



Town of Leicester PLANNING BOARD

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LEICESTER PLANNING BOARD PUBLIC HEARING NOTICE

Pursuant to MGL, Ch. 40A, Sec. 5, the Leicester Planning Board will hold a public hearing on Tuesday, April 5, 2016, starting at 7:30PM in Meeting Room 3 at Leicester Town Hall, 3 Washburn Square, Leicester, MA 01524 to discuss proposed amendment(s) to the Leicester Bylaws and Zoning Map. The subject matter of proposed amendment(s) is as follows:

To amend regulation of Medical Marijuana Treatment Centers (also known as Registered Marijuana Dispensaries) including a proposed reduction of required buffers/setbacks (from residential zoning districts, schools, religious uses, child care facilities, parks, playgrounds, drug or alcohol rehabilitation facilities, or other Medical Marijuana Treatment centers) for facilities that don't allow on-site sales of medical marijuana.

The complete text and maps relative to the proposed amendment(s) are available for inspection at the Town Clerk's Office during regular business hours and on the Planning Board's web page on the Town of Leicester's web site at www.leicesterma.org.

Jason Grimshaw, Chair
Leicester Planning Board

To be published in the Worcester Telegram & Gazette on March 22, 2016, 2016 and March 29, 2016.



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3/21/2016 Draft
Leicester Zoning Bylaw Amendment:
Medical Marijuana Treatment Centers

To see if the Town will amend Section 1.3 (Definitions), Section 3.2.03 (schedule of Use – Business), and Section 5.15 of the Leicester Zoning By-Laws to modify regulation of medical marijuana treatment centers, as described below:

1) Amend Section 1.3, Definitions, by modifying the existing definition of Medical Marijuana Treatment Centers, as follows:

MEDICAL MARIJUANA TREATMENT CENTER: a not-for-profit entity, as defined by Massachusetts law only, registered under Massachusetts law [Chapter 369 of the Acts of 2012], that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their personal caregivers. A medical marijuana treatment center registered under the Massachusetts Department of Public Health Regulations, 105 CMR 725.000 (Implementation of an Act for the Humanitarian Medical Use of Marijuana) is known as a registered marijuana dispensary (RMD).

2) Amend Section 3.2.03.18., Medical Marijuana Treatment Center, as shown below:

	SA	R1	R2	B	CB	I	BI-A	HB-1 & HB-2
3.2.03 BUSINESS								
18. Medical Marijuana Treatment Center, with limitation (see Section 5.15).	N	N	N	Y N	Y N	Y	Y	Y

3) Amend Section 5.15, as follows:

5.15 MEDICAL MARIJUANA TREATMENT CENTERS

1. Purpose and Intent:

To provide for the limited establishment of Medical Marijuana Treatment Centers in appropriate places and to minimize the adverse impacts of Medical Marijuana Treatment

Facilities on residential neighborhoods, schools and other places where children congregate, and other land uses potentially incompatible with said facilities.

2. Location of Medical Marijuana Treatment Centers:

A. Buffer Requirements

No Medical Marijuana Treatment Center may be located within 1,000 feet of a residential zoning district, school, church or other religious use, child care facility, family child care home, park, playground, drug or alcohol rehabilitation facility, or other Medical Marijuana Treatment center. Distance shall be measured as the shortest between buildings, or as the shortest distance between the building of the Medical Marijuana Treatment Center and the residential zoning district boundary, or lot line of a church, child care facility, school, park, playground or other recreational area.

B. Reduced Buffer for Facilities with No On-Site Sales

Notwithstanding the limitations stated in section 5.15.2.A, the establishment and operation of a medical marijuana treatment center that is primarily a cultivation and processing facility and does not sell, distribute, dispense or administer marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their personal caregivers on-site (i.e. no retail or other customer activity on-site), but only through a delivery service off-site, may be located within 200 feet of a residential zoning district, and within 500 feet of the other uses listed in 5.15.2.A. Distances shall be measured as described in 5.15.2.A.

3. Other Requirements:

Medical Marijuana Treatment Centers located in the Industrial (I), Business-Residential 1 (BR-1) and Business-Industrial – A (BI-A) Zoning Districts shall conform to the Site Development Standards in the Highway-Business Industrial 1 (HB-1) District (Section 5.5.02).