

by Chapter 351 of the Acts of 2016 and thereafter, on July 28, 2017 by Chapter 55 of the Acts of 2017) requires a Cannabis Control Commission to issue regulations regarding the licensing of commercial activities by March 15, 2018 and to begin accepting applications for licenses no later than April 1, 2018. Currently under the Zoning Bylaw, a non-medical Marijuana Establishment (hereinafter, a "Recreational Marijuana Establishment"), as defined in G.L. c. 94G, §1, is not specifically addressed in the Zoning Bylaw. Regulations to be promulgated by the Cannabis Control Commission may provide guidance on certain aspects of local regulation of Recreational Marijuana Establishments. The regulation of recreational marijuana raises novel legal, planning, and public safety issues, and the Town needs time to study and consider the regulation of Recreational Marijuana Establishments and address such issues, as well as to address the potential impact of the State regulations on local zoning and to undertake a planning process to consider amending the Zoning Bylaw regarding regulation of Recreational Marijuana Establishments. The Town intends to adopt a temporary moratorium on the use of land and structures in the Town for Recreational Marijuana Establishments so as to allow sufficient time to address the effects of such structures and uses in the Town and to enact bylaws in a consistent manner.

2. Definition

"Recreational Marijuana Establishment" shall mean a "marijuana cultivator, independent testing laboratory, marijuana product manufacturer, marijuana retailer or any other type of licensed marijuana-related business."

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 Recreational Marijuana Establishment and other uses related to recreational marijuana. The moratorium shall be in effect through December 31, 2018. During the moratorium period, the Town shall undertake a planning process to address the potential impacts of recreational marijuana in the Town, and to consider the Cannabis Control Commission regulations regarding Recreational Marijuana Establishments, and shall consider adopting new Zoning Bylaws in response to these new issues.

Or act in any manner relating thereto.

ARTICLE 3. To see if the Town will vote to amend the Town's Bylaws by adding a new section entitled **Stormwater Management Utility Bylaw** as provided herein and further to authorize the Town Clerk, in consultation with the Town Administrator, to assign appropriate numbering for this Bylaw so that it may be in compliance with the numbering format of the Town Bylaws.
(Submitted by Board of Selectmen)

SECTION 1.0 GENERAL PROVISIONS

1.1. Title

This By-Law shall be known as the Stormwater Utility Administration By-Law of the Town of Millis, Massachusetts, hereinafter referred to as "this by-law."

1.2. Responsibility for Administration

The Board of Selectmen (the "Board") shall administer, implement, and enforce this by-law unless otherwise provided in this by-law. Any powers granted to or duties imposed upon the Board may be delegated in writing by the Board to its employees or agents.

1.3. Purpose

The Board of Selectmen shall administer the stormwater management program of the Town. It shall be funded by revenue collected through the Stormwater Utility fee and such other revenue as may, from time to time, be appropriated. The stormwater management program, described in part through Articles I and II of the Town's Stormwater Management Regulations, is designed to promote the health and safety of the public, to protect property from flooding and the damage caused by stormwater runoff and to protect and manage water quality by controlling the level of pollutants in stormwater runoff and the flow of water as conveyed by manmade and by natural stormwater management systems and facilities.

SECTION 2.0 Authority

This by-law is adopted in accordance with the authority granted, inter alia, by Amendment Article 89 to Article II of the Massachusetts Constitution (the Home Rule Amendment), Section sixteen of Chapter 83 of the General Laws of the Commonwealth of Massachusetts and such other powers as granted to cities in the said General Laws.

SECTION 3.0 DEFINITIONS

The following words, terms and phrases, when used in this by-law, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

(1) *Credit* means a reduction in the amount of a Stormwater Utility fee charged to the owner of a particular property where that property owner owns, maintains and operates on-site or off-site stormwater management systems or facilities, or provides services or activities that reduce or mitigate the Town's cost of providing stormwater management services, in accordance with the Town's approved credit policy.

(2) *Developable* shall mean a parcel of land, as designated by the Assessor or other local jurisdictional authority, that can be altered from its natural state to include impervious surface area.

(3) *Developed* means property altered from its natural state by construction or installation of greater than or equal to two hundred (200) square feet of impervious surfaces.

(4) *Drainage system* shall mean natural and manmade channels, swales, ditches, swamps, rivers, streams, creeks, wetlands, branches, reservoirs, ponds, drainage ways, inlets, catch basins, gutters, pipes, culverts, bridges, head walls, storm sewers, lakes, and other physical works, properties, and improvements that transfer, control, convey or otherwise influence the movement of stormwater runoff.