, Officers, subsection I, Tax Collector in its entirety and renumbering the remaining subsections of Section II accordingly; or take any other action relative thereto:

E. Town Treasurer/Collector

Appointed by Selectmen

Three (3) year term

Special Legislation enacted

September 18, 2014; signed by Governor Baker September 25, 2014

Chapter 324 of the Acts of 2014

See page 34 for exact language

Article 17 of Town Meeting 1961

**Motion made and seconded; article carried unanimously as amended**

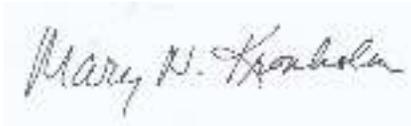
**Article 36:** To see if the Town will vote to authorize the Board of Selectmen to acquire by gift for general municipal purposes and to accept the deed to the Town of a fee simple interest in all or a portion of the parcel of land located on Island Acres Drive in the Town now or formerly owned by Timothy Harris, Susan Dakin, and Jean Dakin, containing two acres more or less, and described in a deed recorded with the Hampden Registry of Deeds in Book 12978, Page 336, and being identified by the Assessors as Parcel 401-1-18, and to authorize the Board of Selectmen to enter into any agreements and execute any documents necessary to effectuate the purpose of this article; or take any other relative action thereto.

**Motion made and seconded; article carried unanimously**

**Article 37:** To see if the Town will vote to authorize the Board of Selectmen to acquire by gift for general municipal purposes and to accept the deed to the Town of a fee simple interest in all or a portion of the parcel of land located on Hayden Road in the Town now or formerly owned by Dale M, Hewlett and Shirley J. Hewlett, Trustees of the Dale M. Hewlett and Shirley J. Hewlett Family Trust, containing 1.8 acres more or less, and described in a deed recorded with the Hampden Registry of Deeds in Book 9496, Page 0059, and being identified by the Assessors as Parcel 422-0-23, and to authorize the Board of Selectmen to enter into any agreements and execute any documents necessary to effectuate the purpose of this article; or take any other relative action thereto.

**Motion made and seconded; article carried unanimously**

**A true copy attest:**

A handwritten signature in cursive script, reading "Mary N. Korbola", is written on a light blue rectangular background.

**Town Clerk**