

**COMMONWEALTH OF MASSACHUSETTS
TOWN OF GOSHEN
WARRANT FOR A SPECIAL TOWN MEETING**

HAMPSHIRE: ss

Date: February 14, 2018

To: The Constable of the Town of Goshen in said County-

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby directed to warn and notify the inhabitants of the Town of Goshen, qualified to vote in town affairs, to meet in the John James Memorial Hall on **Thursday, the Eighth day of March 2018 at 7:00 p.m.**, to act on the following articles:

ARTICLE 1: To see if the Town will vote to amend the Town of Goshen Zoning By-laws by adding Section IV (D), "Temporary Moratorium on the Sale and Distribution of Recreational Marijuana" as follows:

D. Temporary Moratorium on the Sale and Distribution of Recreational Marijuana

1. Purpose

By vote at the State election on November 8, 2016, the voters of the Commonwealth approved a law regulating the cultivation, distribution, possession and use of marijuana for recreational purposes. The law took effect on December 15, 2016 (as amended on December 30, 2016; Chapter 351 of the Acts of 2016 and thereafter, on July 28, 2017 by Chapter 55 of the Acts of 2017) and requires a Cannabis Control Commission to issue regulations regarding the licensing of commercial activities by March 15, 2018 and begin accepting applications for licenses on April 1, 2018.

Currently, non-medical Marijuana Establishments (hereinafter "Recreational Marijuana Establishment") as defined in G.L. c.94G, §1 are not specifically addressed in the Zoning Bylaw and any regulations promulgated by the State Cannabis Control Commission are expected to provide guidance to the Town in regulating Recreational Marijuana Establishments.

The regulation of Recreational Marijuana Establishments and Marijuana Retailers raise novel and complex legal, planning, and public safety issues, and the Town needs time to study and consider the regulation of Recreational 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 Recreational Marijuana Establishments and other uses related to the regulation of recreational marijuana. The Town intends to adopt a temporary moratorium on the use of land and structures in the Town for Recreational Marijuana Establishments so as to allow the Town sufficient time to engage in a planning process to address the effects of such structures and uses in the Town and to adopt provisions of the Zoning Bylaw in a manner consistent with sound land use planning goals and objectives.

2. Definitions

"Manufacture", to compound, blend, extract, infuse or otherwise make or prepare a marijuana product.

"Marijuana accessories", equipment, products, devices or materials of any kind that are intended or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, ingesting, inhaling or otherwise introducing marijuana into the human body.

"Marijuana cultivator", an entity licensed to cultivate, process and package marijuana, to deliver marijuana to marijuana establishments and to transfer marijuana to other marijuana establishments, but not to consumers.

"Marijuana establishment", a marijuana cultivator, independent testing laboratory, marijuana product manufacturer, marijuana retailer or any other type of licensed marijuana-related business.

"Marijuana product manufacturer", an entity licensed to obtain, manufacture, process and package marijuana and marijuana products, to deliver marijuana and marijuana products to marijuana establishments and to transfer marijuana and marijuana products to other marijuana establishments, but not to consumers.

"Marijuana products", products that have been manufactured and contain marijuana or an extract from 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.

"Independent testing laboratory", an entity licensed to test marijuana and marijuana products, including certification for potency and the presence of contaminants.

"Marijuana retailer", an entity licensed to purchase and deliver marijuana and marijuana products from marijuana establishments and to deliver, sell or otherwise transfer marijuana and marijuana products to marijuana establishments and to consumers.

3. Temporary Moratorium

For the reasons set forth above and notwithstanding any other provision of the Zoning Bylaw to the contrary, the Town hereby adopts a temporary moratorium on the use of land or structures for Recreational Marijuana Establishments. 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 recreational marijuana in the Town, consider the Cannabis Control Commission's regulations regarding Recreational Marijuana Establishments and related uses, determine whether the town shall, by ballot measure, restrict any, or all Recreational Marijuana Establishments and shall consider adopting new provisions of the Zoning Bylaw to address the impact and operation of Recreational Marijuana Establishments and related uses.

4. Severability

The provisions of this bylaw are severable. If any provision, paragraph, sentence, or clause of this bylaw or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this bylaw.

AND by adding a new Zoning Bylaw placing a Temporary Moratorium on the Sale and Distribution of Recreational Marijuana, or take any other action relative thereto.

Note: 2/3's vote is required; if not unanimous a count is also required.

ARTICLE 2: To see if the Town will vote to transfer the sum of \$733.38 from Free Cash to the account known as "Bills of Prior Years" for the purpose of payment of a bill from the following account: TOWN BUILDING MOWING – FY 2017 \$733.38 payable to JAMES MORREY to complete the contract obligation, or take any other action relative thereto.


Note: A vote of 9/10th s is required because it is a bill of a prior year

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

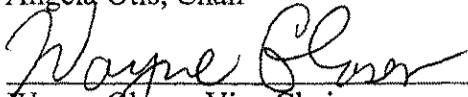
And you are directed to serve this warrant by posting attested copies thereof publicly fourteen days, at least, before said meeting.

Given under our hands this 14th day of February, 2018 A. D.

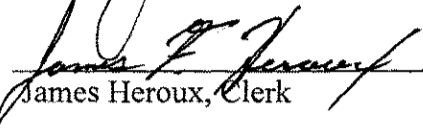
SELECT BOARD OF GOSHEN:



Angela Otis, Chair



Wayne Glaser, Vice Chair



James Heroux, Clerk

I have posted attested copies as directed.



Constable

February 15, 2018

Date: Month/Day/Year

Return of Service:

Constable

Date: Month/Day/Year