

TOWN OF LUNENBURG

SPECIAL TOWN MEETING WARRANT

JANUARY 7, 2014

Worcester, ss:

To: John E. Baker, Constable of the Town of Lunenburg, in the County of Worcester, Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of the Town of Lunenburg, qualified to vote in elections and town affairs, to meet in the Lunenburg High School Auditorium in said Lunenburg on Tuesday, the 7th day of January next, at 7:00 o'clock in the evening (7:00 P.M.), and then and there to act on the following articles, viz:

SPECIAL TOWN MEETING ARTICLES

ARTICLE 1. To see if the Town will vote to appropriate, borrow or transfer from available funds, a sum of money to be expended under the direction of the School Building Committee for construction of a new Lunenburg Middle/High School, designed for approximately 820 students in Grades 6 – 12, to be located at 1079 Massachusetts Avenue, Lunenburg, MA 01462, which school facility shall have an anticipated useful life as an educational facility for the instruction of school children of at least 50 years, and for which the Town may be eligible for a school construction grant from the Massachusetts School Building Authority ("MSBA"). The MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the Town incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town. Any grant that the Town of Lunenburg may receive from the MSBA for the Project shall not exceed the lesser of (1) fifty-nine point eleven percent (59.11%) of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA. **Board of Selectmen recommends approval, 5 – 0.**

ARTICLE 2. To see if the Town will vote to amend the Town's Zoning Bylaw by adding a new Section 9.0, entitled Temporary Moratorium on Medical Marijuana Treatment Centers/ Registered Marijuana Dispensaries, that would provide as follows, and further to amend the Table of Contents to add Section 9.0, "Temporary Moratorium on Medical Marijuana Treatment Centers/ Registered Marijuana Dispensaries:"

Section 9.0.1. Purpose

By vote at the State election on November 6, 2012, the voters of the Commonwealth approved a law regulating the cultivation, distribution, possession and use of marijuana for medical purposes. The law provides that it is effective on January 1, 2013. On May 8, 2013, the State Department of Public Health promulgated Regulations that became effective on May 24, 2013. Currently under the Zoning Bylaw, a Medical Marijuana Treatment Center, identified in the State Regulations as a Registered Marijuana Dispensary, is not a permitted use in the Town of Lunenburg. The State Regulations provide guidance to the Town in regulating medical marijuana, including Medical Marijuana Treatment Centers/ Registered Marijuana Dispensaries. The regulation of medical marijuana raises novel and complex legal, planning, and public safety issues and the Town needs time to study and consider the regulation of such use and address such novel and complex 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 medical marijuana treatment centers and other uses related to the regulation of medical marijuana. The Town intends to adopt a temporary moratorium on the use of land and structures in the Town for Medical Marijuana Treatment Center/ Registered Marijuana Dispensaries 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 enact bylaws in a manner consistent with sound land use planning goals and objectives.

Section 9.0.2.. Definition

"Medical Marijuana Treatment Center" shall mean a not-for-profit entity, as defined by Massachusetts law only, registered by the Department of Public Health as a Registered Marijuana Dispensary, 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.

Section 9.0.3 Temporary Moratorium

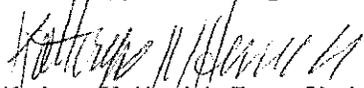
For the reasons set forth above and notwithstanding any other provisions of the Zoning Bylaw to the contrary, the Town hereby adopts a temporary moratorium on the use of land or structures for a Medical Marijuana Treatment Center/ Registered Marijuana Dispensary. The moratorium shall be in effect through December 31, 2014 or until such time as the Town adopts Zoning Bylaw amendments that regulate Medical Marijuana Treatment Centers/ Registered Marijuana Dispensaries and related uses, whichever occurs earlier. During the moratorium period, the Town shall undertake a planning process to address the potential impacts of medical marijuana in the Town, consider the State Regulations and related uses, and shall consider adopting new Zoning Bylaws to address the impact and operation of Medical Marijuana Treatment Centers/ Registered Marijuana Dispensaries and related uses; or take any action relative thereto. **Board of Selectmen to make recommendation at Town Meeting.**

And you are directed to serve this Warrant by posting attested copies thereof in four or more public places in the Town, fourteen (14) days at least before the day appointed for said meeting, one of which places shall be at the Town Hall, one at Whalom Variety Store in the Whalom-Bakerville District, one at Powell's, and one at Centre Pizza and Variety, and by mailing a copy to each dwelling unit in the Town in which a registered voter resides at least fourteen (14) days prior to such meeting.

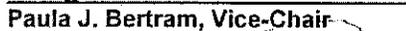
Hereof, fail not and make due return of this Warrant, with your doings thereon, to the Town Clerk at the time and place aforesaid.

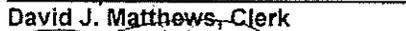
Given under our hands, this 10th day of December in the year two thousand and thirteen.

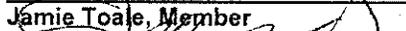
A true copy attest:

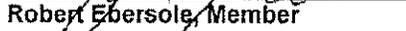

Kathryn M. Herrick, Town Clerk


Thomas A. Alonzo, Chair


Paula J. Bertram, Vice-Chair


David J. Matthews, Clerk


Jamie Toale, Member


Robert Ebersole, Member

BOARD OF SELECTMEN

I have this day posted attested copies of the foregoing warrant in four or more public places in the Town, including Town Hall, one at Whalom Variety Store in the Whalom-Bakerville District, one at Powell's Stone and Gravel, and one at Centre Pizza and Variety, all within at least fourteen (14) days before the meeting and have mailed a copy of same to each dwelling unit in the Town in which a registered voter resides at least fourteen (14) days prior to such Special Town Meeting.


John E. Baker, Constable

DEC 12 2013
Date