

**COMMONWEALTH OF MASSACHUSETTS  
TOWN OF PEMBROKE  
SPECIAL TOWN MEETING WARRANT**

**TUESDAY, FEBRUARY 12, 2013**

PLYMOUTH, ss.

To either of the Constables of the Town of Pembroke in the county aforesaid.

GREETING: In the name of the Commonwealth of Massachusetts, you are hereby required and directed to notify and warn the inhabitants of the Town of Pembroke who are qualified to vote on Town Affairs and Elections therein to meet at the PEMBROKE COMMUNITY MIDDLE SCHOOL, 559 School Street, on TUESDAY, the TWELFTH DAY OF FEBRUARY, 2013 at SEVEN-THIRTY O’CLOCK in the evening, then and there to act on the following:

**ARTICLES 1 THROUGH 3**

**ARTICLE 1:** To see if the Town will vote to rescind the following amounts that have been authorized to be borrowed, but which are no longer needed for the purposes for which they were initially approved:

<u>Unissued Amount</u>	<u>Date of Approval</u>	<u>Warrant Article</u>	<u>Original Purpose</u>
\$ 618	03/02/02	2	School remodeling
15,793	04/27/04	16	Septic Systems
925,000	04/22/08	13	Land Acquisition
75,000	10/21/08	1	Fire Dept. Svc Truck
35,000	10/21/08	1	Fire Dept. Sedan
30,000	10/21/08	1	Fire Dept. Brush Truck
400,000	10/21/08	1	Fire Dept. Pumper Truck
40,000	10/21/08	1	Police Roof
75,000	11/03/09	1	Police Dept. 2 Vehicles
806,342	11/03/09	5	Ball Fields
239,743 <sup>1</sup>	10/19/10	3	Landfill Capping

Or take any other action relative thereto.

Submitted by the Town Treasurer/Collector

ADVISORY COMMITTEE RECOMMENDATION:

SELECTMEN RECOMMENDATION:

Favorable Action

EXPLANATION: *These amounts are no longer needed for the purposes for which they were initially approved and the borrowing requests need to be rescinded.*

**ARTICLE 2:** To see if the Town will vote to raise and appropriate, transfer from available funds and/or authorize the Treasurer to borrow, with the approval of the Board of Selectmen, a sum of money for the purpose of providing engineering services for the proposed traffic signal at the intersection of Route 53 and Pleasant Street, or take any action relative thereto.

Submitted by the Town Administrator

ADVISORY RECOMMENDATION:  
SELECTMEN RECOMMENDATION:  
EXPLANATION:

Favorable Action

**ARTICLE 3:** To see if the Town will vote to amend the Zoning Bylaws to insert a new section under Section V, "Special Provisions, Standards and Procedures," as set forth below and to amend the Table of Contents to insert "11. Medical Marijuana Treatment Centers" under "Section V. Special Provisions, Standards and Procedures."

## **11. MEDICAL MARIJUANA TREATMENT CENTERS**

**A. Purpose.** It is the purpose of this section titled "Medical Marijuana Treatment Centers" to address and mitigate the potential secondary effects of Medical Marijuana Treatment Centers and drug dispensing and cultivation businesses that are referenced and defined herein. Secondary effects have been shown to include increased crime, adverse impacts on public health, and adverse impacts on the business climate of communities, adverse impacts on the property values of residential and commercial properties, and adverse impacts on the quality of life in communities. All of said secondary impacts would be adverse to the health, safety and general welfare of the Town and its inhabitants. It is the purpose of this Bylaw to establish specific standards and procedures for local licensing of medical marijuana centers, medical marijuana infused products, manufacturers, and medical marijuana cultivation operations.

**B. Special Permit.** Medical Marijuana Treatment Centers may be authorized by special permit in the Adult Use Overlay District. The following regulations shall apply to Medical Marijuana Treatment Centers as defined in this By- Law.

**C. Separation.** No Medical Marijuana Treatment Center shall be located within fifteen hundred linear feet of:

1. Any Residential District as designated herein;
2. Any School or Child Care Establishment;
3. Any Other Medical Marijuana Treatment Center; or
4. Any establishment licensed to pour alcohol under the provisions of G.L. c.138 §12.

Distances shall be calculated by direct measurement from the nearest property line of the land used for any of the identified purposes above to the nearest portion of the building in which the medical marijuana treatment center is located.

**D. Conflict with Other Bylaws.** In the event of any conflict between the provisions of this Bylaw and any other applicable Bylaw, the stricter provision, as deemed by the Zoning Enforcement Officer, shall control.

**E. Off-Premises Delivery Prohibited.** All sales and distribution of medical marijuana by a dispensary agent shall occur only upon the licensed premises, and a dispensary agent shall be strictly prohibited from delivering medical marijuana to any person at any other location.

**F. Signage.** Any licensed Medical Marijuana Treatment Centers site shall comply with the requirements of the Town Sign Bylaws at all times.

**G. Manufacturing.** Medical marijuana infused product manufacturing may be conducted by special permit in any zoning district where commercial manufacturing of products is allowed as of right or permitted by special permit.

**H. Term of Special Permit.** Any special permit issued pursuant to this Bylaw shall be valid for a period of two years from the date of issuance. Application for renewal of the special permit must be filed 90 days before the expiration of the special permit and subject to a public hearing in accordance with the procedures set forth in G.L. c.40A §9, 11 and 15, and Sections VI.D., F. and G. of the Zoning Bylaws.

**I. Definitions**

“Medical Marijuana Treatment Center” shall mean a not-for-profit entity, as defined by Massachusetts law only, registered under state law, 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.

“Dispensary agent” shall mean an employee, staff volunteer, officer, or board member of a non-profit medical marijuana treatment center, who shall be at least twenty-one (21) years of age.

Or take any other action relative thereto.

Submitted by the Board of Selectmen

ADVISORY RECOMMENDATION:  
SELECTMEN RECOMMENDATION:  
EXPLANATION:

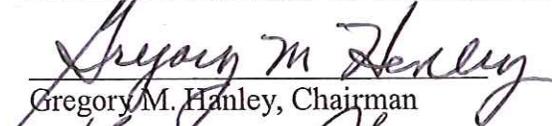
Favorable Action

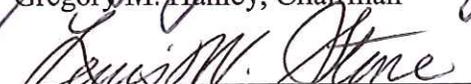
And you are directed to serve this Warrant by posting attested copies thereof at the Town Office Building, Pembroke Center Post Office, North Pembroke Post Office, Bryantville Post Office, Pembroke Center Library and the Country Corner Store.

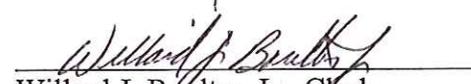
Hereof, fail not, and make due return of this Warrant, with your doings thereon, to the Town Clerk, at the time and place of meetings as aforesaid.

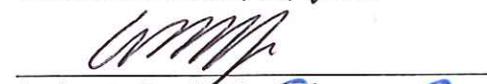
Given under our hands and seals this 28<sup>th</sup> day of January, 2013

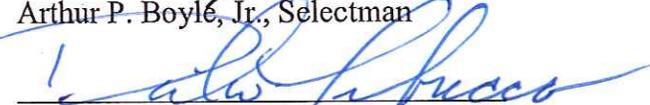
PEMBROKE BOARD OF SELECTMEN

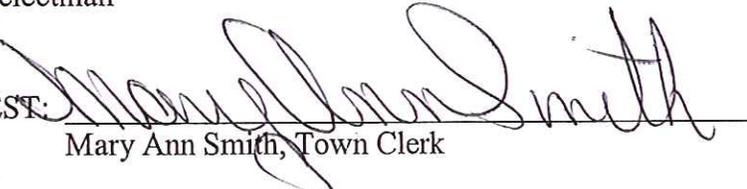
  
Gregory M. Hanley, Chairman

  
Lewis W. Stone, Vice-Chairman

  
Willard J. Boulter, Jr., Clerk

  
Arthur P. Boyle, Jr., Selectman

  
Daniel W. Trabucco, Selectman

A TRUE COPY ATTEST:   
Mary Ann Smith, Town Clerk

Pursuant to the Warrant for the Special Town Meeting to be held on February, 12, 2013, I have notified and warned the inhabitants of the Town of Pembroke by posting up attested copies of the same at the Town Office Building, Pembroke Center Library, Pembroke Center Post Office, North Pembroke Post Office, Bryantville Post Office, and the Country Corner Store.

POSTED: 1/29/13  
Date

  
Constable