

## LEGAL NOTICE

### TOWN OF ADAMS PLANNING BOARD NOTICE OF PUBLIC HEARING PROPOSED ZONING BYLAW CHANGES

In conformance with the provisions of M.G.L. Chapter 40A, Section 5, the Adams Planning Board will hold a Public Hearing in person and via Zoom on **Monday, May 9, 2022 at 7:00 p.m.** at Town Hall, 8 Park Street, Adams, Massachusetts. The purpose of the public hearing is to provide interested persons or parties with the opportunity to comment on proposed amendments to the Adams Zoning Bylaws, Article IV, Section 125-35 "Licensed Marijuana Establishments" to permit licensed Marijuana Courier and Delivery Operator businesses in the Industrial (I), Industrial Park (IP) and Business (B-2) districts in Adams, while minimizing potential adverse impacts of marijuana establishments and ensuring the general safety, welfare and quality of life of the Town's neighborhoods and the broader community. A copy of the proposed changes is on file and may be viewed in the Office of the Town Clerk by appointment, Monday, Tuesday, and Thursday 8:00 AM to 4:00 PM, Wednesday 8:00 AM to 5:00 PM, and Friday 8:00 AM to Noon, 8 Park Street, Adams, Massachusetts.

#### **Join Zoom Meeting by Video:**

Join Zoom Meeting

<https://us06web.zoom.us/j/87334389361?pwd=MzExSjI0YTltTmkvdFducWxxbm44QT09>

Meeting ID: 873 3438 9361

Passcode: 286666

#### **Join Zoom Meeting by Phone:**

1 929 436 2866 US (New York)

Meeting ID: 873 3438 9361

Passcode: 286666

Find your local number: <https://us06web.zoom.us/u/kc7oNMLkcT>

**David Rhinemiller**

**Chairman**

***Publication Dates: 4/22 & 5/4 2022***

***Acct. #103638***

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*Proposed Zoning Bylaw Changes  
April 2022*

**1. Amend Section 125-35, “Licensed Marijuana Establishments.” A. – I. as follows:**

**ARTICLE IV. SPECIAL REGULATIONS**

**Revise Definitions of Marijuana Product Manufacturer and Marijuana Retailer in Section B to read:**

**MARIJUANA PRODUCT MANUFACTURER**

An entity licensed to obtain, manufacture, process, and package marijuana and marijuana products and to transfer these products to other marijuana establishments but not consumers.

**MARIJUANA RETAILER**

An entity licensed to purchase and transport marijuana and marijuana products from marijuana establishments and to sell or otherwise transfer marijuana and marijuana products to marijuana establishments and to consumers.

**Add Definitions of Marijuana Courier and Marijuana Delivery Operator in Section B to read:**

**MARIJUANA COURIER.**

An entity licensed to deliver marijuana and marijuana products directly to consumers from a Marijuana Retailer but is not authorized to sell directly to consumers.

**MARIJUANA DELIVERY OPERATOR**

An entity licensed to purchase at wholesale and warehouse finished marijuana products acquired from a marijuana cultivator or product manufacturer, and to sell and deliver directly to consumers, but is not authorized to operate a storefront.

**Revise Paragraph C (2) “Designated Locations for Marijuana Establishments” to read:**

Marijuana retailers, delivery operators, and couriers, as defined in this bylaw, may be sited in the Business (B-2) District as shown on the Zoning Map pursuant to G.L. c. 40A, §4, if granted a Special Permit and subject to site plan approval. Marijuana cultivators, product manufacturers, delivery operators, and couriers, as defined by this bylaw, may be sited in the Industrial Park (IP) District if granted a Special Permit and subject to site plan approval. The Special Permit Granting Authority is the Adams Planning Board.

**Revise Paragraph D (1) “Permanent Location” to read:**

Permanent location. Each licensed marijuana establishment and any part of its operation, including, but not limited to, cultivation, processing, packaging, and sales, shall be operated from a fixed location

within a fully enclosed building and its operations shall not be visible from the exterior of the premises. No marijuana establishment, including any medical or nonmedical retailer, shall be permitted to operate from a movable, mobile or transitory location. This section shall not apply to any licensed Marijuana Delivery Operator or Courier.

**Revise Paragraph D (3) “Hours of Operation” to read:**

Hours of operation. A marijuana retailer, delivery operator, or courier may open or operate no earlier than 8:00 a.m. and shall close no later than 8:00 p.m. the same day, Monday through Saturday, and from 10:00 a.m. until 6:00 p.m. on Sunday unless other hours of operation are set by the Planning Board as part of site plan approval. Hours of operation shall apply to all sales, delivery, and dispensing activities for the business. There shall be no hourly restrictions on marijuana testing facilities or marijuana manufacturers, unless imposed by the Planning Board as part of site plan approval.

**Revise Paragraph D (6) “Visibility of Activities” to read:**

Visibility of activities. All activities of any licensed marijuana establishment, including any marijuana retailer or marijuana manufacturer, shall be conducted indoors. This section shall not apply to any licensed Marijuana Delivery Operator or Courier.

**Add Paragraph E (6) to read:**

Any Marijuana Establishment that seeks to expand or alter its operations so as to come within a new class or sub-class of Marijuana Establishment, as identified in 935 CMR 500.050, shall obtain a new special permit prior to undertaking such expansion or alteration.

**Add Paragraph F (8) to read:**

In addition to what is otherwise required to be shown on a site plan pursuant to this section, any applicant that proposes to provide delivery of cannabis or marijuana to consumers located off site (home delivery) shall include on the plans submitted to the Planning Board any loading area to be used in connection with the home delivery operation, whether conducted by the Marijuana Establishment itself or a Marijuana Delivery Licensee, and/or the area where the Marijuana Establishment will park vehicles used for home delivery, including overnight parking.

**Revise Section 125-50, Attachment 1, “Business Uses” by changing Footnotes 8 & 9 of the Use Regulation Schedule to read:**

<sup>8</sup>Licensed Marijuana Retailers, Delivery Operators and Couriers may be allowed in the B-2 District only if granted a Special Permit. No other Licensed Marijuana Establishment is permitted in B-2.

<sup>9</sup>Marijuana Cultivators, Product Manufacturers, Delivery Operators, Couriers, and Independent Testing Laboratories may be allowed in the IP District only if granted a Special Permit. No other licensed Marijuana Establishment is permitted in IP.