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| **Planning Board**  **856 Main Road**  **Westport, MA 02790**  **www.westport-ma.com** | seal2 | **Tel. (508) 636-1037**  **Fax (508) 636-1031**  **Planning@westport-ma.gov** |

January 19, 2021

Westport Board of Selectmen

816 Main Road

Westport, MA 02790

**RE: Zoning Articles 1, 2 &3 Marijuana Establishments**

Please find enclosed three amendments to our Zoning By-Law and the Planning Board Report for inclusion in the Annual Town Meeting Warrant: Zoning Articles 1, 2 and 3.

Just a bit of explanation as it may seem counterintuitive that we are forwarding amendments to our current Zoning By-Law which regulate both Medical and Non-Medical Marijuana establishments in Zoning Article 1, and then prohibits Non-Medical Marijuana establishments in Zoning Article 2.

The Planning Board prepared Article 1 in order to address siting concerns and neighborhood impacts for Non-Medical Marijuana establishments, this is the preferred Article and is being recommended for approval by the Board. Article 2, prohibiting Non-Medical Marijuana was prepared by the Planning Board in response to concerns by a number of Town residents. The majority of the Planning Board is not in favor of the prohibition but recommends inclusion on the Town Warrant to give Town Meeting the option.

Zoning Article 3, was prepared by the Board in response to Article 2. If Article 2 passes, the majority of the Board is recommending approval of Article 3, if Article 2 fails, the Board will recommend passing over Article 3. Zoning Article 3 provides for an exemption from the prohibition for Non-Medical Marijuana Establishments if they had received prior Special Permit approval from the Board.

Should Zoning Article 2 pass, then Town Meeting should carefully consider adopting Article 3, to reduce and potential liability claims from projects for non-medical marijuana which have preceded under previous approvals.

Respectfully Submitted,

James Whitin, Chairman

Westport Planning Board