

**TOWN OF MARION  
TOWN MEETING WARRANT  
For the Special Town Meeting to be Held  
February 15, 2018**



*Plymouth, ss:*

To either of the Constables of the Town of Marion in the Commonwealth of Massachusetts

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are directed to notify and warn the inhabitants of the Town of Marion qualified to vote in Town election and Town affairs to meet at the Sippican School Auditorium in said Marion, on Thursday, the 15th day of February next, at 6:45 o'clock in the evening, then and there to act on the following Articles, to wit:

**Article S1: MORATORIUM WARRANT ARTICLE**

To see if the Town of Marion will vote to amend the Town's Zoning Bylaw by adding a new Section 230-8.13 TEMPORARY MORATORIUM ON ADULT USE MARIJUANA ESTABLISHMENTS, that would provide as follows, and further to amend the Table of Contents to add a Section "Temporary Moratorium on Adult Use Marijuana Establishments:"

Purpose

On November 8, 2016, the voters of the Commonwealth approved a law regulating the cultivation, processing, distribution, possession and use of marijuana for Adult Use purposes (new M.G.L. c. 94G, Regulation of the Use and Distribution of Marijuana Not Medically Prescribed). The law, which allows certain personal use and possession of marijuana, took effect on December 15, 2016 and (as amended on December 30, 2016 by Chapter 351 of the Acts of 2016 and thereafter, on July 28, 2017 by Chapter 55 of the Acts of 2017) requires a Cannabis Control Commission to issue regulations regarding the licensing of commercial activities by March 15, 2018 and to begin accepting applications for licenses no later than April 1, 2018. Currently under the Zoning Bylaw, a non-medical Marijuana Establishment (hereinafter, an "Adult Use Marijuana Establishment"), as defined in M.G.L. c. 94G, §1, is not specifically addressed in the Zoning Bylaw.

Regulations to be promulgated by the Cannabis Control Commission may provide guidance on certain aspects of local regulation of Adult Use Marijuana Establishments. The regulation of Adult Use marijuana raises novel legal, planning, and public safety issues, and the Town of Marion needs time to study and consider the regulation of Adult Use Marijuana Establishments and address such 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 Adult Use Marijuana Establishments. The Town of Marion intends to adopt a temporary moratorium on the use of land and structures in the Town for Adult Use Marijuana Establishments to allow sufficient time to address the effects of such structures and uses in the Town and to enact bylaws in a consistent manner.

#### Definition

“Adult Use Marijuana Establishment” shall mean a “marijuana cultivator, independent testing laboratory, marijuana product manufacturer, marijuana retailer or any other type of licensed marijuana related business.”

#### Temporary Moratorium


For the reasons set forth above, and notwithstanding any other provision of the Zoning Bylaw to the contrary, the Town of Marion hereby adopts a temporary moratorium on the use of land or structures for an Adult Use Marijuana Establishment and other uses related to Adult Use Marijuana. The moratorium shall be in effect through December 31, 2018. During the moratorium period, the Town shall undertake a planning process to address the potential impacts of Adult Use marijuana in the Town, and to consider the Cannabis Control Commission regulations regarding Adult Use Marijuana Establishments, and shall consider adopting new Zoning Bylaws in response to these new issues; or take any other action thereon

**Article S2:** To see if the Town will vote to raise and appropriate or transfer from available funds in the Treasury (Free Cash) the sum of \$158,460 to repair and replace the Town House Boiler together with all necessary and related parts, materials, temporary heat, and labor; or take any other action thereon.

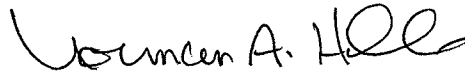
And you are directed to serve this Warrant by posting up attested copies thereof, one at the Elizabeth Taber Library, one at the Town House and one at the Marion Post Office, all in said Marion, fourteen days at least before the time of holding said meeting aforesaid.

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

Given our hands this 16th day of January in the Year Two Thousand and Eighteen.

  
Jonathan E. Dickerson  
Chairman

~~Stephen C. Gonsalves~~  
Vice-Chairman

  
Norman A. Hills  
Clerk

BOARD OF SELECTMEN

A true copy, ATTEST:

I, Lincoln W. Miller, being a duly appointed constable of the Town of Marion, in the County of Plymouth, Commonwealth of Massachusetts, hereby make affidavit that legal notice of the meeting called under this Warrant has been served on the voters of said Town of Marion by posting up attested copies in not less than three public places within the said Town on January 17, 2018 said date being fourteen days, at least, before the date of the meeting, in accordance with Chapter 64, Section 3 of the Code of the Town of Marion..

  
Lincoln W. Miller  
CONSTABLE