

Article 32-A Marijuana Zoning Bylaw Amendment: To see if the Town will amend the Zoning Bylaw §410-3.13 Marijuana Overlay District in order to limit marijuana establishments to retail only, limit the number of retailers to two (2) by special permit, and to add language to further regulate Marijuana Retail Establishments and Medical Marijuana Treatment Centers by Special Permit; and have Town Clerk renumber sections and subsections as necessary, as follows:

(~~Strikeout~~ language is proposed to be removed / underlined language is proposed to be included)

§ 410-3.13 Marijuana Overlay District.

All marijuana related uses (medical and/or recreational) are prohibited outside the boundaries of the Marijuana Overlay District.

- A. Purpose. The purpose of the Marijuana Overlay District (MOD) is to provide for the placement and regulation of Marijuana related uses as authorized pursuant to State regulations with a goal of minimizing potential adverse impacts on adjacent property owners, neighborhoods, and the Town in general.
- B. Definitions.

MARIJUANA ESTABLISHMENT

A marijuana cultivator, independent testing laboratory, marijuana product manufacturer, ~~marijuana retailer~~ or any other type of licensed marijuana related business. Does not include ~~Registered Marijuana Dispensaries~~ Medical Marijuana Treatment Centers or Marijuana Retail Establishments.

To the extent required the following prohibition may be subject to a Referendum.

Prohibition: Consistent with G.L. c. 94G, Section 3(a)(2), all types of “Marijuana Establishments” as that term is defined in G.L. c. 94G, §1 and 935 CMR 500, including, marijuana cultivators, craft marijuana cooperatives, marijuana product manufacturers, independent testing laboratories, marijuana transporters or any other type of licensed marijuana-related businesses, shall be prohibited within the Town of Hull; provided however, that this prohibition shall not apply to Marijuana Retail Establishments as defined in Section 410-3.13 of the Zoning Bylaw.

This prohibition shall also not apply to the sale, distribution, or cultivation of marijuana for medical purposes by a “Medical Marijuana Treatment Center” as defined in Section 410-3.13 of the Zoning Bylaw.

MARIJUANA RETAIL ESTABLISHMENT

An entity licensed to purchase, repackage, white label, and transport marijuana or marijuana product from marijuana establishments, and to transfer this product to marijuana establishments and to sell to consumers.

Maximum Retail Establishments: The number of Marijuana Retail Establishments permitted to be located within the Town of Hull shall not exceed two (2).

MARIJUANA PRODUCT

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 of consumption, including edible products, beverages, topical products, ointments, oils and tinctures.

~~REGISTERED MARIJUANA DISPENSARIES~~

~~Entity and facility registered under 105 CMR 725.100 that acquires, cultivates, possesses, processes, transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to registered qualifying patients or their personal caregivers.~~

MEDICAL MARIJUANA TREATMENT CENTER (MTC)

Formerly known as a Registered Marijuana Dispensary (RMD), means an entity licensed under 935 CMR 501.101 that acquires, cultivates, possesses, Processes (including development of related products such as Edibles, MIPs, Tinctures, aerosols, oils, or ointments), Repackages, transports, sells, distributes, delivers, dispenses, or administers Marijuana, products containing Marijuana, related supplies, or educational materials to Registered Qualifying Patients or their Personal Caregivers for medical use. Unless otherwise specified, MTC refers to the site(s) of dispensing, cultivation, and preparation of Marijuana for medical use.

C. Authority and Establishment

- (1) The Planning Board shall be the Special Permit and Site Plan Review Granting Authority for uses in the MOD.
- (2) The boundaries of the MOD are shown on the Town of Hull Zoning Map on file with the Town Clerk.
- (3) Within the MOD all requirements of the underlying districts remain in effect, except where these regulations provide an alternative to such requirements. If the provisions of the MOD are silent on a zoning regulation, the requirements of the underlying district shall apply. If the provisions of the MOD conflict with the requirements of the underlying district, then the provisions of the MOD shall control.

D. Special Permit and Site Plan Review Administration and Procedures

- (1) All proposals for any marijuana related facility within the MOD are required to obtain both Special Permit and Site Plan Review approval.
- (2) Special Permit and Site Plan Applicants for Medical Marijuana Treatment Centers ~~Registered Marijuana Dispensaries~~; see Subsection F.
- (3) Special Permit and Site Plan Applicants for Marijuana Retail Establishments see Subsection G.
- (4) The Planning Board shall act as Special Permit and Site Plan Review Granting Authority for the MOD, following the procedures for Special Permits specified in § 410-

3.5A(2)(a)[4], [5], [6], [9], [12], [13], [14], [15], [16] and [17] of this Zoning Bylaw and Site Plan Review under § **410-4.1**.

E. Severability. If any provision of this by-law shall be found invalid for any reason, such invalidity shall be construed as narrowly as possible, and the balance of the Section shall be deemed to be amended to the minimum extent necessary, so as to secure the purposes thereof, as set forth in Subsection **A** hereof.

F. **MEDICAL MARIJUANA TREATMENT CENTERS (MTC) REGISTERED MARIJUANA DISPENSARIES (MEDICAL MARIJUANA)**. Applicants seeking approval to operate an MTC ~~Registered Marijuana Dispensaries (RMD)~~ within the MOD shall proceed under the following regulations:

- (1) Use Regulations. ~~Registered Marijuana Dispensaries~~ MTCs are allowed only within the set boundaries of the MOD.
- (2) Host Agreement. Prior to application with the Planning Board applicants shall ~~negotiate~~ execute a host agreement or host agreement waiver with the Select Board.
- (3) Application. In addition to the materials required under § **410-3.5A(2)** of the Zoning By-Law, the application for a Special Permit ~~RMD~~ MTC shall include:
 - (a) Disclosure Statement - A notarized statement signed by the organization's Chief Executive Officer and corporate attorney disclosing all of its designated representatives, including officers and directors, shareholders, partners, members, managers, directors, officers or other similarly-situated individuals and entities and their addresses. If any of the above are entities rather than persons, the Applicant must disclose the identity of all such responsible individual persons for such entity.
 - (b) Description of Activities - A narrative describing the type and scale of all activities that will take place on the proposed site, including, but not limited to on-site sales of marijuana or marijuana infused products, off-site deliveries, distribution of educational materials, and other programs or activities.
 - (c) Floor Plans - A floor plan of the premises of the proposed ~~RMD~~ MTC that identifies the square footage available and describes the functional areas of the ~~RMD~~ MTC.
 - (d) Site Plans - A plan or plans depicting all proposed development on the property as required under § **410-4.1** of this bylaw.
 - (e) Service Area - A map and narrative describing the area proposed to be served by the ~~RMD~~ MTC and the anticipated number of clients that will be served within that area. This description shall indicate where any other ~~RMD~~ MTC exists or have been proposed within the expected service area.
 - (f) Transportation and Parking Analysis - A quantitative analysis, prepared by a qualified transportation specialist acceptable to the Planning Board, modeling the expected origin and frequency of client and employee trips to the site, the

expected modes of transportation used by clients and employees, and the frequency and scale of deliveries to and from the site.

- (g) Context Map - A map depicting all lots and land uses within a 500-foot radius of the premises.
 - (h) Building Elevations and Signage - Architectural drawings of all exterior building facades and all proposed signage, specifying materials and colors to be used.
 - (i) Registration Materials: ~~RMD MTC~~ shall be registered by the Massachusetts Department of Public Health (DPH) Cannabis Control Commission and copies of the application materials issued for the purpose of seeking registration included in the application to the Town.
 - (j) Letters from the Police and Fire Departments indicating that they have reviewed the application materials ~~and approve~~ for the safety and security measures of the ~~RMD MTC~~.
 - (k) Executed host agreement or host community agreement waiver.
- (4) Dimensional Regulations. Dimensional Regulations are governed by the underlying zoning or applicable overlay district.
- (5) Special Permit Criteria. In granting a Special Permit for a ~~RMD MTC~~, in addition to the general criteria for issuance of a Special Permit as set forth in § 410-3.5A(2) of this Zoning By-Law, the Planning Board shall find that the following criteria are met:
- (a) The building or buildings in which ~~RMD MTC~~ activities take place shall not be located within, on the same lot as, or on a lot adjacent to a licensed pharmacy or within buildings that contain any pharmacy, medical doctor offices or the offices of any other professional practitioner authorized to prescribe the use of medical marijuana, which exist as of the effective date of this amendment to the Zoning By-Law.
 - (b) The ~~RMD MTC~~ shall establish policies and procedures to ensure that no marijuana is smoked, eaten or otherwise consumed or ingested on the Premises.
 - (c) The hours of operation shall be set by the Planning Board, but in no event shall a ~~RMD MTC~~ be open to the public, nor shall any sale or other distribution of marijuana occur upon the Premises or via delivery from the Premises, between the hours of 8:00 p.m. and 8:00 a.m.
 - (d) The ~~RMD MTC~~ meets all of the permitting requirements of all applicable agencies within the Commonwealth of Massachusetts and will be in compliance with all applicable state laws and regulations.
 - (e) The ~~MTC Premises have been~~ shall be designed to be compatible with other buildings in the area and to mitigate any adverse visual or design impacts that

might result from required security measures and restrictions on visibility into the building's interior.

- (f) The ~~RMD~~ MTC provides a secure indoor waiting area for individuals and clients.
- (g) The site is designed such that it provides convenient, safe and secure access and egress for clients and employees arriving to and leaving from the site using all modes of transportation, including drivers, pedestrians, bicyclists and public transportation users.
- (h) Traffic generated by client trips, employee trips, deliveries to and from the ~~RMD~~ MTC, and parking and queuing especially during peak periods at the ~~RMD~~ MTC, shall not create a substantial adverse impact on nearby uses.
- (i) Buffer Zone: An ~~RMD~~ MTC ~~or Marijuana Establishment~~ shall not be sited within a radius of 500 feet of an existing, licensed daycare center; a school or a playground dedicated to the primary use by or for children; a facility where the primary use is a video arcade; or the Paragon Carousel. ~~The 500-foot distance shall be measured in a straight line from the nearest point of that portion of a lot dedicated to the use of any of the activities (e.g., Marijuana Establishment, school, playground, etc.), so, by way of example and not limitation, if the Marijuana Establishment is located in a multi-tenanted building and a playground is located in or on a portion of a larger lot, the line would be measured from the closest exterior portion of the Marijuana Establishment premises to the nearest point of the portion of the lot used for playground purposes.~~ The buffer zone distance of 500 feet shall be measured in a straight line from the geometric center of the ~~RMD~~ MTC ~~Marijuana Establishment~~ Entrance to the geometric center of the nearest applicable Entrance, unless there is an Impassable Barrier (as that term is defined by 935 CMR 500.002) within those 500 feet; in these cases, the buffer zone distance shall be measured along the center of the shortest publicly-accessible pedestrian travel path from the geometric center of the ~~Marijuana Retail Establishment~~ ~~RMD~~ MTC Entrance to the geometric center of the nearest applicable Entrance.

(6) Special Permit Conditions. The Planning Board shall impose conditions reasonably appropriate to improve site design, traffic flow, public safety, air quality, and preserve the character of the surrounding area and otherwise serve the purpose of this Section. In addition to any specific conditions applicable to the Applicant's ~~RMD~~ MTC, the Planning Board shall include the following conditions in any Special Permit granted under this Section:

- (a) Hours of Operation, including dispatch of home deliveries.
- (b) ~~The Special Permit shall be limited to the current Applicant and shall lapse if the permit holder ceases operating the RMD.~~
- (c) The Special Permit shall lapse upon the expiration or termination of the Applicant's registration by DPHCCC.
- (d) The permit holder shall provide to the Building Commissioner, Police and Fire

Departments, and the Board of Health, the name, telephone number and electronic mail address of a contact person in the event that such person needs to be contacted after regular business hours to address an urgent issue. Such contact information shall be kept updated by the permit holder.

- (e) The designated contact person(s) shall notify in writing the Police and Fire Departments, Building Commissioner, Board of Health, and the Planning Board within a minimum 12 hours following a violation, a potential violation, or any attempts to violate any applicable law, or any criminal, potential criminal, or attempted criminal activities as a ~~RMD~~ MTC permitted under this Section.
- (f) The designated representatives shall file an annual report (annually from the issuance of a Certificate of Occupancy) with the Office of Community Development providing a copy of all current applicable state licenses for the ~~RMD~~ MTC and to demonstrate continued compliance with the conditions of the Special Permit.
- (g) A ~~Marijuana Establishment~~ An MTC licensed after July 1, 2017 shall not convert to a Marijuana Retail Establishment without following the Special Permit and Site Plan Review procedures outlined in Subsection ~~H~~ §410-3.13.G.
- (h) If the Planning Board determines that the provided parking is not adequate to address the observed demand after operations have commenced the applicant agrees to meet with the Planning Board to explore options and make best efforts to resolve the issue.

§410-3.13.G MARIJUANA RETAIL ESTABLISHMENTS (RECREATIONAL MARIJUANA)

~~The Planning Board may grant a special permit to a Marijuana Establishment and/or an applicant for a standalone adult use retail license to authorize adult use retail sales, subject to execution of a new Host Community Agreement, submission of new applications for site plan approval and special permit satisfying all of the requirements of Section 410-3.13H.~~

~~§410-3.13.H~~

~~Applicants seeking approval to operate a Marijuana Retail Establishment, which definition specifically includes a Marijuana Retailer, as both are defined in Chapter 309-2, within the MOD shall proceed under the following regulations:~~

- (1) Use Regulations. Marijuana Retail Establishments are allowed only within the set boundaries of the MOD pursuant to a Special Permit and Site Plan Approval. The Planning Board shall be the Special Permit Granting Authority.
- (2) Host Community Agreement or Host Community Agreement Waiver. Prior to submitting an application with the Planning Board, applicants shall ~~negotiate~~ execute a host community agreement or host community agreement waiver with the ~~Board of Selectmen~~ Select Board.
- (3) Application. In addition to the materials required under § 410-3.5A(2) of the Zoning By-Law, the application for a Special Permit for a Marijuana Retail Establishment shall include:

- (a) Disclosure Statement - A notarized statement signed by the organization's Chief Executive Officer and corporate attorney disclosing all of its designated representatives, including officers and directors, shareholders, partners, members, managers, directors, officers or other similarly-situated individuals and entities and their addresses. If any of the above are entities rather than persons, the Applicant must disclose the identity of all such responsible individual persons for such entity.
 - (b) Description of Activities - A narrative describing the type and scale of all activities that will take place on the proposed site, including, but not limited to on-site sales of marijuana or marijuana infused products, off-site deliveries, distribution of educational materials, and other programs or activities.
 - (c) Floor Plans - A floor plan of the premises of the proposed Marijuana Retail Establishment that identifies the square footage available and describes the functional areas of the Marijuana Retail Establishment.
 - (d) Site Plans – A plan or plans depicting all proposed development on the property as required under §410-4.1 of this bylaw.
 - (e) ~~15~~ Service Area- A map and narrative describing the area proposed to be served by the Marijuana Retail Establishment and the anticipated number of clients that will be served within that area. This description shall indicate where any other Marijuana Retail Establishment exists or have been proposed within the expected service area.
 - (f) Transportation and Parking Analysis – A quantitative analysis, prepared by a qualified transportation specialist acceptable to the Planning Board, modeling the expected origin and frequency of client and employee trips to the site, the expected modes of transportation used by clients and employees, and the frequency and scale of deliveries to and from the site.
 - (g) Context Map – A map depicting all lots and land uses within a 500 feet and any marijuana related land uses within a 2500-foot radius of the premises.
 - (h) Building Elevations ~~and Signage~~ – Architectural drawings of all exterior building facades ~~and all proposed signage~~, specifying dimensions, materials and colors to be used.
 - (i) Licensure Materials ~~– Marijuana Retail Establishments shall be licensed by the Cannabis Control Commission and copies of the application materials issued for the purpose of seeking licensure included in the application to the Town.~~ A Marijuana Retail Establishment's Cannabis Control Commission application shall be included in the application to the Town. A statement outlining how the proposed project complies with the Cannabis Control Commission's regulations and process for approval shall be included.
 - (j) Letters from the Police and Fire Departments indicating that they have reviewed the application materials ~~and approve~~ for the safety and security measures of the Marijuana Retail Establishment.
 - (k) Executed host community agreement or host community agreement waiver.
 - (l) Signage - Drawings of all proposed signage specifying location, illumination, dimensions, materials and colors to be used and details of sign construction.
- (4) Dimensional Regulations. Dimensional Regulations are governed by the underlying zoning or applicable overlay district.

- (5) Special Permit Criteria. In granting a Special Permit for a Marijuana Retail Establishment, in addition to the general criteria for issuance of a Special Permit as set forth in § 410-3.5A(2) of this Zoning By-law, the Planning Board shall find that the following criteria are met:
- (a) The building or buildings in which Marijuana Retail Establishment activities take place shall not be located within, on the same lot as, or on a lot adjacent to a licensed pharmacy or within buildings that contain any pharmacy, medical doctor offices or the offices of any other professional practitioner authorized to prescribe the use of medical marijuana, which exist as of the effective date of this amendment to the Zoning By-Law. This shall not prohibit a Marijuana Retail Establishment from collocating with a MTC.
 - (b) The Marijuana Retail Establishment shall establish policies and procedures to ensure that no marijuana is smoked, eaten or otherwise consumed or ingested on the Premises.
 - (c) The hours of operation shall be set by the Planning Board, but in no event shall a Marijuana Retail Establishment be open to the public, nor shall any sale or other distribution of marijuana occur upon the Premises or via delivery from the premises, between the hours of 8:00 p.m. and 8:00 a.m.
 - (d) The Marijuana Retail Establishment meets all of the permitting requirements of all applicable agencies within the Commonwealth of Massachusetts and will be in compliance with all applicable state and local laws and regulations.
 - (e) The ~~Premises-Marijuana Retail Establishment~~ have has been designed to be compatible with other buildings in the area and to mitigate any adverse visual or design impacts that might result from required security measures and restrictions on visibility into the building's interior.
 - (f) The ~~16~~ Marijuana Retail Establishment provides a secure indoor waiting area for individuals and clients.
 - (g) Site is designed such that it provides convenient, safe and secure access and egress for clients and employees arriving to and leaving from the site using all modes of transportation, including drivers, pedestrians, bicyclists and public transportation users.
 - (h) Traffic generated by client trips, employee trips, deliveries to and from the Marijuana Retail Establishment, and parking and queuing especially during peak periods at the Marijuana Retail Establishment, shall not create a substantial adverse impact on nearby uses.
 - (i) Buffer Zones:

[1] A Marijuana Retail Establishment Entrance may not be closer than 500 feet from the nearest ~~School~~ Entrance (as that term is defined by 953 CMR 500.002) of any schools (k-12), daycares centers, video arcades, the Paragon Carousel and playgrounds dedicated for the use of children. ~~(a)~~ The buffer zone distance of 500 feet shall be measured in a straight line from the geometric center of the Marijuana Establishment Entrance to the geometric center of the nearest ~~School~~ applicable Entrance, unless there is an Impassable Barrier (as that term is defined by 935 CMR 500.002) within those 500 feet; in these cases, the buffer zone distance shall be measured along the center of the shortest publicly-accessible pedestrian travel path from the geometric center of the Marijuana

Retail Establishment Entrance to the geometric center of the nearest School applicable Entrance.

[2] A Marijuana Retail Establishment shall be a minimum distance of 2,500 feet from the location of another Marijuana Retail Establishment or MTC, measured from the two closest points on the lots where these establishments are to be located. This is not meant to prohibit a single facility from containing both a Marijuana Retail Establishment and an MTC.

- (j) Marijuana Retail Establishments shall be located only in a permanent, enclosed building and not within any mobile facility. All sales shall be conducted either within the building or by home delivery pursuant to applicable state regulations. There shall be no “drive through windows” or openings of any kind allowing the purchase of marijuana or marijuana products to consumers outside of an enclosed structure.
- (k) Signage/Lighting. Marijuana Retail Establishments shall conform to the signage requirements of §410-7.1 of the Zoning Bylaw. The Planning Board may impose additional restrictions on signage, as appropriate, to mitigate any aesthetic impacts.
- (6) Special Permit Conditions. The Planning Board shall impose conditions reasonably appropriate to improve site design, traffic flow, public safety, air quality, and to preserve the character of the surrounding area and otherwise serve the purpose of this Section. In addition to any specific conditions applicable to the Applicant’s Marijuana Retail Establishment, the Planning Board shall include the following conditions in any Special Permit granted under this Section:
 - (a) Hours of Operation, including dispatch of home deliveries.
 - (b) ~~Special Permit shall be limited to the current Applicant and shall lapse if the permit holder ceases operating the Marijuana Establishment.~~
 - (c) Special Permit shall lapse upon the expiration or termination of the Applicant’s license by the Cannabis Control Commission.
 - (d) The Permit holder shall provide to the Building Commissioner, Police and Fire Departments, Town Manager, Select Board, and the Board of Health, the name, telephone number and electronic mail address of a contact person in the event that such person needs to be contacted after regular business hours to address an urgent issue. Such contact information shall be kept updated by the permit holder.
 - (e) The permit holder shall notify the Town Manager, Select Board, Zoning Enforcement Officer and Planning Board in writing within 48 hours of the cessation of operation of the Marijuana Retail Establishment’s expiration or termination of the permit holder’s license with the Cannabis Control Commission.
 - (f) The designated contact person(s) shall notify in writing the Police and Fire Departments, Town Manager, Select Board, Building Commissioner, Board of Health, and the Planning Board within a minimum 12 hours following a violation, a potential violation, or any attempts to violate any applicable law, or any criminal, potential criminal, or attempted criminal activities as a Marijuana Retail Establishment permitted under this Section.
 - (g) The designated representatives shall file an annual report (annually from the issuance of a Certificate of Occupancy) with the Office of Community Development and Planning providing a copy of all current applicable state licenses for the ~~17~~ Marijuana Retail

Establishment and to demonstrate continued compliance with the conditions of Special Permit.

- (h) If Planning Board determines that provided parking is not adequate to address observed demand after operations have commenced the applicant agrees to meet with the Planning Board to explore options and make best efforts to resolve the issue.
- (i) No marijuana shall be smoked, eaten or otherwise consumed or ingested on the premises.
- (j) The Marijuana Retail Establishment operations shall not create nuisance conditions in parking areas, sidewalks, streets and areas surrounding its premises and adjacent properties. "Nuisance" includes, but is not limited to, disturbances of the peace, open public consumption of marijuana, excessive pedestrian or vehicular traffic, odors emanating from the Marijuana Retail Establishment's premises, electrical lighting, illegal drug activity under State or local law, harassment of passersby, excessive littering, excessive loitering, illegal parking, excessive loud noises, excessive citation for violations of State traffic laws and regulations and/or Transportation Division Rules and Regulations, queuing of patrons (vehicular or pedestrian) in or other obstructions of the public way (sidewalks and streets), collisions between vehicles, bicyclists, and pedestrians, lewd conduct or police detentions and arrests.
- (k) Any Marijuana Retail Establishment that the Special Permit Granting Authority determines has become a nuisance for any reason may be found in violation of the Special Permit.

Or take any other action relative thereto.

Article 32-B Marijuana General Bylaw Amendment : To see if the Town will amend the General By-law §309 Marijuana Establishments in order to update §309-2 Definitions, §309-3 Marijuana Retail Establishment Cap, §309-4 General Requirements, and amend specific terms throughout the bylaw as follows:

(~~Strikeout~~ language is proposed to be removed / underlined language is proposed to be included)

§309 Marijuana Establishments Uses

Throughout §309 except in § 309-2 Definitions, the following terms shall be substituted:

"Marijuana Establishment" substituted with "Marijuana Retail Establishment or MTC"

"Marijuana Establishments" substituted with "Marijuana Retail Establishments or MTCs"

§ 309-2 Definitions.

See G.L. c. 94G, § 1, and G.L. c. 94I, § 1, and the regulations promulgated thereunder by the Commonwealth of Massachusetts, for definitions of applicable terms. This section specifically adopts the following definitions consistent with G.L. c. 94G, § 1, and 935 CMR 500, as they may be amended:

CCC

The Massachusetts Cannabis Control Commission, or its successor.

MARIJUANA

All parts of any plant of the genus Cannabis, not excepted below and whether growing or not; the seeds thereof; and resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture or preparation of the plant, its seeds or resin, including tetrahydrocannabinol as defined in section 1 of chapter 94C; provided, however, that "marijuana" shall not include (1) the mature stalks of the plant, fiber produced from the stalks, oil, or cake made from the seeds of the plant, any other compound, manufacture, salt derivative, mixture or preparation of the mature stalks, fiber, oil or cake made from the seeds of the plant or the sterilized seed of the plant that is incapable of germination; (2) hemp; or (3) the weight of any other ingredient combined with marijuana to prepare topical or oral administrations, food, drink or other products. Marijuana also includes marijuana products except where the context clearly indicates otherwise.

MARIJUANA CULTIVATOR

~~An entity licensed by the CCC 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 retailer, marijuana product manufacturer, marijuana cultivator, independent testing laboratory, standards laboratory, marijuana research facility, marijuana transporter, marijuana micro-business, or any other type of marijuana-related business that has been duly licensed by the CCC.~~

A marijuana cultivator, independent testing laboratory, marijuana product manufacturer, or any other type of licensed marijuana related business. Does not include Medical Marijuana Treatment Centers (MTC) or Marijuana Retail Establishments.

MARIJUANA ESTABLISHMENT AGENT

A board member, director, employee, executive, manager, or volunteer of a Marijuana Establishment, who is 21 years of age or older. "Employee" includes a consultant who provides on-site services to a Marijuana Establishment related to the cultivation, harvesting, preparation, packaging, storage, testing, or dispensing of marijuana.

MARIJUANA INDEPENDENT TESTING LABORATORY

~~An entity licensed by the CCC to test marijuana and marijuana products consistent with G.L. c. 94G, including certification for potency and the presence of contaminants.~~

MARIJUANA MICRO-BUSINESS

~~A Marijuana Establishment licensed by the CCC to act as a co-located licensed Marijuana Cultivator in an area less than 5,000 square feet, a licensed Marijuana Product Manufacturer, and a licensed Marijuana Delivery Service in compliance with operating procedures for each such license.~~

MARIJUANA PRODUCT MANUFACTURER

~~An entity licensed by the Commonwealth 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.

~~MARIJUANA RESEARCH FACILITY~~

~~An entity licensed by the CCC to engage in research projects, including cultivation, purchase or acquisition otherwise of marijuana for the purpose of conducting research regarding marijuana and marijuana products. A marijuana research facility may be academic institutions, nonprofit corporations and domestic corporations or entities authorized to do business in Massachusetts. A marijuana research facility may hold a CCC marijuana retailer license to sell marijuana and marijuana products.~~

~~MARIJUANA RETAILER ESTABLISHMENT~~

~~An entity licensed by the commonwealth 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.~~

An entity licensed to purchase, repackage, white label, and transport marijuana or marijuana product from marijuana establishments, and to transfer this product to marijuana establishments and to sell to consumers.

MARIJUANA SOCIAL CONSUMPTION OPERATOR

A Marijuana Retailer licensed by the Massachusetts Cannabis Control Commission to purchase marijuana and marijuana products from marijuana establishments and to sell marijuana and marijuana products on its premises only to consumers or allows consumers to consume marijuana and marijuana products on its premises only.

~~MARIJUANA TRANSPORTER~~

~~An entity, not otherwise licensed by the CCC, that is licensed by the CCC to purchase, obtain and possess marijuana and marijuana products solely for the purpose of transporting, temporary storage, sale and distribution to marijuana establishments, not for sale to consumers.~~

MEDICAL MARIJUANA TREATMENT CENTER (MTC)

A not-for-profit entity Medical Marijuana Treatment Center registered under 105 CMR 725.100, also known as a Registered Marijuana Dispensary (RMD), that acquires, cultivates, possesses, processes (including development of related products such as edible marijuana-infused products, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to registered qualifying patients or their personal caregivers for medical use. Unless otherwise specified, RMD refers to the site(s) of dispensing, cultivation, and preparation of marijuana for medical use.

~~STANDARDS LABORATORY~~

~~A laboratory meeting the requirements of the independent testing laboratory that is licensed by~~

~~the Massachusetts Cannabis Control Commission as a standards laboratory to ensure consistent and compliant testing by the independent testing laboratories.~~

§ 309-3 ~~Cap on the number of marijuana retailers~~ Marijuana Retail Establishments

The number of ~~permits~~ licenses issued pursuant to this section to ~~marijuana retailers~~ Marijuana Retail Establishments shall not exceed two.

§ 309-4 General requirements for marijuana establishments.

B. Operational Requirements

(1) General

- (a) With the exception of medical marijuana cultivation conducted pursuant to a special permit issued under the Town's zoning by-law and this general bylaw, all ~~marijuana establishments~~ Marijuana Retail Establishments or MTCs licensed operations shall be conducted within a building or structure.

Or take any other action relative thereto.