

TOWN OF HEATH  
COMMONWEALTH OF MASSACHUSETTS  
Franklin, SS.

To the Constables of the Town of Heath in the County of Franklin,  
GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the inhabitants of said town, qualified to vote in elections and in town affairs, to meet at the **Heath Community Hall** in said Town of Heath on the **27<sup>th</sup> day of March, 2018, at 7:00 o'clock in the evening**, then and there to act on the following articles:

**Article 1:** To see if the Town will vote to transfer **\$778.05** from Assessors Deed Project Consultant account to the In House Deed Research account; or take any other action related thereto.

**Submitted by Board of Assessors**  
**Recommended by Board of Selectmen**  
*Recommended by Finance Committee*

**Article 2:** To see if the Town will vote to transfer **\$5,000.00** from Assessors Stabilization account to the Assessors Expense account; or take any other action related thereto.

**Submitted by Board of Assessors**  
**Recommended by Board of Selectmen**  
*Recommended by Finance Committee*  
**Two-thirds majority vote required for passage**

**Article 3:** To see if the Town will vote to transfer **\$1,782.44** from Replace Sawyer Hall Building Columns account to the Remedy Inspection Items Community Hall account; or take any other action related thereto.

**Submitted by the Board of Selectmen**  
*Recommended by the Finance Committee*

**Article 4:** To see if the Town will vote to transfer **\$7,682.21** from Free Cash to the Veterans Benefit account; or take any other action related thereto.

**Submitted by the Board of Selectmen**  
*Recommended by the Finance Committee*

**Article 5:** To see if the Town will vote to pay **\$405.14** from Agricultural Commission Expense account for reimbursement of Agricultural Comm. expense of a prior fiscal year incurred in FY16; or take any other action related thereto.

**Submitted by the Board of Selectmen**  
*Recommended by the Finance Committee*  
**9/10 vote required for passage**

**Article 6:** To see if the Town will vote to pay **\$7.36** from FY18 Tax Collector Exp. account for the payment of a bill of a prior fiscal year incurred in FY16; or take any other action related thereto.

**Submitted by the Board of Selectmen**  
*Recommended by the Finance Committee*  
**9/10 vote required for passage**

**Article 7:** To see if the Town will vote to pay **\$56.53** from FY19 Salary Winter Temp. Help account for employee compensation of a prior fiscal year incurred in FY17; or take any other action related thereto.

**Submitted by the Board of Selectmen**  
*Recommended by the Finance Committee*  
**9/10 vote required for passage**

**Article 8:** To see if the Town will vote to transfer \$217.56 from Replace Sawyer Hall Building Columns account; and \$72.42 from Replace Fire Dept. Building Columns account; and \$450.00 from Install Ice Guards FD/Highway account for a total amount of **\$739.98** to the Community Hall Maintenance and Utilities account; or take any other action related thereto.

**Submitted by the Board of Selectmen**  
*Recommended by the Finance Committee*

**Article 9:** To see if the Town will vote amend the Town's Zoning Bylaw by adding new Section 10, Temporary Moratorium on Recreational Marijuana Establishments that would provide as follows:

**10.1 Purpose.**

On November 8, 2016, the voters of the Commonwealth approved a law regarding the cultivation, processing, distribution, possession and use of marijuana for recreational purposes. The law, which allows for certain personal use and possession of marijuana, took effect on December 15, 2016 and was 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, and requires the Cannabis Control Commission to issue regulations regarding licensing of commercial activities for eventual retail sale and licensing. The legislature has revised the date for dissemination of regulations and licensing to July 2018.

Currently Recreational Marijuana is not addressed in the Zoning Bylaw. Regulations to be promulgated by the Cannabis Control Commission will provide guidance on local regulation of recreational marijuana licensing, sales, taxing, etc. The regulation of recreational marijuana raises legal, planning, and public safety issues, and the Town needs time to study and consider forthcoming Massachusetts regulations, to assess their impact on local zoning, and to propose potential amendments to the Zoning Bylaw.

The Town intends to adopt a temporary moratorium on the use of land and structures in the Town for retail sale of recreational marijuana so as to allow sufficient time to address the effects of such uses and structures in the Town and to enact bylaws that are consistent with state regulations.

**10.2 Definition**

“Marijuana Establishment” shall mean a marijuana cultivator, independent testing laboratory, marijuana product manufacturer, marijuana retailer or any other type of licensed marijuana-related business, all as defined for purposes of G.L. c.94G, §1.

**10.3 Temporary Moratorium.**

For the reasons set forth above and notwithstanding any other provision of the Zoning Bylaw to the contrary, the Town hereby adopts a temporary moratorium on the use of land or structures for a Marijuana Establishment and other uses related to non-medical marijuana. The moratorium shall be in effect through January 31, 2019, or six months after the effective date of the Cannabis Control Commission regulations, whichever is later. During the moratorium period, the Town shall undertake a planning process to address the potential impacts of Marijuana Establishments in the Town, consider the Cannabis Control Commission regulations regarding Marijuana Establishments, and shall consider adopting new Zoning Bylaws in response to these new issues, or take any other action related thereto.

**Submitted by the Planning Board**  
*Recommended by the Board of Selectmen*  
*Not within the purview of the Finance Committee*