

INFORMATION FOR VOTERS

TOWN OF GROTON



BALLOT QUESTION SPECIAL TOWN ELECTION November 6, 2018

**Published by:
Michael F. Bouchard
Town Clerk of the Town of Groton**

Town of Groton (MA)
2018 Special Town Election
Voting Information

- **Special Town Election**
 - Groton is holding a **Special Town Election** on **Tuesday, November 6, 2018**
 - This is being held simultaneously with the **State Election** on that date.
 - Polls will be open from 7:00 AM to 8:00 PM
 - Polling Locations:
 - Precinct 1: Groton Town Hall, 173 Main Street
 - Precinct 2: Groton Country Club, 94 Lovers Lane (opposite Post Office)
 - Precinct 3: Groton Country Club, 94 Lovers Lane (opposite Post Office)

- **Purpose of the Special Town Election**
 - To vote on the question about banning certain types of recreational marijuana businesses with Groton, as passed at the October 1, 2018 Town Meeting. The question is explained later in this booklet.
 - The Special Town Election is being conducted on the same day and times as the State Election on November 6. It is, however, a separate election and unrelated to offices and questions on the state ballot.
 - The Commonwealth publishes a separate booklet for state election questions, which is mailed to each voter's household.
 - Voters will receive two ballots on election day

- **Absentee Ballots**
 - Absentee ballots are available.
 - The last day and hour to request an absentee ballot is Monday, November 5, 2018 at 12:00 Noon.
 - Please allow time for mailing or be prepared to vote in the Town Clerk's office.

- **Early Voting**
 - Because the Special town Election is being held simultaneously with a qualifying state election, Early Voting will be in effect for both elections.
 - Early Voting will be conducted at Town Hall, 173 Main Street from October 22 to November 2. A detailed schedule is included in this booklet.

- **Voter information**
 - If you would like to check on your voter registration, polling location or have another voting related question, please contact the Town Clerk's office
 - Office: 978-448-1100
 - Email: Townclerk@townofgroton.org
 - Web: www.townofgroton.org

- **Special Town Election and State Election Information**
 - Please visit our web site at www.townofgroton.org
 - Select Elections and Voter Information from the list on the left. Look for the Town Elections and State Elections tabs.

BALLOT QUESTION INFORMATION
For the NOVEMBER 6, 2018 SPECIAL TOWN ELECTION
ZONING AMENDMENT BANNING CERTAIN TYPES OF
RECREATIONAL MARIJUANA BUSINESSES

As authorized by Chapter 53, section 18B of the General Laws

WHY ARE YOU RECEIVING THIS INFORMATION?

In towns that accept the provisions of section 18B, as Groton did by vote of the 2015 Spring Town Meeting, the select board is required to print and mail to each household where a registered voter resides information relating to each question that will appear on a town election ballot. The information must include (1) the full text of each question; (2) a fair and concise summary of each question, including a one sentence statement describing the effect of a yes or no vote, prepared by the town counsel; and (3) arguments for and against each question, which may not exceed 150 words. When a voter question will appear on the ballot, the statute provides for a request by the town counsel for "written arguments from the principal proponents and opponents of the question," with a notice period of at least 7 days. The statute also provides that the principal proponents and principal opponents shall be the persons determined by the town counsel to be best able to present the arguments for and against the question. If no argument is received from a proponent or opponent, an argument must be prepared by the town counsel.

On October 2, 2018, Town Counsel's request for arguments for the November 6 ballot question was issued by the office of the Town Clerk. Arguments were received before the submission deadline of October 17.

Special Town Election Ballot Question #1:

"Shall this town of Groton adopt the following amendments to section 218-4 of the Town of Groton Zoning Bylaw, as approved by the vote by the Town of Groton Special Town Meeting held on October 1, 2018 that:

(1) would allow commercial cultivation of recreational marijuana and testing facilities and research facilities for recreational marijuana in the town of Groton in such town's General Business and Industrial zoning districts ("Districts"); and

(2) would prohibit commercial cultivation of and testing facilities and research facilities for recreational marijuana outside the Districts; and

(3) would prohibit all types of commercial recreational marijuana uses other than Commercial Cultivation, including prohibiting throughout Groton all: (a) marijuana product manufacturing, (b) marijuana retail, (c) craft marijuana cultivator cooperatives, (d) marijuana microbusinesses, and (e) other licensed marijuana-related businesses; and

(4) would not affect state law that authorizes the personal consumption or growth of recreational marijuana on private property?"

Summary of Question #1:

This question is placed on the Special Town Election Ballot as required by MGL 94G when a Town Meeting votes to restrict recreational marijuana activities in a town that voted in favor of the 2016 state-wide question legalizing, regulating and taxing marijuana. Groton voted 56% In Favor in that 2016 state-wide ballot question. A Groton Zoning Bylaw amendment to ban certain uses of recreational marijuana passed under Article 3 of the Oct. 1, 2018 Special Town Meeting, precipitating this ballot question.

The Select Board placed non-binding questions on the 2018 Spring Town Election Ballot asking the Town to advise it as to what kinds of Recreational Marijuana Uses should be allowed in Groton. Based on the results, it appears that the Town would be in favor of cultivation, testing and research only. The purpose of the Zoning Amendment is to amend the Zoning Bylaw adopted at the 2018 Spring Town Meeting by banning all other uses of Recreational Marijuana in the Town of Groton.

The full text of the amendment as voted under Article 3 at the October 1, 2018 Special Town Meeting is as follows:

ARTICLE 3: AMEND ZONING BYLAW TO BAN CERTAIN USES OF RECREATONAL MARIJUANA

To see if the Town will vote to amend the Code of the Town of Groton, Chapter 218 Zoning as follows:

A) By adding the following definitions to Section 218-4, Definitions:

Craft marijuana cultivator cooperative, a marijuana cultivator comprised of residents of the Commonwealth and organized as a limited liability company, limited liability partnership, or cooperative corporation under the laws of the Commonwealth, which is licensed to cultivate, obtain, manufacture, process, package and brand cannabis or marijuana products to transport marijuana to marijuana establishments, but not to consumers.

Marijuana research facility, an entity licensed to engage in research projects by the Massachusetts Cannabis Control Commission.

Marijuana microbusiness, a co-located marijuana establishment that can be either a Tier 1 marijuana cultivator or product manufacturer or both, in compliance with the operating procedures for each license (as defined and classified by the Massachusetts Cannabis Control Commission).

B) Revising Section 218-13, Schedule of Use Regulations, for the category of Marijuana Establishments and marijuana-related business, as added by vote of the 2018 Spring Town Meeting, to provide that such uses shall be prohibited in all zoning districts, as follows (with deletions shown in strikethrough and additions shown as underlined):

Section 218-13

	R-A	R-B	NB	VB	GB	I	P	O
Marijuana Establishments any other type of licensed marijuana-related business								

Marijuana cultivator, <u>but not including craft marijuana cultivator cooperative</u>	N	N	N	N	N <u>PB</u>	PB	N	N
Marijuana product manufacturer	N	N	N	N	N	PB <u>N</u>	N	N
Marijuana retailer	N	N	N	N	PB <u>N</u>	PB <u>N</u>	N	N
Marijuana testing facility	N	N	N	N	PB	PB	N	N
Marijuana transportation or distribution facility	N	N	N	N	N	PB <u>N</u>	N	N
<u>Marijuana research facility</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>PB</u>	<u>PB</u>	<u>N</u>	<u>N</u>
Any other type of licensed marijuana-related business, <u>including marijuana microbusiness</u>	N	N	N	N	N	PB <u>N</u>	N	N
On-site consumption of marijuana at licensed marijuana establishment	N	N	N	N	N	N	N	N

- C) Revising Section 218-16.1, Marijuana Establishments, as adopted at the 2018 Spring Town Meeting, subsections C(5).c and D(3), as follows (with deletions shown in strikethrough and additions shown as underlined):

Section 218-16.1

C. General requirements and conditions for all marijuana establishments. . . .

(5) ~~Pursuant to Massachusetts General Laws Chapter 94G, Section 3(b) (2) t~~ The maximum number of Licensed Marijuana Establishments in the Town of Groton shall be consistent with the following provision.

- ~~a) Shall not prohibit one or more types of Marijuana Establishment~~
- ~~b) Shall not limit the number of marijuana retail establishments, to less than 20% of liquor licenses issued pursuant to Section 15 of MGL Chapter 138 for retail sale of alcohol not consumed on the premises in the Town of Groton. Said number to be rounded up to the next whole number.~~
- c) The number of total non-retail Marijuana Establishments as established in Section 218-16.1 (D)(3) shall not exceed ~~one (1)~~ an aggregate of three (3).

D. Special permit requirements. . . .

(3) A special permit for a marijuana establishment shall be limited to one or more of the following uses that shall be prescribed by the special permit granting authority:

- a) Marijuana cultivator
- ~~b) Marijuana product manufacturer~~
- ~~c) Marijuana retailer~~
- ~~d) b) Marijuana testing facility~~
- c) Marijuana research facility
- ~~e) Marijuana transportation or distribution facility~~
- ~~f) Any other type of licensed marijuana-related business~~

or to take any other action relative thereto.

Effect of a Yes or No Vote:

A YES VOTE will vote to amend Chapter 218 Zoning of the Code of Groton and will ban certain types of recreational marijuana businesses and allow cultivation, research and testing businesses only, pending approval of the article by the Attorney General. Marijuana manufacturing, retail, transportation or distribution, and any other type of licensed marijuana business would be banned.

A NO VOTE will not vote to amend Chapter 218 Zoning of the Code of Groton. The zoning amendment will not take effect. Any recreational marijuana business defined by MGL Chapter 94G would be allowed, subject to existing zoning and Massachusetts General Law. Note that existing zoning prohibits on-site consumption of marijuana at a licensed marijuana establishment

Arguments In Favor And Against Question #1:

IN FAVOR: A **YES** vote will ban retail sales of recreational marijuana in Groton, and also prohibit marijuana microbusinesses, manufacturing marijuana products, craft marijuana cooperatives, and storage or warehousing of marijuana products in Groton. A **YES** vote allows a combined total of three of either commercial cultivation, research, and/or testing facilities, but only under strict controls in certain non-residential zoning districts.

Non-binding ballot questions at the 2018 Spring Election revealed that Groton voters wanted to prohibit retail sales of marijuana and only allow commercial cultivation, research and testing activities. A Zoning Bylaw amendment to provide such restrictions was approved by a two-thirds majority at the 2018 Fall Town Meeting. In order for that Zoning Bylaw amendment to become law, it must be ratified by this ballot question.

A **YES** vote is the final step in giving Groton the control over marijuana activities that a two-thirds majority at Town Meeting has already endorsed.

AGAINST: Adult marijuana use is legal in the State of Massachusetts. Regardless of the outcome of this ballot question, State Licensure and a Special Permit from the Town of Groton Planning Board will be required for any marijuana establishment.

A no vote will retain the existing zoning regulations and will continue to:

- Allow one non-retail business opportunity in any of these areas; cultivation, product manufacture, testing facility, distribution facility, research facility, microbusiness.
- Allow retail sales in Industrial and General Business zones.
- Allow the generation of local revenue from retail sales tax and state-mandated host agreements.

SPECIMEN BALLOT

Penalty for willfully defacing, tearing down, removing or destroying a list of candidates or specimen ballot.

FINE NOT TO EXCEED ONE HUNDRED DOLLARS.



OFFICIAL BALLOT
TOWN ELECTION
GROTON, MASSACHUSETTS
NOVEMBER 6, 2018

Michael Burchard
TOWN CLERK

INSTRUCTIONS TO VOTERS

A. TO VOTE, completely fill in the OVAL to the RIGHT of your choice like this: ●

"Shall this town of Groton adopt the following amendments to section 218-4 of the Town of Groton Zoning Bylaw, as approved by the vote by the Town of Groton Special Town Meeting held on October 1, 2018 that:

- (1) would allow commercial cultivation of recreational marijuana and testing facilities and research facilities for recreational marijuana in the town of Groton in such town's General Business and Industrial zoning districts ("Districts"); and
- (2) would prohibit commercial cultivation of and testing facilities and research facilities for recreational marijuana outside the Districts; and
- (3) would prohibit all types of commercial recreational marijuana uses other than Commercial Cultivation, including prohibiting throughout Groton all: (a) marijuana product manufacturing, (b) marijuana retail, (c) craft marijuana cultivator cooperatives, (d) marijuana microbusinesses, and (e) other licensed marijuana-related businesses; and
- (4) would not affect state law that authorizes the personal consumption or growth of recreational marijuana on private property?"

YES

NO

Early Voting for November 6 Election

October 22 - November 2, 2018

MON	TUES	WED	THURS	FRI	SAT
22-Oct	23-Oct	24-Oct	25-Oct	26-Oct (8a-1p)	27-Oct (9a - 1p)
8 AM to 7 PM	8 AM to 4 PM	8 AM to 4 PM	8 AM to 7 PM	8 AM to 1 PM	9 AM to 1 PM
29-Oct	30-Oct	31-Oct	1-Nov	2-Nov (8a-1p)	3-Nov
8 AM to 7 PM	8 AM to 4 PM	8 AM to 4 PM	8 AM to 7 PM	8 AM to 1 PM	Early Voting Not Allowed

Early Voting Location: Town Hall

Polls Open on Election Day from 7 AM to 8 PM

**TOWN OF GROTON
COMMITTEE INTEREST FORM**

Town Government needs citizens who are willing to give time in the service of their community. If you are interested in serving, on a voluntary basis, on boards and committees within the Town, please complete this form and return to:

**TOWN OF GROTON
Board of Selectmen
173 MAIN STREET
GROTON, MA 01450-1237**

Date: _____

Name _____
First
M.I.
Last

Address _____

Mailing Address (if different) _____

Circle One GROTON, 01450 WEST GROTON, 01472

Telephone No. (home) _____ (cell) _____

Preferred e-mail Address _____

Occupation _____

Background _____

Town activities/issues, which interest you:

Specific committees or positions in which you are interested:

Department Name	Vacancies
Agricultural Commission	1
Commission on Accessibility	1
Great Ponds Advisory Committee	2
Housing Partnership	2
Invasive Species Committee	4
Old Burying Ground Commission	2
Sustainability Commission	5
Weed Harvester Committee	1
Williams Barn Committee	1

Town of Groton
Board of Selectmen
173 Main Street
Groton, MA 01450

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