

TOWN OF WILMINGTON, MASSACHUSETTS



WARRANT
SPECIAL TOWN MEETING
DECEMBER 16, 2017

TO: THE CONSTABLE OF THE TOWN OF WILMINGTON:

GREETINGS:

In the name of the Commonwealth of Massachusetts and in the manner prescribed in the By-Laws of said Town, you are hereby directed to notify and warn the inhabitants of the Town qualified to vote in Town affairs to meet and assemble at the Wilmington High School Auditorium, 159 Church Street, in said Town of Wilmington, on Saturday, the sixteenth day of December 2017 at 10:30 a.m., then and there to act on the following articles:

ARTICLE 1. To see if the town will vote to amend section 3.4 of the Wilmington zoning bylaws and associated table 1 principal use regulations as follows, or take any other action relevant thereto:

Amend section 3.4.6 under "classification of governmental, institutional and public services use" (zoning bylaw at page 13, Section 3.4.6) to insert at end of the existing text of 3.4.6 before the period punctuation mark the words "excluding any Detox Facility as defined in the bylaw"

Insert a new section 3.4.9 (zoning bylaw at page 13 under "classification of governmental, institutional and public services uses.") as follows:

"3.4.9 Detox Facility, use of any land, building or structures for the purpose of providing detoxification and treatment of alcoholism, drug addiction or substance abuse services."

Also amend table 1 principal use regulations, (Zoning bylaw at page 10 under "classification of governmental institutional and public services uses") by inserting a new line of text stating as follows:

"3.4.9 Detox Facility, R-10, No: R-20 No: R-60 No: 055-No: N/M-No: NB-No: GB-No: CB-No: GI-SP: HI-SP: LI/0-No: Site plan Review - R: GWPD**"

As Petitioned for by Michael V. McCoy and others

ARTICLE 2. To see if the town will vote to amend section 3.4 of the Wilmington Zoning Bylaws and associated Table 1 principal use regulations as follows, or take any other action relevant thereto:

Amend Section 3.4.6 under "Classification of Governmental, Institutional and Public Services Uses" (Zoning Bylaw at Page 13, Section 3.4.6) to insert at end of the existing text of 3.4.6 "Hospital and Nursing Homes" before the period punctuation mark the words "including any Detox Facility as defined as the use of any land, Building or Structures for the purpose of providing detoxification and treatment of alcoholism, drug addiction or substance abuse services".

Also amend Table 1 Principal Use Regulations, (Zoning Bylaw at page 10 Bylaw under "Classification of Governmental, Institutional and Public Services Uses") by amending the line of text for 3.4.6 "Hospital and Nursing Homes" to state as follows: "3.4.6, R-10, No; R-20 No; R-60 No; 055-No; N/M-No; NB-No; GB-No; CB-No; GI-SP; HI-SP, LI/0-No; Site Plan Review-R; GWPD**"

As Petitioned for by Michael V. McCoy and others

ARTICLE 3. To see if the Town will vote to amend the Wilmington Zoning Bylaw to prohibit marijuana establishments in all zoning districts by amending Table 1 Principal Use Regulation to include 3.7.2 Marijuana Establishments as follows:

3.7.2 Marijuana Establishments No No No No No No No No No No NR *;

and by adding a new Section 3.7.2 as follows:

3.7.2 Marijuana Establishments Prohibited – Pursuant to Section 3 of Chapter 94G of Massachusetts General Laws, all types of marijuana establishments, as defined by Section 1 of Chapter 94G of Massachusetts General Laws and as may otherwise be defined by Massachusetts law or regulation, including without limitation all marijuana cultivators, marijuana testing facilities, marijuana product manufacturers, marijuana retailers, on-site consumption at a business location, all other types of licensed marijuana-related businesses, and the conducting of any such activity for commercial purposes by whichever name used, shall be prohibited within the Town of Wilmington. This prohibition shall not be construed to affect the medical use of marijuana as expressly authorized by the provisions of Chapter 369 of the Acts of 2012 and 105 CMR 725.000; or to take any other action related thereto.

Board of Selectmen

ARTICLE 4. To see if the Town will vote to amend the Town of Wilmington Inhabitant Bylaws by adding a new Section 55 to Chapter 5 entitled Prohibition of Marijuana Establishments, as follows:

Section 55. Prohibition of Marijuana Establishments

Pursuant to Section 3 of Chapter 94G of Massachusetts General Laws, all types of marijuana establishments, as defined by Section 1 of Chapter 94G of Massachusetts General Laws and as may otherwise be defined by Massachusetts law or regulation, including without limitation all marijuana cultivators, marijuana testing facilities, marijuana product manufacturers, marijuana retailers, on-site consumption at a business location, all other types of licensed marijuana-related businesses, and the conducting of any such activity for commercial purposes by whichever name used, shall be prohibited within the Town of Wilmington. This prohibition shall not be construed to affect the medical use of marijuana as expressly authorized by the provisions of Chapter 369 of the Acts of 2012 and 105 CMR 725.000; or to take any other action related thereto.

Board of Selectmen

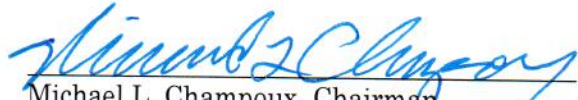
ARTICLE 5. To see if the Town will vote to amend Section 3.9.4 of the Town of Wilmington Zoning Bylaw to extend the temporary moratorium on marijuana establishments by six months through December 31, 2018 to allow the Town time to study, reflect and decide on how to govern the time, place and manner of marijuana establishment operations and the number of marijuana establishments consistent with Chapter 94G of the General Laws and the regulations of the Cannabis Control Commission by replacing June 30, 2018 with December 31, 2018 so that Section 3.9.4 shall be amended to read as follows:

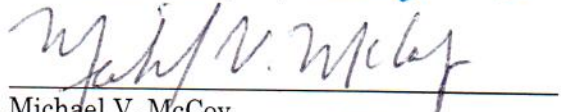
3.9.4 Expiration. This Section 3.9 shall be in effect through the end of December 31, 2018.

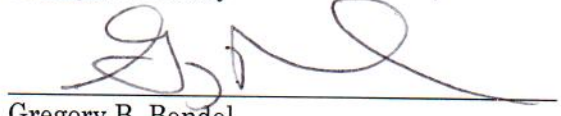
Or to take any action related thereto

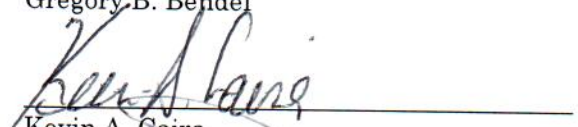
Board of Selectmen


Hereof fail not and make due return of this Warrant, or a certified copy thereof with your doings thereon to the Town Clerk as soon as may be and before said meeting, GIVEN OUR HAND AND SEAL OF SAID TOWN THIS 13th day of November, A.D., Two Thousand Seventeen.


Michael L. Champoux, Chairman


Michael V. McCoy


Gregory B. Bendel


Kevin A. Cairra


Edward P. Loud, Sr.