



Disclaimer – this document is for informational purposes only. Any party seeking to establish a marijuana establishment in the Town of Webster is responsible for following all current local and state laws.

Marijuana Uses Approved by Town Meeting

The Town of Webster has adopted local by laws for a number of marijuana related uses as follows:

Marijuana Use Categories	Date Adopted by Town Meeting	Zones Districts where Permitted¹	Zoning By-Law Reference²
Craft Cooperative	10/15/18	I - Industrial	Section 650-20, District 6
Cultivation - Medical	5/12/14; 10/15/18	B4 –Business with Sewer I - Industrial	Section 650, Article X Section 650-20, District 6
Cultivation - Recreational	10/15/18	I - Industrial	Section 650-20, District 6
Independent Testing Laboratory	10/15/18	I - Industrial	Section 650-20, District 6
Manufacturing - Product	10/15/18	I - Industrial	Section 650-20, District 6
Research Facilities	12/10/18	I - Industrial	Section 650-20, District 6
Retail Sales - Medical	5/12/14	B4 –Business with Sewer	Section 650, Article X
Retail Sales – Recreational ³	12/10/18	Recreational Marijuana Retail Sales Overlay District (RMRSOD)	Section 650, Article XIII
Marijuana Establishments as an Accessory Use	10/15/18	None	Section 650, Attachment 1 – Table of Use Regulations
Temporary Moratorium – extend to 12/31/18	10/16/17	n/a – no longer in effect	Section 650, Article XII

Note 1: All marijuana uses require a Special Permit & Site Plan Approval regardless of the zoning district.

Note 2: Please refer to the Town’s General By-laws for additional requirements.

Note 3: The number of Marijuana Retailers permitted within the Town of Webster shall be limited to two (2) based upon 20% of retail off-premise alcoholic beverage licenses issued under G.L. c. 183.

Local Process

Key Local Contacts:

- **General inquiries, Host Agreements, Board of Selectmen appointments**
Doug Willardson, Town Administrator – 508-949-3800 x4000, dwillardson@webster-ma.gov
- **Zoning, Special Permits, Development Team Appointments, Planning Board appointments**
Ann Morgan, Director of Planning & Economic Development, 508-949-3800 x1002, planning@webster-ma.gov

Each type of marijuana establishment will have any variety of factors to take into consideration including but not limited to permitting, impacts to abutters, conditions of a Host agreement and site factors. Below is the recommended local process. Each application is unique and the process will be adjusted as necessary. The

recommended local process does not include or exempt the Applicant from adhering to all requirements of the Cannabis Control Commission.

1. **Local Land Use Requirements** – become familiar with the requirements of Article XIII of the Zoning By-law to better understand the site plan issues that will need to be addressed as part of the process. This will provide you with context when considering potential sites.
2. **Identify a Site**
 - a. Sites within the designated zones can proceed directly with the recommended process.
 - b. Sites located outside a designated zone will require a Citizen’s Petition to change the zoning prior to starting the process.
3. **Introductory Meeting with the Development Team** –A meeting with key land use and public safety department staff. All applicants will be expected to present and review:
 - a. Names and Businesses of all parties affiliated with the project.
 - b. A list of other facilities owned / operated by the Applicant and/or their team
 - c. Subject property and status of site control
 - d. Proposed facility including interior and exterior elements
 - e. Security & Operations
 - f. Overall status of State licensing with the Cannabis Control Commission
 - g. Any other material deemed pertinent by the Town Administrator or the Director of Planning & Economic Development.

The Development team meets bi-weekly. A written overview of all items noted above must be submitted a week in advance to allow staff time to review and prepare comments. Please contact the Office of Planning & Economic Development to make an appointment.

4. **Introductory Meeting with the Board of Selectmen**

After the Development Team Meeting, Applicants may request in writing an initial meeting with the Board of Selectmen. During this meeting Applicants shall present and review the same material presented at the Development Team Meeting. The Town Administrator will present staff comments / response from the Development Team.

Please contact the Town Administrator to make an appointment.

5. **Community Outreach Meeting** - After the Introductory Board of Selectmen Meeting, prospective Applicants shall host their Community Outreach Meeting(s) in accordance with 935 CMR 500.101
6. **Application of Intent to Operate a Marijuana Establishment** – The Applicant shall submit an application and accompanying material detailing the following
 - a. Type of marijuana establishment
 - b. Proposed location
 - c. Site eligibility and site control

- d. Written determination from the Inspector of Buildings/Zoning Enforcement Officer concerning conformance with Webster's Zoning Bylaw
- e. Identification of local permitting process (Special Permit Review, Site Plan Review, variances, etc.)
- f. Applicant's experience in the legal marijuana industry, include existing licenses and establishments within the Commonwealth of Massachusetts
- g. Marijuana Retailers must specifically detail their ownership of or relationship with cultivator(s) and testing facilities
- h. Established and documented relationships with financial and insurance institutions
- i. Estimates of municipal revenues to be generated by the proposed marijuana establishment (local sales tax, real & personal property taxes, vehicle excise taxes, etc.)
- j. Commitment to diverse & local hiring
- k. Why proposed marijuana establishment should be given preference to operate in the Town of Webster
- l. Other material as required by the Town.

7. Formal Request to Negotiate a Host Community Agreement with the Board of Selectmen

Applicants shall be reviewed and vetted generally on a first come, first serve basis. However, the Board of Selectmen reserves all rights to negotiate and enter into Host Community Agreements in a manner deemed to be in the best interest of the town.

Application of Intent to Operate Recreational Marijuana Establishment and (draft) Host Community Agreement shall be submitted to the Office of the Town Administrator / Board of Selectmen a minimum of 10-days in advance of the scheduled Board of Selectmen Public Meeting.

During said Public Meeting to negotiate the Host Community Agreement, the Applicant shall review Community Outreach Meeting(s) hosted in accordance with 935 CMR 500.101. Copy of CCC -Community Outreach Meeting Attestation Form shall be provided.

Among the various requirements of the host agreement, the Applicant should be sensitive to negative impacts on the community, both temporary and long term. Site specific impacts will be addressed during the Site Plan Approval process with the Planning Board. However, the Board of Selectmen may require specific conditions on a case by case basis. Such issues to consider include but are not limited to:

- a. Retail Sales - by appointment only during the early phase of operations – the length of time would be assessed based on location and potential traffic impacts.
- b. Hours of Operation – this is especially important for sites that directly abut or are in close proximity to residential neighbors.
- c. Security measures

8. Meet informally with the Planning Board Prior to Submission of Special Permit / Site Plan Approval Application (recommended but not required) – it is beneficial to all parties to discuss site considerations / constraints in advance of an application. Please contact the Office of Planning & Economic Development for assistance.

9. **Special Permit and Site Plan Review** – Planning Board – complete all requirements set forth by the local by-laws as well as the Cannabis Control Commission. The applications will follow State law requirements for Special Permits including but not limited to:
 - a. Filing forms, fees, other submission requirements as set forth in Webster Zoning By-Law
 - b. Submission of a site plan and project information
 - c. Peer Review fees for engineering services.
 - d. Abutter notification
 - e. Public Hearing(s)
 - f. Issuance of a Decision filed with the Town Clerk
 - g. Appeal Period – twenty days
 - h. Certificate of No Appeal – issued by the Town Clerk
 - i. Filing of Decision and Certificate of No Appeal with the Worcester District Registry of Deeds – to be completed by the Applicant

Helpful Links

- 935 CMR 500.000 - Cannabis Control Commission
www.mass.gov/files/documents/2018/03/27/935cmr500.pdf
- Cannabis Control Commission Website
www.mass-cannabis-control.com/
- Town of Webster – General By-laws including Zoning By-laws
www.ecode360.com/WE2719
- Town of Webster – Town Administrator web page
www.webster-ma.gov/318/Town-Administrator
- Town of Webster – Planning & Economic Development web page
www.webster-ma.gov/390/Planning-Economic-Development