WAKEFIELD PLANNING BOARD
12 March 2024
MARIJUANA ESTABLISHMENT OVERLAY DISTRICT HEARING

HISTORY

- In November of 2016, Massachusetts voters passed Question 4, officially legalizing recreational marijuana for individuals 21 years of age or older.
- The law went into effect on December 15, 2016, and the state's recreational-use market officially began sales on November 20, 2018.
- Codified as M.G.L. Chapter 94G(Chapter 55 of 2017) allowing retail sales by marijuana establishments (ME’s).
- State regulations promulgated in 2018 935 MR 500 et. seq.

HISTORY

- 2017 - MGL Chapter 94G enacted to allow marijuana establishments (ME's) in the Commonwealth of Massachusetts (Chapter 55 of 2017).
- State regulations promulgated in 2018 935 MR 500 et. seq.

PROGRESSION

Currently, ME's are operational in many surrounding communities including Melrose, Woburn, Malden, Lynn, Medford, Salem, Danvers, Rowley & Gloucester with new facility planned in Saugus. (Source MA CCC Website – Find a Retailer Find a Retailer - Cannabis Control Commission Massachusetts (masscannabiscontrol.com)

LOCAL REVENUES

MA law allows:

a 3% local sales tax on gross sales, and

up to a 3% community impact fee, the latter being subject to a negotiated Host Community Agreement to be negotiated between the ME and the Town.

POTENTIAL LOCAL REVENUES

Gross sales	3% tax	3% CI fee	Total
$ 1,000,000.00	$ 30,000.00	$ 30,000.00	$ 60,000.00
$ 2,500,000.00	$ 75,000.00	$ 75,000.00	$ 150,000.00
$ 5,000,000.00	$ 150,000.00	$ 150,000.00	$ 300,000.00
$ 7,500,000.00	$ 225,000.00	$ 225,000.00	$ 450,000.00
$ 10,000,000.00	$ 300,000.00	$ 300,000.00	$ 600,000.00
$ 12,500,000.00	$ 375,000.00	$ 375,000.00	$ 750,000.00

LOCAL HISTORY

In May 2017, the Town adopted temporary moratoriums as follows:

- General Bylaw - Chapter 154, §9, prohibiting recreational marijuana sales, and
- §190-112 – a temporary moratorium on marijuana establishments.

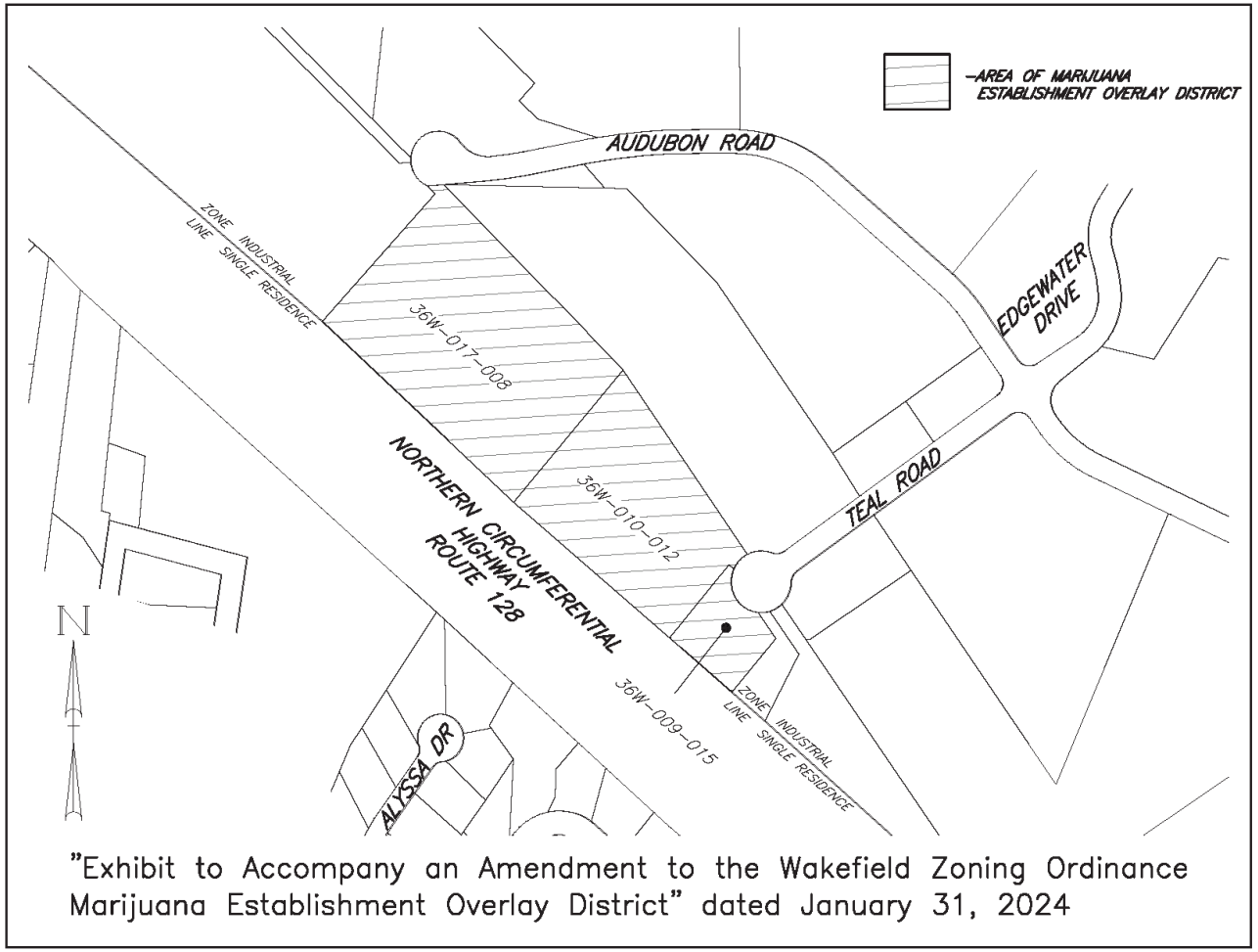
LOCAL EFFORTS

- Currently, the Town Bylaw Committee is currently undertaking a review of all Town bylaws and ordinances.
- Committee’s working draft, dated December 31, 2023, includes provisions for ME’s to be allowed in Industrial Districts in the Town of Wakefield.

CURRENT PROPOSAL

- Would establish an overlay district along Route 128, accessed by Audubon Road from the end of Teal Road to the end of Audubon Road.
- 12 Teal Road is the planned location for an ME – retail operation (possible lab); no cultivation.

MEOD PLAN OF LAND



"Exhibit to Accompany an Amendment to the Wakefield Zoning Ordinance Marijuana Establishment Overlay District" dated January 31, 2024

12 TEAL OVERVIEW

PROPERTY ATTRIBUTES

- Property is located at the end of Teal Road and is buffered on one side by Route 128;
- Surrounded by commercial/industrial uses;
- No residential abutters;
- Access is similarly through a business / industrial district directly from Route 128;
- No traffic or other impacts on residential neighborhoods or downtown business district.

PROPOSAL SUBJECT TO

- the Special Permit requirements of the proposed bylaw;
- a Host Community Agreement negotiated with the Town;
- state licensing from MA Cannabis Control Commission.

OVERLAY DISTRICT BENEFITS

- Allows the Town to preview the experience of a ME before opening the door to other areas in town to ME permits
- Iron out any issues relating to the operation of an ME
- Gain knowledge relative to expected income from an ME
- Gauge community impacts, if any, which would relate to future operations and community impact fees to be negotiated in the future.
- In essence, wading into the experience rather than jumping in

BYLAW REQUIREMENTS

- Prohibits marijuana use on site
- Requires all activity to occur within building
- Requires approved security measures at property
- Signage must be approved by town

BYLAW REQUIREMENTS (CONT'D)

- ME must be located at least 500' from kindergarten or grades 1 through 12 – measured (i) straight line door-to-door or (ii) or there's an impassable barrier in the door-to-door line, then by road or pathway distance between door-to-door
- Lighting and landscaping must be consistent with approved security plan
- ME subject to spot and regular inspections by the Town
- Special Permit term is limited to duration of the applicant's operation of the ME.