



FROM THE OFFICE OF
LILLIAN M. DRANE, CMC

Town of Lakeville

Office of the Town Clerk
346 Bedford Street
Lakeville, Massachusetts 02347
508-946-8814
ldrane@lakevillema.org

PUBLIC NOTICE

July 2, 2018

TO: Offce Thomas Nuccross, Constable

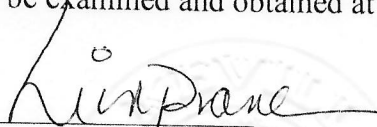
In the name of the Town of Lakeville, you are hereby required to notify the inhabitants of the Town of Lakeville of the **Approval** by the Attorney General of the Commonwealth of Massachusetts of Warrant **Articles # 9, 10, and 11 (Zoning)**, voted on at the Annual Town Meeting held on **June 4, 2018**.

You are further directed to serve this notice by posting attested copies thereof at the following places:

- **Town Office Building**
- **Starr's Country Market**
- **Cisco's Pizza**
- **Clark Shores Association Bulletin Board**
- **Apponequet Regional High School**
- **Senior Citizens Drop-In Center**
- **Assawompset School.**

Any claims that these by-laws are invalid because of a defect in the procedure by which they were adopted or amended, may only be made within **90 days** of this posting. Copies of these by-laws may be examined and obtained at the Town Clerk's office.

Attest:



Lillian M. Drane, CMC/CMMC
Town Clerk

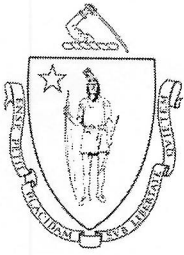
Plymouth ss:

Lakeville, Massachusetts

July 2, 2018

I have this day posted the Approved ByLaw Notice as directed, in the following places: **Town Office Building, Starr's Country Market, Cisco's Pizza, the Clark Shores Assn. Bulletin Board, Apponequet Regional High School, the Senior Citizens Drop-in Center and the Assawompset School.**


Constable



THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF THE ATTORNEY GENERAL

CENTRAL MASSACHUSETTS DIVISION
10 MECHANIC STREET, SUITE 301
WORCESTER, MA 01608

MAURA HEALEY
ATTORNEY GENERAL

(508) 792-7600
(508) 795-1991 fax
www.mass.gov/ago

July 2, 2018

RECEIVED

JUL 02 2018

Lakeville Town Clerk

Lillian M. Drane, Town Clerk
Town of Lakeville
346 Bedford Street
Lakeville, MA 02347

Re: **Lakeville Annual Town Meeting of June 4, 2018 -- Case # 9055**
Warrant Articles # 9, 10, and 11 (Zoning)

Dear Ms. Drane:

Articles 9, 10, and 11 - We approve Articles 9, 10, and 11 from the June 4, 2018 Lakeville Annual Town Meeting.

In addition, please note that the Town must notify the DOR/DLS of the Town's acceptance of the provisions of G.L. c. 64N, § 3 (the local option excise tax on the retail sale of marijuana) (Article 12 from the June 4, 2018 Annual Town Meeting). According to the Department of Revenue, Division of Local Services, the Town Clerk must immediately notify the Municipal Databank within the DLS regarding the Town's acceptance of the statutory provisions. See DOR/DLS Bulletin BUL-2018-3. You may contact the DLS with any additional questions at:

Municipal Databank
databank@dor.state.ma.us
617-626-2384.

Note: Pursuant to G.L. c. 40, § 32, neither general nor zoning by-laws take effect unless the Town has first satisfied the posting/publishing requirements of that statute. Once this statutory duty is fulfilled, (1) general by-laws and amendments take effect on the date these posting and publishing requirements are satisfied unless a later effective date is prescribed in the by-law, and (2) zoning by-laws and amendments are deemed to have taken effect from the date they were approved by the Town Meeting, unless a later effective date is prescribed in the by-law.

Very truly yours,

MAURA HEALEY

Form 2

Form 2- Submission #2

Town of Lakeville

Town Meeting Action:

Article 9:

I move that the Town vote to amend the Zoning By-Law to allow Adult Use Marijuana Retailers within the Industrial Zoning District by amending Zoning By-Law Section 2.0 Definitions and Section 4.1.3 Table of Use Regulations as set forth in Article 9 of the Warrant.

Amend Section 2.0 Definitions to insert the following new definition:

Adult Use Marijuana Retailer: an entity licensed to purchase and transport cannabis or marijuana product from an Adult Use Marijuana Establishment and to sell or otherwise transfer this product to Adult Use Marijuana Establishments and to consumers.

Amend the Table of Use Regulations, Section 4.1.3 to insert "Adult Use Marijuana Retailers" as a use allowed by Special Permit in the Industrial Zoning District as follows:

<u>4.1.3 Industrial Uses</u>	R	B	I	I-B
Adult Use Marijuana Retailers	N	N	SP	N

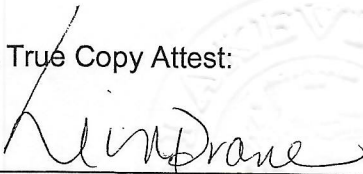
Or take any action relative thereto;

Sponsor: Board of Selectmen

Aaron Burke, Board of Selectmen Chairman, made a motion to approve the article as printed in the warrant.

Motion was seconded and passed by 2/3rds requirement (75 Yes to 27 No) at Annual Town Meeting of June 4, 2018.

A True Copy Attest:



Lillian M. Drane, CMC/CMMC,
Town Clerk

Form 2

Form 2- Submission #2

Town of Lakeville

Town Meeting Action:

Article 10:

I move that the Town vote to amend the Zoning By-Law to allow Adult Use Marijuana Establishments, with the exception of Marijuana Retailers, in the Industrial Zoning District by amending Zoning By-Law **Section 2.0 Definitions** and **Section 4.1.3 Table of Use Regulation**, as set forth below.

Amend the Zoning By-Law, **Section 2.0 Definitions** to insert the following new definition:

Adult Use Marijuana Establishment: a Marijuana Cultivator, Craft Marijuana Cooperative, Marijuana Product Manufacturer, Independent Testing Laboratory, Marijuana Research Facility, Marijuana Transporter, or any other type of licensed marijuana-related business, as such uses are or may be defined in 935 CMR 500.02. For purposes of this By-Law, Adult Use Marijuana Establishment shall not include a Marijuana Retailer or a Registered Marijuana Dispensary.

Amend the **Table of Use Regulations, Section 4.1.3** to insert "Adult Use Marijuana Establishment (not including Marijuana Retailers)" as a use allowed by Special Permit in the Industrial Zoning District as follows:

4.1.3 Industrial Uses	R	B	I	I-B
Adult-Use Marijuana Establishment (not including Marijuana Retailers)	N	N	SP	N

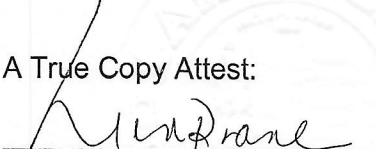
Or take any action relative thereto;

Sponsor: Board of Selectmen

Aaron Burke, Board of Selectmen Chairman, made a motion to approve the article as printed in the warrant.

Motion was seconded and passed by 2/3rds requirement (68 Yes to 15 No) at Annual Town Meeting of June 4, 2018.

A True Copy Attest:


Lillian M. Drane, CMC/CMMC,
Town Clerk

Form 2

Form 2- Submission #2

Town of Lakeville

Town Meeting Action:

Article 11:

I move that the Town vote to amend **Section 7.4.6 Specific Uses by Special Permit** by inserting the following language immediately following the Section regulating **“Adult Bookstore/Adult Motion Picture Theater”**:

Adult Use Marijuana Establishments and Marijuana Retailers

SPGA – Planning Board; Industrial District

- A. Adult Use Marijuana Establishments and Marijuana Retailers shall require a Special Permit and Site Plan Approval from the Planning Board.
- B. Adult Use Marijuana Establishment and Marijuana Retailers shall not be located within 500 feet of a public or private school providing education in kindergarten or grades 1 through 12. The distance under this Section shall be measured in a straight line from the nearest point of the property line in question to the nearest point of the property line where the Marijuana Establishment or Marijuana Retailer is or will be located.
- C. Cultivation and Manufacturing Establishments shall be separated from adjacent uses by a 50-foot buffer strip, unless the Applicant can demonstrate, and the Planning Board finds, that adequate buffering can be provided in a narrower buffer strip.
- D. Adult Use Marijuana Establishments and Marijuana Retailers shall be located only in a permanent building and not within any mobile facility, with the exception of the transporting of marijuana and marijuana products under a Marijuana Transporter license.
- E. The Application for an Adult Use Marijuana Establishment or Marijuana Retailer Special Permit shall include the following:
 1. A detailed floor plan of the proposed Adult Use Marijuana Establishment or Marijuana Retailer that identifies the square footage available and describes the functional areas of the facility;
 2. Detailed Site Plans that include the following information:
 - a. Compliance with the requirements for parking and loading spaces, for lot size, frontage, yards and heights and coverage of buildings, signage and all other provisions of this By-Law;
 - b. Convenience and safety of vehicular and pedestrian movement on the site to provide secure and safe access and egress to and from the site;
 - c. Convenience and safety of vehicular and pedestrian movement off the site, if vehicular and pedestrian traffic off-site can reasonably be expected be substantially affected by on-site changes;
 - d. Adequacy as to the arrangement and the number of parking and loading spaces in relation to the proposed use of the premises;

Form 2

- e. Site design such that it provides convenient, secure and safe access and egress for clients and employees arriving to and from the site.
 - f. Design and appearance of proposed buildings, structures, freestanding signs, screening and landscaping; and
 - g. Adequacy of water supply, surface and subsurface drainage and light.
3. A copy of the Written Operating Procedures as required by 935.500.105, which shall include, at a minimum, the following:
- a. Security measures in compliance with 935 CMR 500.110, to the extent such information may be made publicly available;
 - b. Employee security policies;
 - c. Proposed hours of operation and after-hours contact information;
 - d. Proposal for storage of marijuana;
 - e. Emergency procedures, including a disaster plan in case of fire or other emergencies;
 - f. Policies and procedures for preventing the diversion of marijuana to individuals younger than 21 years old;
 - g. Policies and procedures for energy efficiency and conservation in accordance with 935 CMR 500.105, and a plan for implementation of such policies;
4. A copy of proposed waste disposal procedures; and
5. A copy of the provisional license issued by the Cannabis Control Commission, and any additional materials submitted to the Cannabis Control Commission by the Applicant for purposes of obtaining a provisional license.
- F. The Planning Board may impose conditions reasonably appropriate to improve site design, traffic flow, public safety, protect water quality, air quality and odor control, and significant environmental resources, preserve the character of the surrounding area, and ensure the Adult Use Marijuana Establishment or Marijuana Retailer is operating under best management practices for energy use, waste disposal and environmental impact. In addition to any specific conditions applicable to the Applicant's Adult Use Marijuana Establishment or Marijuana Retailer imposed by the Planning Board, the following conditions shall apply to any Special Permit granted under this By-Law, unless otherwise stated by the Planning Board:
1. The Planning Board may set the hours of operation, but if none are specifically specified in the special permit, hours of operation shall be limited to 8:00 AM – 6:00 PM.
 2. The Adult Use Marijuana Establishment or Marijuana Retailer shall not generate outside odors from the cultivation, processing or manufacturing of marijuana or marijuana products.
 3. The Security Plan and Emergency Procedures shall be approved by the Police Chief and Fire Chief prior to commencing operations. The Applicant shall be required to certify to Police Chief and Fire Chief on an annual basis that there are no changes to the Security Plan and Emergency Procedures for the Adult Use Marijuana Establishment or Marijuana Retailer.
 4. The permit holder shall provide to the Zoning Enforcement Officer and Chief of the Police Department, the name, telephone number and electronic mail address of a contact person in the event that such person needs to be contacted after

Form 2

- e. Site design such that it provides convenient, secure and safe access and egress for clients and employees arriving to and from the site.
 - f. Design and appearance of proposed buildings, structures, freestanding signs, screening and landscaping; and
 - g. Adequacy of water supply, surface and subsurface drainage and light.
 3. A copy of the Written Operating Procedures as required by 935.500.105, which shall include, at a minimum, the following:
 - a. Security measures in compliance with 935 CMR 500.110, to the extent such information may be made publicly available;
 - b. Employee security policies;
 - c. Proposed hours of operation and after-hours contact information;
 - d. Proposal for storage of marijuana;
 - e. Emergency procedures, including a disaster plan in case of fire or other emergencies;
 - f. Policies and procedures for preventing the diversion of marijuana to individuals younger than 21 years old;
 - g. Policies and procedures for energy efficiency and conservation in accordance with 935 CMR 500.105, and a plan for implementation of such policies;
 4. A copy of proposed waste disposal procedures; and
 5. A copy of the provisional license issued by the Cannabis Control Commission, and any additional materials submitted to the Cannabis Control Commission by the Applicant for purposes of obtaining a provisional license.
- F. The Planning Board may impose conditions reasonably appropriate to improve site design, traffic flow, public safety, protect water quality, air quality and odor control, and significant environmental resources, preserve the character of the surrounding area, and ensure the Adult Use Marijuana Establishment or Marijuana Retailer is operating under best management practices for energy use, waste disposal and environmental impact. In addition to any specific conditions applicable to the Applicant's Adult Use Marijuana Establishment or Marijuana Retailer imposed by the Planning Board, the following conditions shall apply to any Special Permit granted under this By-Law, unless otherwise stated by the Planning Board:
 1. The Planning Board may set the hours of operation, but if none are specifically specified in the special permit, hours of operation shall be limited to 8:00 AM – 6:00 PM.
 2. The Adult Use Marijuana Establishment or Marijuana Retailer shall not generate outside odors from the cultivation, processing or manufacturing of marijuana or marijuana products.
 3. The Security Plan and Emergency Procedures shall be approved by the Police Chief and Fire Chief prior to commencing operations. The Applicant shall be required to certify to Police Chief and Fire Chief on an annual basis that there are no changes to the Security Plan and Emergency Procedures for the Adult Use Marijuana Establishment or Marijuana Retailer.
 4. The permit holder shall provide to the Zoning Enforcement Officer and Chief of the Police Department, the name, telephone number and electronic mail address of a contact person in the event that such person needs to be contacted after

Form 2

regular business hours to address an urgent issue. Such contact information shall be kept updated by the permit holder.

5. The Adult Use Marijuana Establishment or Marijuana Retailer may not operate, and the Special Permit will not take effect, until the Applicant has obtained all final license approvals from the Cannabis Control Commission.
 6. Adult Use Marijuana Establishments or Marijuana Retailer may not operate, and the Special Permit will not be valid, unless the Applicant has entered into a Host Community Agreement with the Town relative to any Adult Use Marijuana Establishment or Marijuana Retailer permitted under this By-Law.
 7. A Special Permit granted under this Section shall have a term limited to the duration of the Applicant's ownership and use of the premises as an Adult Use Marijuana Establishment or Marijuana Retailer. A Special Permit may be transferred only with the approval of the Planning Board in the form of an amendment to the Special Permit.
 8. The Special Permit shall lapse upon the expiration or termination of the Applicant's license by the Cannabis Control Commission.
- G. The permit holder shall notify the Zoning Enforcement Officer and SPGA in writing within 48 hours of the cessation of operation of the Adult Use Marijuana Establishment or Marijuana Retailer's expiration or termination of the permit holder's license with the Cannabis Control Commission

Or take any action relative thereto;

Sponsor: Board of Selectmen

Aaron Burke, Board of Selectmen Chairman, made a motion to approve the article as printed in the warrant.

Motion was seconded and passed by 2/3rds requirement (82 Yes to 1 No) at Annual Town Meeting of June 4, 2018.

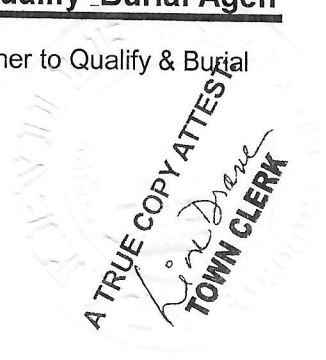
A True Copy Attest:



Lillian M. Drane, CMC/CMMC,
Town Clerk

Lillian Drane, Town Clerk Chief Elections Officer, CMC, Commissioner to Qualify Burial Agen

From: Lillian Drane, Town Clerk & Chief Elections Officer, CMC, Commissioner to Qualify & Burial Agent
Sent: Wednesday, June 06, 2018 10:12 AM
To: 'databank@dor.state.ma.us'
Subject: Lakeville-Acceptance of Chap 64N,s3-satles tax 3%-Marijuana
Attachments: DOR-Art 12 ATM 6.4.18-MGL Chap 64N,s3-sales tax 3%.pdf
Importance: High



To whom it may concern,

Attached please find the Notification of Acceptance of MGL Chapter 64N, §3, along with the certified vote-imposing an excise on the retail sales tax rate of 3% , effective October 1, 2018 (2nd quarter).

Should you have any questions, please feel free to contact me.

Regards,

~Lillian

Lillian M. Drane, CMC/CMMC

Town Clerk/Chief Elections Officer,
Board of Registrar, Justice of the Peace,
Notary Public, Commissioner to Qualify,
Census Liason, Burial Agent & SRAO

Town of Lakeville

346 Bedford Street
Lakeville, MA 02347
Office: 508-946-8800
Fax: 508-946-3970

Email: ldrane@lakevillema.org

Web: www.lakevillema.org



Please be advised that the Massachusetts Secretary of State considers e-mail to be a public record, and therefore subject to public access under the Massachusetts Public Records Law, M.G.L. c.66.s.10

ATTENTION:

If you are submitting a meeting posting, please note that the following applies to the meeting: Minutes of all open and executive sessions shall be and approved in a timely manner. A "**timely manner**" will be generally be considered to be within the next three public body meetings or within 30 days, whichever is later, unless the public body can show good cause for further delay. The minutes of an open session, if they exist and whether approved or in draft form, shall be available upon request by any person within "**10 days.**" MGL c30A, s22(c),(G2).

Massachusetts Department of Revenue
Division of Local Services
Municipal Databank

LAKEVILLE

(City/Town)

A TRUE COPY ATTEST:

Kim Drane
TOWN CLERK

***Notification of Acceptance or Revocation/
Amendment of Excise Rate***

**General Laws Chapter 64N, §3
(Local Excise on Retail Sales of Marijuana)**

The Commissioner of Revenue is hereby notified that the City/Town of
LAKEVILLE, by an act of its legislative body on
JUNE 4, 2018, has accepted/revoked General Laws Chapter
64N, § 3 (or has amended its excise rate under General Laws Chapter 64N, § 3), and
will impose an excise on the retail sales of marijuana at the rate of 3 %, effective
October 1, 2018 (Quarter 2)

Kim Drane
(City/Town Clerk)

June 5, 2018

(Date)

PLEASE ATTACH A CERTIFIED COPY OF EACH VOTE AND SUBMIT TO:

Municipal Databank/Local Aid Unit
Division of Local Services
Fax Number (617) 660-7023
E-mail databank@dor.state.ma.us



Town of Lakeville

Office of the Town Clerk
346 Bedford Street
Lakeville, Massachusetts 02347
508-946-8814
ldrane@lakevillema.org



FROM THE OFFICE OF
LILLIAN M. DRANE, CMC

June 5, 2018

Municipal Databank/Local Aid Unit
Division of Local Services
P.O. Box 9569
Boston, MA 02114-9569

RE: Acceptance of M.G.L. c64N, §3

Dear Sir or Madam:

I hereby certify under the seal of the Town of Lakeville that the following article was voted upon at a duly called and properly posted Annual Town Meeting, held on June 4, 2018 at the Apponequet Regional High School Auditorium. A quorum being present.

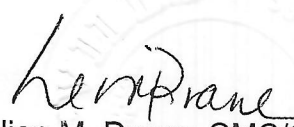
ARTICLE 12:

It was voted that the Town accept the provisions of **M.G.L. c.64N, §3** to impose excise local sales tax on the sale or transfer of marijuana or marijuana products by a Marijuana Retailer operating within the Town to anyone other than a **Marijuana Establishment at the rate of 3%** of the total sales price received by the Marijuana Retailer as consideration for the sale of marijuana or marijuana products.

Unanimous

A true copy of the record.

Attest:


Lillian M. Drane, CMC/CMMC,
Town Clerk

