**Zoning By-Law amendment proposal**

Setbacks for Marijuana Testing Labs from Schools

To see if Town Meeting will vote to amend the Zoning By-Laws as follows:

Amend Article 390, by adding a new section, **392.1, to read as follows:**

‘An exception will be made for an existing product testing lab adding marijuana product testing to its services. This use may be authorized by Special Permit in the district in which it is located.”

And by adding a new section **395.1 to read as follows:**

‘As allowed by 935 CMR 500.110. 3 Buffer Zone, a single exception will be made for a zero-foot setback from a pre-existing public or private school, where the proposed marijuana establishment is a marijuana product testing lab.’

Explanation:

The State regulations under 935 CMR 500.110. 3 Buffer Zone, call for all marijuana establishments to be set back 500 feet from a private or public school with any of the grades K to 12. The State regulations go on to say that a town may reduce or eliminate that setback by vote of Town Meeting. We are including the allowance in the Zoning By-law. All marijuana establishments must be approved by Special Permit. This amendment allows a testing lab as an exception under zoning. The expectation is that this will have limited applicability. One potential project could be Smithers Viscient, with an existing product testing lab, and long-time neighbor of the Decas School, that could add a marijuana product testing lab to their long list of testing procedures.