



Town of Bridgewater, Massachusetts

Town Council
Community and Economic Development Committee

Town Council
Community and Economic
Development Committee

Peter Colombotos
Chairman
District 5 Representative

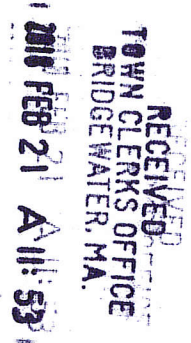
Aisha Losche
District 1 Representative

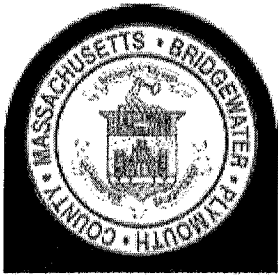
Francis Sousa
District 7 Representative

Meeting Agenda
February 21, 2018, 7:30 p.m.
Academy Building, Council Chambers
66 Central Square
Bridgewater, MA 02324

Meeting Cancelled

- Committee Approval of Minutes
- 7:30 p.m., Joint Public Hearing with the Planning Board
 - Ordinance #D-FY18-008 – Zoning Ordinance – Elm Street Retail Overlay Usage
 - Ordinance D-FY18-011: Zoning Ordinance – Amend Elm Street Retail Overlay (ERO) District





Town of Bridgewater, Massachusetts

Town Council Community and Economic Development Committee

Town Council Community and Economic Development Committee

Peter Colombotos
Chairman
District 5 Representative

Aisha Losche
District 1 Representative

Francis Sousa
District 7 Representative

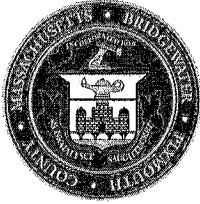
Town Of Bridgewater Community and Economic Development Committee and Planning Board Notice of Joint Public Hearing

Pursuant to section MGL Ch. 40A, Sec. 5, notice is hereby given that the Community and Economic Development Committee and Planning Board will hold a joint public hearing to receive public input on the proposed Zoning Ordinances listed below. The meeting will be held on February 21, 2018. Hearings begin at 7:30 p.m. in the Academy Building, Council Chambers, 66 Central Square, Bridgewater, MA 02324

- Ordinance #D-FY18-008: Zoning Ordinance – Elm Street Retail Overlay Usage: which amends the Zoning Bylaws to adding Retail Marijuana Establishments to Elm Street Retail Overlay (ERO) District by Special Permit and to limit the number of Special Permits to the number of Medical Marijuana Establishments.
- Ordinance D-FY18-011: Zoning Ordinance – Amend Elm Street Retail Overlay (ERO) District: which seeks to amend Section 21 Medical Marijuana Treatment Center of the Bridgewater Bylaws by adding Retail Marijuana Establishments to Elm Street Retail Overlay (ERO) District as a Special Permit and to limit the number of Special Permits to the number of Medical Marijuana Establishments.

The detailed Ordinances are available on following pages and are on file with the Town Clerk and Council Clerk.

RECEIVED
TOWN CLERKS OFFICE
BRIDGEWATER, MA.
2018 FEB -5 A 11: 04



Bridgewater Town Council

In Town Council, Tuesday, December 19 2017

Council Ordinance: D-FY18-008

Introduced By:	Councilor William Wood
Date Introduced:	November 7, 2017
First Reading:	November 7, 2017
Second Reading:	November 21, 2017, December 5, 2017, December 19, 2017
Amendments Adopted:	
Date Adopted:	
Date Effective:	

Proposed Ordinance D-FY18-008

ZONING ORDINANCE – ELM STREET RETAIL OVERLAY USAGE

WHEREAS, MGL Chapter 94G Section 3 allows local control; and

WHEREAS, the Elm Street Retail Overlay was established to allow Bridgewater to limit and restrict Retail Marijuana businesses to the location of the Medical Marijuana Establishments; and

WHEREAS, MGL 94G Section 3(2)(a)(iii) allows local control to limit the number of Retail Locations equal to the number of Medical Locations, it is therefore;

ORDERED, that the Town Council assembled votes to amend the Bridgewater Amend Zoning By-Laws by adding Retail Marijuana Establishments to Elm Street Retail Overlay (ERO) District as a Special Permit and No for all other zones in the Use Table and to limit the number of special permits to the number of Medical Marijuana Establishments, as allowed by MGL 94G Section 3(2)(a)(iii).

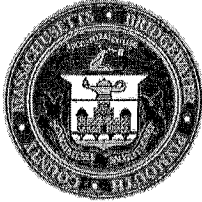
Explanation:

- 1. This measure is in keeping with the original strategy discussed in the Council and implements limits and controls.*
- 2. Prior to the intervention of the State for Question 4, Question 4 allowed local control over the location and number of Retail Stores. Local control can be established by the Town Council since we are a City and not a Town form of government.*
- 3. Should the Council decide to allow the Town to vote on a Ban, as now allowed by the revised Question 4 language, and should the ban fail, this measure will protect Bridgewater from having too many shops in unrestricted areas (e.g. Downtown)*

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
- This measure was postponed to 11/15/17 to consider dispositions from CEDC and Planning Board consideration of Ordinances D-FY18-002 and D-FY18-005 - This measure was postponed to 12/19/17 - This ordinance requires consideration by the Planning Board.	

NOT FOR ACTION – REQUIRES CONSIDERATION BY PLANNING BOARD



Bridgewater Town Council

In Town Council, Tuesday, December 19, 2017

Council Ordinance: D-FY18-011

Introduced By: Councillor Edward Haley

Date Introduced: November 21, 2017

First Reading: December 19, 2017

Second Reading:

Amendments Adopted:

Date Adopted:

Date Effective:

Proposed Ordinance D-FY18-011

ZONING ORDINANCE: AMEND ELM STREET RETAIL OVERLAY (ERO) DISTRICT

WHEREAS, the Marijuana Ad-Hoc Committee at its 08/03/2017 meeting voted to recommend to the Town Council, pursuant to Chapter 94G, a zoning moratorium on locating a recreational marijuana facility; and

WHEREAS, the Marijuana Ad-Hoc Committee at its 11/09/2017 meeting voted to recommend to the Town Council that an area be specifically zoned to locate and restrict marijuana retail establishments and its ancillary businesses. Further, the Committee voted that the recommended zoning measure be enacted regardless of whether the Town institutes a moratorium or a ban on retail sales of marijuana; and

WHEREAS, pursuant to G.L. c.94G, §3, a municipality may prohibit or limit recreational marijuana establishments by ordinance; and

WHEREAS, the Town has designated an area - *Elm Street Retail Overlay (ERO)* - where Medical Marijuana Establishments may be restricted to in order to minimize the adverse impacts of a Medical Marijuana Establishment on adjacent properties, residential neighborhoods, schools and other places where children congregate, local historic districts, and other land uses potentially incompatible with said facilities;

WHEREAS, local regulation under G.L. c.94G, §3 provides that municipalities may regulate the time, place and manner of marijuana establishment operations and may adopt ordinances that impose reasonable safeguards on the operation of marijuana establishments, provided they are not "unreasonably impracticable.", it is therefore;

ORDERED, that the Town Council assembled votes to amend *Section 21 Medical Marijuana Treatment Center* of the Bridgewater Amended Zoning By-Laws by adding Retail Marijuana Establishments to Elm Street Retail Overlay (ERO) District as a Special Permit and No for all other zones in the Use Table and to limit the number of special permits to the number of Medical Marijuana Establishments, as allowed by G.L. c.94G, §3 (2)(a)(iii).

Explanation:

The mission of the Ad-Hoc Marijuana Committee is to identify the issues associated with the retail sales of marijuana in the Town of Bridgewater and suggest possible solutions, including recommendations on the promulgation of ordinances and regulations. The proposed Legislation reflects the recommendation of the committee should the Town fail to enact a ban on retail establishments; or should the Town and other communities be subject to intervention either by the legislature or court challenge.

Committee Referrals and Dispositions:

Referral(s)	Disposition(s)
• This measure was postponed to 12/5/17 • This measure was postponed to 12/19/17	•

