

TOWN OF NORTHFIELD



Transcript of Articles in the Warrant for the

SPECIAL TOWN MEETING

Monday, December 10, 2018

At 7:00 p.m.

Please bring this report to the meeting for use in the proceedings at

Pioneer Valley Regional School
97 F. Sumner Turner Road

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- IMPORTANT -

This Warrant contains Articles, explanations, recommendations and/or appendices. Only the Articles are part of the “official” call to Town Meeting. The explanations and/or appendices are editorial and the recommendations expressed are those of the Finance Committee. Only the Articles are part of the official town meeting warrant.

TOWN OF NORTHFIELD



WARRANT

Special Town Meeting

Monday, December 10, 2018

At 7:00 o'clock in the evening at Pioneer Valley Regional School
97 F. Sumner Turner Road

Franklin, ss

To any of the Constables of the Town of Northfield, in said County of Franklin, Commonwealth of Massachusetts.

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of the Town of Northfield, who being qualified to vote in elections and Town affairs, to meet at the Pioneer Valley Regional School, 97 F. Sumner Turner Road, in said Northfield, on Monday, the fourth day of December, 2017 at 7:00 p.m.; then and there to act upon the enclosed articles, to wit:

In case all articles in the foregoing Warrant shall not be acted upon at the Meeting called for on Monday, December 10, 2018, to meet in Adjourned Sessions at such time and place as the meeting shall determine.

This building is accessible to the handicapped and designated parking is provided. If requested, at least one week before the meeting, warrants with large print can be available. Please call the Town Clerk's office at least one week before the Town Meeting at 413-498-2901 x112.

GLOSSARY OF TERMS

Appropriation: An authorization to make expenditures and to incur obligations for specific purposes. An appropriation is granted by Town Meeting and is usually limited in time and amount as to when it may be expended. Any part of the general appropriation not spent or encumbered by June 30 automatically reverts to surplus, which may become Free Cash. A specific appropriation is carried forward from year to year until spent for the designated purpose or transferred by Town Meeting vote to another account.

Assessed Valuation: A valuation set upon real or personal property by the Board of Assessors as a basis for levying taxes.

Budget: A plan of financial operation consisting of an estimate of proposed expenditures for a given period and the means of financing them. The budget is voted in the spring at Town Meeting for the fiscal year that begins the following July 1st.

Capital Budget: A plan of proposed capital outlays and the means of financing them for the current year.

Cherry Sheet: An annual statement received from the Massachusetts Department of Revenue detailing estimated payments to the town for the next fiscal year and the estimated state and county government charges payable by the town. The Assessors in setting the tax rate use these amounts. The actual receipts and charges may vary from the estimates.

Community Preservation Act (CPA): The Town adopted the Community Preservation Act (CPA) in 2002. This Act allows the town to collect up to a 3% surcharge (Northfield has voted 0.5%) on property tax bills (the funds can be matched up to 100% by the state when funds are available), which creates the Community Preservation Fund, to use for Community Preservation purposes. Each year, the town must appropriate, or reserve (but not necessarily spend), 10% of the funds for each of the three Community Preservation purposes: Open Space, Historic Resources, and Community Housing. The remaining 70% of the funds can be appropriated or reserved used for any of the three purposes and for Recreation and for administration.

Debt Service: Payment of interest and repayment of principal to holders of the Town's debt instruments.

Fiscal Year: A 12-month period, commencing July 1 and ending June 30, to which the annual budget applies. Fiscal years are often denoted FYXX with the last two numbers representing the calendar year in which it ends, for example, FY17 is the fiscal year ended June 30, 2017.

Free Cash: Free cash is the portion of unreserved fund balance available for appropriation. It is not cash but rather is approximately the total of cash and receivables less current liabilities and earmarked reserves also reduced by reserves for uncollected taxes. This is also referred to as "available cash". The amount is certified annually by the Massachusetts Department of Revenue.

General Fund: The major town-owned fund which is created with town receipts and which is charged with expenditures payable from revenues.

Grant: A contribution of assets by one governmental unit or other organization to another. Typically, these contributions are made to local governments from the state and federal governments. Grants are usually made for specific purposes.

Line-Item Budget: A format of budgeting that organizes costs by type of expenditure such as expenses, equipment, and salaries.

Overlay: The amount set aside to allow for uncollected property taxes. An amount for the overlay is added to the appropriations and other charges. Overlay Surplus – see below.

Overlay Surplus: The unused amount of the overlay for prior years, which may be transferred, by a vote of the Town, to the reserve account or used for extraordinary items.

Property Tax Levy: The amount produced by multiplying the assessed valuation of property by the tax rate. The tax rate is expressed “per thousand dollars” of assessed valuation.

Reserve Fund: Money set aside by Town Meeting to be allocated by the Finance Committee for extraordinary or unforeseen expenditures.

Stabilization Fund: A special reserve funded by Town Meeting for future expenditures.

Terms associated with Proposition 2½:

Debt or Capital Exclusion: The Town can assess taxes in excess of the levy limit by voting a debt exclusion or capital outlay exclusion. This amount does not become a permanent part of the levy limit base but does allow the Town to assess taxes for a specific period in excess of the limit for payment of debt service costs or payment of capital expenditures.

Excess Levy Capacity: The difference between the Town's tax levy limit and its actual tax levy for the current year. It is the additional tax levy that could be raised without asking for an override.

New Growth: The amount of property tax revenue that the Town can add to its allowable tax levy as a result of new construction, alterations, subdivisions or change of use which increases the value of a parcel of land by more than certain amounts.

Override: An amount, voted by the Town, which is permanently added to the levy limit. A majority vote of the Selectmen allows an override question to be put on the ballot. Override questions must be presented in dollar terms and must specify the purpose of the override. Overrides require a majority vote of approval by the Town.

Tax Levy Limit: The maximum amount of the tax levy for a period under the restrictions of Proposition 2½. It is calculated as the prior year limit plus new growth plus 2.5% of the prior year levy limit.

Index of Articles for the Town Meeting

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TOWN OF NORTHFIELD



Commonwealth of Massachusetts

WARRANT FOR SPECIAL TOWN MEETING Monday, December 10, 2018

At Seven O'clock in the Evening
At the Pioneer Valley Regional School, 97 F. Sumner Turner Road

ARTICLE 1: To see if the Town will vote to waive the reading of the Warrant and the Notice to the Constables and act on the motions of the following articles, or take any other action thereon or in relation thereto.

Requested by the Selectboard

This article removes the requirement of the Moderator reading the entire warrant to Town Meeting at the start of the meeting.

MOTION: *I move the town vote to waive the reading of the Warrant and the Notice to the Constables and act on the motions of the articles contained in the warrant.*

MOTION BY: Tracy Rogers

VOTE REQUIRED: MAJORITY

PASSED UNAMIOUS

NOTES:

ARTICLE 2: To see if the Town will vote to amend the existing Northfield Zoning Bylaw Section 9.8, “Temporary Moratorium on Recreational Marijuana Establishments” by deleting said section in its entirety and replacing it with a new Section 9.8, “Adult Use Recreational Marijuana Establishments” as outlined below and by amending the Table of Contents to reflect the same; and to amend the Town of Northfield Zoning Map to create a Marijuana Overlay District comprising the land contained within the southern portion of the Town’s existing Recreational Tourism (RT) Zoning District consisting of approximately 23,481,378 square feet +/-, including the following parcels:

Assessor’s Map 71, Parcel 71.B-7

Assessor’s Map 72, Parcels 72.A-1,2,3,4; 72.B-1,2,3; 72.D-5

Assessor’s Map 73, All Parcels

Assessor’s Map 74, All Parcels

as shown on the map on file at the office of the Town Clerk; or take any other action relative thereto.

SECTION 9.8: ADULT USE RECREATIONAL MARIJUANA ESTABLISHMENTS

9.8.1 Purpose and Intent

The purpose of this Bylaw is to allow for the siting of state-licensed Marijuana Establishments in appropriate locations consistent with M.G.L. c.94G and 935 CMR 500.00 and any other applicable state laws and regulations regarding adult use marijuana, also known as adult-use, recreational or non-medical marijuana, and to impose reasonable time, place and manner restrictions on such establishments to ensure public health, safety and well-being and mitigate against undue impacts on the natural and built environment of the Town and its residents,

9.8.2 Special Permit Granting Authority & Site Plan Review

Marijuana Establishments shall be permitted only in accordance with this Zoning Bylaws and pursuant to a Special Permit and Site Plan Review approval. The Planning Board shall be the Special Permit Granting Authority (SPGA) under this section.

9.8.3 Definitions

Where not expressly defined herein, terms used in this Bylaw shall be interpreted as defined in the regulations governing Adult Use of Marijuana (935 CMR 500.00) and otherwise by their plain language.

9.8.4 Establishment

- A. Establishment: There is hereby established in the Town of Northfield a Marijuana Overlay District, the boundaries of which are shown on the Zoning Map on file with the Town Clerk.
- B. MOD Uses:
 - 1. Land within the MOD may be used for (1) all Marijuana Establishments, as defined herein, subject to the provisions of this Bylaw; or (2) a use allowed in the underlying district, in which case the requirements of the underlying district shall apply.
 - 2. Within the MOD, all requirements of the underlying zoning district remain in effect, except where this Bylaw provides an alternative to such requirements. If the provisions of this Bylaw are silent on a zoning regulation, the requirements of the underlying district

shall apply. If the provisions of the MOD conflict with the requirements of the underlying district, the requirements of the MOD shall control.

9.8.5 Location and Dimensional Controls

- A. Marijuana Establishments may be permitted only in the MOD and the designated locations set forth in the Schedule of Uses, Section 5.4 of this Zoning Bylaw.
- B. Marijuana Establishments shall not be located within 500 feet of any existing public, parochial, or private school, providing K-12 education, or college or state-approved day care center. The distances under this section shall be measured in a straight line from the nearest point of the property line of the protected uses identified above to the nearest point of the property line of the proposed Marijuana Establishment.
- C. Marijuana Establishments shall be located only in permanent buildings and not within trailers, cargo containers, motor vehicles or other similar nonpermanent, movable enclosures.
- D. No Marijuana Establishment shall be permitted to provide a drive-through service.
- E. Unless explicitly stated otherwise, Marijuana Establishments shall meet the setback requirements of this Section 7.1 and all other dimensional requirements of the appropriate district as specified in these Bylaws.
- F. Marijuana Establishments shall employ odor control technology such that no odor from any Marijuana Establishment can be detected by a person with an unimpaired and otherwise normal sense of smell at the exterior of the Marijuana Establishment or at any adjoining use or property.
- G. Lighting at Marijuana Establishments shall comply with this Bylaw and be shielded so as not to shed light onto adjacent properties. The Planning Board may require any artificial lighting system to employ only LED components equipped with deflectors in order to mitigate potential light pollution.

9.8.6 Site Development, Permitting Standards & Application

In addition to the Special Permit requirements found in Section 3.4 and the Site Plan Review requirements found in Section 3.5 of these Bylaws, the following shall also apply to all Marijuana Establishments:

- A. Site Screening: Rear and side property lines shall be screened from any neighboring residential, educational, childcare or recreational uses or properties. Screening shall be determined per site plan review.
- B. Signs: All signs for a Marijuana Establishment must meet the requirements of Section 8.2 of this Bylaw and the State Regulations (935 CMR 500.000 et. seq.).
- C. Buildings: Appearance of buildings for Marijuana Establishments shall be consistent with the appearance of other buildings in Northfield, not employing unusual color or building design which would attract attention to the premises. Buildings for Marijuana Establishment shall not exceed 10,000 square feet in total area.

- D. Cultivation: Marijuana shall be only grown indoors in greenhouses, barns or other buildings to minimize public nuisances including odors, noise, and lighting to neighboring properties.
- E. Marketing: Marijuana Establishments shall not be allowed to disseminate or offer to disseminate marijuana marketing materials to minors or suffer minors to view displays or linger on the premises. No free samples may be provided by Marijuana Establishments to consumers.
- F. Applications: Any applicant requesting permission to operate a Marijuana Establishment must file their application with the Planning Board and the Town Clerk. In addition to the information required by Section 3.4 Special Permit, the application shall also include:
 - 1. The name and address of the legal owner and Licensee of the Marijuana Establishment;
 - 2. The name and address of all persons having lawful, equity or security interests in the Marijuana Establishment;
 - 3. The name and address of the Manager of the Licensed Marijuana Establishment;
 - 4. The number of proposed employees;
 - 5. Proposed security precautions;
 - 6. A detailed floor plan of the premises of the proposed Marijuana Establishment that identifies the square footage available and describes the functional areas of the facility;
 - 7. A Site Plan that includes 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 applicable provisions of the Zoning Bylaws;
 - b. Convenience and safety of vehicular and pedestrian movement on the site to provide secure and safe access and egress for clients and employees arriving 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, including designated parking for home delivery vehicle(s), as applicable;
 - 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.
 - 8. Submission of a complete list of chemicals, pesticides, fertilizers, fuels, and other potentially hazardous materials to be used or stored on the premises in quantities greater than those associated with normal household use. Depending on the quantities proposed to be used or stored on site, the Planning Board may request that a

Hazardous Materials Management Plan be prepared to protect against the discharge of hazardous materials or wastes to the environment due to spillage, accidental damage, corrosion, leakage, or vandalism. The plan should include spill containment and clean-up procedures, and provisions for indoor, secured storage of hazardous materials and wastes with impervious floor surfaces;

9. Submission of a water management and efficiency plan. Applicants shall provide expected water usage amounts for cultivation or processing and shall address whether such amounts will impact nearby public or private drinking water supplies or other water resources in the area;
 10. Submission of an odor control plan detailing the specific odor-emitting activities or processes to be conducted on-site, the source of those odors, the locations from which they are emitted from the establishment, the frequency of such odor-emitting activities, the duration of such odor-emitting activities, and the administrative of odor control technology, including maintenance of such controls; and
 11. Evidence that the Applicant has executed a Host Community Agreement with the Town of Northfield for the Marijuana Establishment.
- G. Change in License or Owner: The Owner and Licensee of any Marijuana Establishment issued a Special Permit under this Bylaw shall report, in writing, within 10 business days any change in the name of the legal owner of the Marijuana Establishment or any expiration or suspension of a license to the Building Inspector and Planning Board. Any failure to meet this requirement of this Bylaw will result in the immediate issuance of a cease and desist order by the Building Inspector ordering that all activities conducted under the Special Permit cease immediately.
- H. Change of Ownership: A Special Permit issued under this Article shall lapse upon any transfer of ownership or legal interest of more than 10% or change in contractual interest in the subject premises or property. The Special Permit may be renewed thereafter only in accordance with this section, and Section 3.4 (Special Permit) and Section 3.5 (Site Plan Review) of these Bylaws.
- I. Conditions: The Planning Board may impose conditions reasonably appropriate to improve site design, traffic flow, public safety, protect water quality, air quality, and significant environmental resources, preserve the character of the surrounding area and otherwise serve the purpose of this Section. In addition to any specific conditions applicable to the applicant's Marijuana Establishment, the Planning Board may include the following conditions in any Special Permit granted under this section:
1. Hours of Operation shall be required for all Retail Marijuana Establishments.
 2. A Security Plan shall be required for all Marijuana Establishments, which shall be subject to approval by the Fire and Police Chiefs and submitted to the Planning Board and updated on an annual basis.
 3. Marijuana Establishments may not operate, and the Special Permit will not be valid, until the applicant has obtained all licenses and permits issued by the Commonwealth of Massachusetts and any of its agencies for the Marijuana Establishment.

4. A Special Permit may be transferred to a new owner/operator of the Marijuana Establishment only with the approval of the Planning Board in the form of a modification to the Special Permit.
 5. The Special Permit shall lapse upon the expiration or termination of the applicant's license by the Cannabis Control Commission.
 6. The Special Permit holder shall notify the Zoning Enforcement Officer and Planning Board in writing within 48 hours of the cessation of operation of the Marijuana Establishment's expiration or termination of the permit holder's license with the Cannabis Control Commission.
- J. Waiver: When reviewing an application for a Special Permit, the Planning Board may waive any submission requirement or design guideline it determines to be unnecessary or not applicable to the review of the project provided that the Planning Board determines that the project will not have a significant impact on the site, its relationship with abutting properties, traffic impacts to public ways, public infrastructure or services, environmental or historic resources. Waiver requests shall be made by the applicant in writing with stated reasons for requesting the waiver(s). Any waivers acted on by the Planning Board shall be in writing as part of its written the decision on the plan filed with the Town Clerk.
- K. Outside Consultants: The Planning Board may hire professional consultants at the applicant's expense pursuant to G.L. c. 44, § 53G to assist with review of a special permit application, provided that the procedures for hiring outside consultants are set forth in the Planning Board's rules and regulations.

9.8.7 Expiration

A Special Permit to operate a Marijuana Establishment shall expire after a period of five calendar years from its date of issuance but shall be renewable for successive five-year periods thereafter, provided that a written request for such renewal is made to Planning Board at least 60 calendar days prior to said expiration and further, provided that no objection to said renewal is made and sustained related to compliance with the conditions of the Special Permit as well as public safety factors applied at the time the Special Permit renewal is requested.

9.8.8 Designated Number of Marijuana Retailers

The number of Licensed Marijuana Retailers Establishments permitted under this Bylaw in the Town of Northfield shall be limited to 20% of the number of licenses issued within the Town for the retail sale of alcoholic beverages not to be drunk on the premises where sold under Massachusetts General laws Chapter 138, Section 15. For the purposes of determining this limit and in the event that 20% of said licenses is not a whole number, any fraction shall be rounded up to the next highest whole number.

9.8.9 Prohibition Against On-Site Consumption

No marijuana shall be smoked, eaten, or otherwise consumed or ingested in public or on the premises of a Marijuana Establishment unless expressly permitted under this law and permitted by state law or regulation. The prohibition on on-site consumption shall also include private social clubs or any other establishment which allows for social consumption of

marijuana or marijuana products on the premises, regardless of whether the product is sold to consumers on site.

9.8.10 Prohibition Against Nuisances

No use shall be allowed at a Marijuana Establishment which creates a nuisance to abutters or to the surrounding area, or which creates any hazard, including but not limited to, fire, explosion, fumes, gas, smoke, odors, obnoxious dust, vapors, offensive sound or vibration, flashes, glare, objectionable effluent or electrical interference, which may impair the normal use and peaceful enjoyment of any property, structure or dwelling in the area.

9.8.11 Severability

The provisions of this Bylaw are severable. If any provision, paragraph, sentence, or clause of this Bylaw or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this Bylaw.

MOTION: *I move the town vote to amend the Zoning Bylaw Section 9.8 as shown in the warrant. With the following exception to the last sentence of section 9.8.6cc"providen however marijuana retailers are limited to 1,500 sq. ft. Of gross floor area"*

MOTION BY: Richard Fitzgerald

VOTE REQUIRED: 2/3

PASSED By 2/3 Vote

NOTES:

ARTICLE 3: To see if the Town will vote to amend the existing Northfield Zoning Bylaw Section 5.4, “Scheduling of Uses” by adding the following marijuana uses:

<u>G. MARIJUANA-RELATED USES</u> ¹	<u>RA</u>	<u>RAF</u>	<u>VC</u>	<u>PD</u>	<u>RT</u>	<u>Reference</u>
<u>Marijuana Cultivator</u>	<u>N</u>	<u>PB</u>	<u>N</u>	<u>PB</u>	<u>N</u>	<u>9.8</u>
<u>Marijuana product manufacture</u>	<u>N</u>	<u>PB</u>	<u>N</u>	<u>PB</u>	<u>N</u>	<u>9.8</u>
<u>Marijuana research facility or independent testing laboratory</u>	<u>N</u>	<u>PB</u>	<u>N</u>	<u>PB</u>	<u>N</u>	<u>9.8</u>
<u>Marijuana Retail Establishment, up to 1,500 sq. ft. of gross floor area</u>	<u>N</u>	<u>N</u>	<u>PB</u>	<u>PB</u>	<u>N</u>	<u>9.8</u>
<u>Marijuana Retail Establishment, greater than 1,500 sq. ft. of gross floor area</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>9.8</u>
<u>Marijuana transporter</u>	<u>N</u>	<u>PB</u>	<u>N</u>	<u>PB</u>	<u>N</u>	<u>9.8</u>
<u>Marijuana micro-business</u>	<u>N</u>	<u>PB</u>	<u>N</u>	<u>PB</u>	<u>N</u>	<u>9.8</u>
<u>Medical Marijuana Treatment Center</u>	<u>N</u>	<u>PB</u>	<u>PB</u>	<u>PB</u>	<u>N</u>	

¹ Land within the Marijuana Overlay District may be used for Marijuana Establishments subject to the provisions of this Bylaw.

or take any other action thereon or in relation thereto.

MOTION: *I move the town vote to amend the Zoning Bylaw, Section 5.4 as shown in the warrant With the exception that foot note one include the following “provided however that no marijuana retail establishment shall exceed 1,500 sq. ft. of gross floor space.”*

MOTION BY: Richard Fitzgerald

VOTE REQUIRED: 2/3

PASSED by 2/3 vote

NOTES:

ARTICLE 4: To see if the Town will vote to amend Section 9.8 of the Zoning Bylaw, Temporary Moratorium on Recreational Marijuana Establishments, by adding the bolded text and deleting the strikethrough text as follows:

A. Purposes. By vote of the State election on November 8, 2016, the voters of the Commonwealth approved a law regulating the cultivation, processing, distribution, possession, and use of marijuana for recreational purposes (new G.L., c. 94G, Regulation of the Use and Distribution of Marijuana Not Medically Prescribed). The law, which allows certain personal use and possession of marijuana, took effect on December 15, 2016 ~~and (as amended on December 30, 2016 by Chapter 351 of the Acts of 2016 and thereafter, on July 28, 2017 by Chapter 55 of the Acts of 2017) requires a Cannabis Control Commission to issue regulations regarding the licensing of commercial activities by March 15, 2018 and to begin accepting applications for licenses no later than April 1, 2018.~~ **The Cannabis Control Commission issued regulations on March 23, 2018 regarding recreational (non-medical) use of Marijuana and has begun accepting applications for licensing of non-medical marijuana establishments.**

A non-medical Marijuana Establishment (hereinafter, a “Recreational Marijuana Establishment”), as defined in G.L. c. 94G § 1, is currently not specifically addressed in the Northfield Zoning Bylaws ~~as a permitted use in the Town.~~ Regulations to be promulgated by the Cannabis Control Commission may provide guidance on certain aspects of local regulation of Recreational Marijuana Establishments.

The regulation of recreational marijuana raises novel legal, planning, and public safety issues, and the Town needs time to study and consider the regulation of Recreational Marijuana Establishments and address such issues, as well as to address the potential impact of the State regulations on local zoning and to undertake a planning process to consider amending the Zoning Bylaws regarding regulation of Recreational Marijuana Establishments. The Town intends to adopt a temporary moratorium on the use of land and structures in the Town for Recreational Marijuana Establishments so as to allow sufficient time to address the effects of such structures and uses in the Town and to enact provisions of the Zoning Bylaws in a consistent manner.

B. Definitions. “Recreational Marijuana Establishment” shall mean a “marijuana cultivator, independent testing laboratory, marijuana product manufacturer, marijuana retailer or any other type of marijuana-related business.” For purposes of this moratorium, the definitions set forth in G.L. c. 94G § 1 shall apply.

C. Temporary Moratorium. For the reasons set forth above and notwithstanding any other provision of the Northfield Zoning Bylaws to the contrary, the Town hereby establishes a temporary moratorium on the use of land or structures for a Recreational Marijuana Establishment and other uses related to recreational marijuana. The moratorium shall be in effect through ~~December 31, 2018 or six months after the state regulations are issued, whichever is later~~ **June 1, 2019, or until such time as the Town adopts Zoning Bylaw amendments that regulate Recreational Marijuana Establishments, whichever occurs earlier.** During the moratorium period, the Town shall undertake a planning process to address the potential impacts of marijuana in the Town, to consider the Cannabis Control Commission regulations regarding Recreational Marijuana Establishments, and shall consider adopting new Zoning Bylaws in response to these new issues.

Or take any action thereon or in relation thereto.

MOTION: *If 2 & 3 pass: I move to pass over the article*

If 2 or 3 fail: I move the Town vote to amend Section 9.8 of the Zoning Bylaws as shown in the warrant.

MOTION BY: Richard Fitzgerald

VOTE REQUIRED: 2/3

Article 4 was passed over the result of Articles 2 and 3 passage

NOTES:

ARTICLE 5: To see if the Town will vote to accept G.L. c. 64N, § 3 to impose an excise on the retail sales of marijuana for adult use at the rate of up to 3% percent or take any action thereon or in relation thereto.

MOTION: *I move that the Town of Northfield vote to accept G.L. c. 64N, § 3 to impose an excise on the retail sales of marijuana for adult use at the rate of 3% percent.*

MOTION BY: Julia Blyth

VOTE REQUIRED: MAJORITY

PASSED

NOTES:

ARTICLE 6: To see if the Town will vote to amend the General Bylaws by adding this section:
Junk, waste and inoperative motor vehicles

1. Applicability.

Any items such as junk; scrap; rubble; debris; garbage; rubbish; building salvage; abandoned, disassembled, inoperable, junked or wrecked motor vehicles, truck bodies, tractors or trailers; propane tanks not connected to propane-using devices, gasoline (or similar products) cans; disassembled, inoperable, junked or wrecked machinery; wreckage or damaged or demolished buildings; and other discarded or secondhand items, if not directly utilized by a legally operating use licensed by the Town of Northfield, and if located in any yard or any vacant lot abutting a public way or publicly used area, shall be subject to the requirements of this Bylaw. Such items shall be referenced as “junk items” for purposes of this Bylaw.

2. Inoperative, Wrecked or Junk Motor Vehicles.

Unless duly permitted in accordance with all applicable laws, ordinances and regulations, it shall be unlawful on any lot for any person to park or store out-of-doors for more than thirty (30) days one or more wrecked, inoperative or junk motor vehicle or the parts of any such motor vehicles.

3. Screening.

Junk items shall be suitably screened from view or shall be cleared from the site. Suitable screening shall mean, at a minimum, that the material has been removed to a portion of the site that is not within dimensional setbacks as described in the Zoning Bylaw, and that it shall be screened from view and access by the public by using attractive and other permitted walls, fences and/or plant materials.

4. Violations and Enforcement.

a. Any person who violates the provisions of this Bylaw shall be subject to penalty of not more than \$50.00 for the first offense, and not more than \$100.00 for the second and each subsequent offense. Each day that a violation exists shall be considered a separate offense.

b. This Bylaw may be enforced and administered pursuant to the provisions of G.L. c. 40, § 21D for the use of non-criminal disposition of violations. The persons who are empowered to enforce the provisions of this Bylaw are the Town of Northfield Building Inspector and his agents and the Town of Northfield police officers.

or take any action thereon or in relation thereto.

MOTION: *I move the town vote to amend the General Bylaws by adding the section Junk, Waste and Inoperative motor vehicles as shown in the warrant.*

MOTION BY: Alexander Meisner

VOTE REQUIRED: MAJORITY

FAILED

NOTES:

APPENDIX 1: Town Meeting Parliamentary Procedure

Parliamentary procedure has a long history. Originating in the early English Parliaments, it came to America with the first European settlers and became uniform in 1876 when Henry Robert published his manual, known as “Robert’s Rules of Order.”

Parliamentary procedure means that everyone may be heard and to come to decisions without confusion. It means democratic rule, flexibility, the protection of rights and most importantly a fair hearing for everyone.

The basic parts of parliamentary procedure provide for the presentation of motions, the seconding or the expression of support of another’s motion, an opportunity to debate and ability to make a decision.

There are five general types of motions:

- Main Motion: These introduce subjects for consideration.
- Subsidiary Motions: These change how the main motion is handled. (They are voted on before the main motion.)
- Privileged Motions: These concern special or important matters not related to the pending business. In general, they are considered before other types of motions.
- Incidental Motions: These are questions of procedure that arise out of other motions, and they must be considered before the other motion.
- Motions that bring a question again before the assembly: These enable certain items to be reconsidered. In general, they are brought up when no business is pending.

Some questions relating to motions:

- Is it in order? Your motion must relate to the business at hand and be presented at the right time. It must not be obstructive, frivolous or against the law.
- May I interrupt the speaker? Some motions are so important that the speaker may be interrupted to make them. The original speaker regains the floor after the interruption has been attended to.
- Do I need a second? Usually, yes, A second indicates that another member would like to consider your motion and it prevents spending time on a question that interests only one person.
- Is it debatable? Parliamentary procedure guards the right to free and full debate on motions. However, some subsidiary or privileged and incidental motions are not debatable.
- Can it be amended? Striking out or inserting wording, or both can change some motions. Amendments must relate to the subject as presented in the main motion.
- What vote is needed? Most require only a majority vote (more than half the members present and voting). But, motions concerning the rights of the town meeting, borrowing, and some other miscellaneous subjects may require “supermajorities” of $\frac{3}{4}$ or $\frac{9}{10}$ ’s depending on the applicable state law.
- Can it be reconsidered? Some motions can be debated again and revoted to give members a chance to change their minds. The motion to reconsider must come from the “winning” side.

How Do I Present My Motion?

Obtain the Floor:

- Wait until the previous speaker is finished.
- Rise and address the Moderator. Say, “Mr. Moderator.”
- Wait until you are recognized.
- State your name and address for the record.

Make your motion:

- Speak clearly and concisely.
- State your motion affirmatively. Say, “I move that we do....” Instead of “I move that we do not...”
- Stay on the subject and avoid personal attacks.

You wait for a second:

- Another member will say, "I second the motion."
- Or the Moderator will call for a second.
- If there is no second, your motion will not be considered. (Motions made at the direction of a board or committee (more than one person) do not require a second.)

The Moderator states your motion:

- The Moderator must say, "It is moved and seconded that we..."
- After this happens, debate or voting can occur.
- Your motion is now "assembly property," and you can't change it without the consent of the body.

You expand on your motion:

- As the person who made the motion, you are allowed to speak first.
- Direct all comments to the Moderator
- Keep to the time limit for speaking.
- You may speak again after all other speakers are finished.
- You may speak a third time by a motion to suspend the rules with a 2/3 vote.
- The Moderator puts the question:
- The Moderator asks, "Are you ready for the question?"
- If there is no more debate, or if a motion to stop debate is adopted, a vote is taken.
- The Moderator announces the result.

The method of voting on a motion:

- Voice: The Moderator asks those in favor to say "aye" and those opposed to say "no." A member may move for an exact count.
- General Consent: When a motion isn't likely to be opposed, the chair says, "If there is no objection..." Members show consent by their silence. If someone says, "I object," the matter must be put to a vote.
- Show of hands: Members raise their hands to verify a voice vote, or as an alternative to it. This does not require a count. A member may move for an exact count.
- Ballot: Members write their vote on a slip of paper and is done when secrecy is desired.

More Motions:

A motion to lay on the table: This motion is used to lay something aside temporarily to take care of more urgent matters. It should not be used to prevent debate or to kill a question. Members can "take from the table" a motion for reconsideration. This must happen by the end of the town meeting.

A motion to indefinitely postpone: This is a parliamentary strategy. It allows members to dispose of a motion without making a decision for or against. This is useful in case of a badly chosen main motion for which either a "yes" or "no" vote would have undesirable consequences.

Meeting was dissolved at 8:03pm Monday December 10, 2018

There were 65 registered voters in attendance out of 2255 active registered voters
which is approx3%

Election Workers

Sandra Campbell
Bethany Walker
Thomas King

ATRUE COPPY ATTEST

Daniel R. Campbell
Town Clerk