



Select Board Office

SPECIAL TOWN MEETING

Warrant Article Explanations

December 5, 2023

6:00 P.M.

ARTICLE #1 Explanation: Massachusetts Law allows a municipality to adopt a local option sales tax on the retail sales of marijuana for adult use up to 3%. The Massachusetts Department of Revenue collects the additional tax at the same time it collects state taxes on the retail sales of recreational marijuana. The collected funds are sent back to the town on a quarterly basis.

ARTICLE #2 Explanation: *Proposed Amendment to §185-35.2 Medical and Recreational Marijuana.* This article asks whether or not the Town will vote to change the existing bylaw (§185-35.2 Medical and Recreational Marijuana) and remove the current prohibition against “non-medical marijuana retailers” from operating in Southwick.

ARTICLE #3 Explanation: *Proposed Amendment to §185-35.2 Medical and Recreational Marijuana.* This article asks whether or not the Town will vote to change the existing bylaw (§185-35.2 Medical and Recreational Marijuana) in a more comprehensive fashion than that which was described for Article #2. This in-depth change to the bylaw is intended to:

- align marijuana-related definitions with current state law.
- to better define the sequence of an applicant’s activities under F. above;
- to do away with the existing “Marijuana Districts Overlay” Map and more clearly define the allowable locations for various Medical Marijuana Treatment Centers and Marijuana Establishments;
- to cap the number of Marijuana Retailers or Medical Marijuana Treatment Centers that may be permitted; and
- to better define the conditions under which the Special Permit/Site Plan Approval granted for a Medical Marijuana Treatment Center or Marijuana Establishment may be transferred.

ARTICLE #4 Explanation: Petition by Crepes Tea House located at 157 Feeding Hills Road for a Zone change from Agricultural – Conservation (AC) Zone to Business Restricted (BR).

ARTICLE #5 Explanation: The money being requested is for the construction of four pickleball courts at Whalley Park, 42 Powder Mill Road.

ARTICLE #6 Explanation: The money being requested is for the construction of two pickleball courts at Prifti Park, 454 College Highway.

ARTICLE #7 Explanation: The May 16, 2023 Annual Town Meeting acted on a citizen petition to amend the Conservation Commission underlying Massachusetts General Law acceptance and approved same. It essentially changed the appointment process for the 7 commissioners to 4 appointed and 3 elected. The Attorney General Office review of the vote determined the matter should be submitted as a Special Act to authorize election of Conservation members. The Warrant Article here was drafted by Town Counsel to comply with Attorney General Office recommendations.