

Proposed Medical Marijuana Dispensary Zoning By-Law

Purpose

To be current with Massachusetts General Laws concerning Medical Marijuana RMDs (Registered Marijuana Dispensaries). These laws are currently State Law since a ballot referendum in 2014 legalized these businesses. Wales currently has no local zoning regulation stating how these facilities are to operate if proposed to open in Town.

Each County is allowed 5 licenses to have established RMDs. Towns are allowed to control zoning under its own by-laws **if on the books**. Otherwise, the state's rules apply.

Definitions

RMD = Pharmacy

Site Plan Approval = Process to approve any proposed site, per purpose and application, to be in line with town by-laws. Wales currently has no formal Site Plan Review process.

Scope

- 1) To keep these facilities, if proposed, under local zoning control versus the state mandating the zoning proposals.
- 2) This by-law would not, in any way, regulate if a facility comes into Town or not. This by-law would simply outline the rules for zoning and operation if such a facility were to gain approval to open.
- 3) To be up to date on local zoning regulations which we have the most control over by the state.
- 4) **This by law would not cover the results of Question 4 this year.**

Current Draft Proposals

- 1) Limiting setbacks to where these facilities can be located and locations
- 2) Establishing Site Plan Review for RMDs
- 3) Transparency regarding operations
- 4) Special Permit

What happens if an RMD is established in Wales?

Planning is a very public process, with public hearings and detailed reviews of proposals which, once applied for, the Planning Board oversees.

If an RMD were to be established, these facilities would apply for planning and zoning approval to the planning board. They must meet the established criteria in the final document (being produced now that is voted on at Town Meeting this year). A public hearing would follow where the public is invited to meet the organization and find out more about them and their plans for the facility. **As long as a proposed facility is in accordance with the by-law, and has overall approval to operate in town (a separate matter), they may open.**

RMDs are held to similar standards as traditional pharmacies, although some issues, such as security, are much more stringent because of the type of business they are (cash business and not federally regulated).