



TOWN OF AVON

SPECIAL TOWN MEETING

Tuesday, May 7, 2013

7:00 o'clock in the evening at Avon Middle/High School

Moderator Staffier called the meeting to order at 7:00 p.m. and called a recess until the required quorum of 75 is met. The meeting reconvened at 7:15 with the required quorum present. Moderator Staffier asked Selectmen Hegarty to lead the meeting with the Pledge of Allegiance. A moment of silence was held for all our Servicemen in harm's way and for everyone affected by the Boston Marathon bombing.

The Moderator called for Article 1.

Article 1: To see if the Town will vote to approve the monetary items in an agreement between the Town of Avon and the American Federation of State, County and Municipal Employees, Local 1395, Council 93, AFL-CIO; or take any other action in relation thereto.
WITHDRAWN

Article 2: A motion was made and seconded and **VOTED IN THE AFFIRMATIVE BY THE MAJORITY** to approve the monetary items in an agreement between the Town of Avon and the Avon Police Relief Association (I.B.P.O.) Local 383 Avon and to transfer from free cash Fourteen Thousand Dollars (\$14,000.) to defray the costs of said agreement for the period of July 1, 2011 through June 30, 2012.

Article 3: A motion was made and seconded and **VOTED IN THE AFFIRMATIVE BY THE MAJORITY** to amend the Town of Avon Zoning Bylaws, as follows:

(a) By adding a new Section XIV, Interim Regulations for Medical Marijuana Uses, to read as follows:

Interim Regulations for Medical Marijuana Uses

14.1 Purpose

This Section is intended to provide restrictions that will allow the Town adequate time to consider whether to allow facilities associated with the medical use of marijuana, to the extent that such facilities are permitted under state law and regulations, and, if so, where and under what conditions. Given that a law permitting the medical use of marijuana in the Commonwealth of Massachusetts shall be in effect beginning January 1, 2013, and that the Massachusetts Department of Public Health has yet to promulgate the regulations by which facilities that produce or dispense medical marijuana shall be registered and administered, a restriction on the establishment of such facilities in Avon shall provide the opportunity to study their potential impacts on adjacent uses and on the general public health, safety and welfare, and to develop zoning and other applicable regulations that appropriately address these considerations consistent with statewide regulations and permitting procedures.

14.2 Definition

A Medical Marijuana Treatment Center shall mean any medical marijuana treatment center, as defined under state law as a Massachusetts not-for-profit entity that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their personal caregivers, which is properly licensed and registered by the Massachusetts Department of Public Health pursuant to all applicable state laws and regulations.

14.3 Exclusion of other Marijuana Uses

Any establishment that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their personal caregivers shall not be permitted if such establishment has not been properly registered and licensed in accordance with applicable state and local laws and regulations, or is not operating as a not-for-profit entity, or otherwise fails to meet the definition of a Medical Marijuana Treatment Center.

14.4 Exclusion of Accessory Uses

In no case shall the acquisition, cultivation, possession, processing, transference, transportation, sale, distribution, dispensing, or administration of marijuana, products containing or derived from marijuana, or related products be considered accessory to any use.

14.5 Interim Restriction

14.5.1 Medical Marijuana Treatment Centers shall not be permitted in any zoning district in Avon as long as this Section 14 is effective, as set forth in Section 14.6 below.

14.5.2 The cultivation, processing, sale, and distribution of marijuana, products containing or derived from marijuana or related products shall not be permitted in any zoning district in Avon as long as this Section 14 is effective, as set forth in Section 14.6 below.

14.6 Expiration

This Section 14 shall be effective through May 15, 2014.

(b) Amend the Table of Contents to add Section 14, Interim Regulations for Medical Marijuana Uses.

A motion was made and seconded and **VOTED IN THE AFFIRMATIVE TO ADJOURN**. The meeting adjourned at 7:27 p.m.

Respectfully submitted,

V. Jean Kopke
Town Clerk