

**PROPOSED AMENDMENT TO THE GREENFIELD ZONING ORDINANCE  
AMENDING SECTION 200-7.17 – MARIJUANA ESTABLISHMENTS  
October 21, 2022**

Amend the Greenfield Zoning Ordinance Chapter 200, Article II, Definitions, Section 200-2.1B Terms and Words, by adding after the term “Marijuana Cultivator,” the following new terms:

***MARIJUANA CULTIVATION, INDOOR -- An indoor marijuana cultivation shall be within a fully enclosed and secured space within a building envelope that complies with the Massachusetts Building Code and the Greenfield Building Code. A fully enclosed space shall have a complete opaque roof, a foundation, slab or equivalent base, to which the floor is secured by bolts or similar attachments, and is secure against unauthorized entry. The building shall be accessible only through one or more lockable doors, with walls and roofs constructed of solid materials such as two inch by four inch or thicker studs overlaid with three-eighths inch or thicker plywood or the equivalent. Plastic sheeting, regardless of gauge, or similar products shall not satisfy this requirement. An indoor cultivation shall be allowed to cultivate plants under artificial lighting and shall maintain a climate-controlled environment capable of regulating light, heat, water, nutrition, and pests. An indoor cultivation shall have a ventilation and filtration system that prevents marijuana plant odors from exiting the interior of the structure. For the purpose of this ordinance, neither a greenhouse nor a hoop house shall be considered a fully enclosed and secured space within a building envelope.***

***MARIJUANA CULTIVATION, OUTDOOR -- An outdoor cultivation shall be any location that is not within a fully enclosed and secure space within a building, as contained in the definition of an indoor cultivation. Outdoor cultivation means the cultivation of mature Cannabis without the use of artificial lighting in the Canopy area at any point in time. Artificial lighting is permissible only to maintain immature or vegetative mother plants.***

The Greenfield Zoning Ordinance, Chapter 200, is hereby further amended in section 200-7.17 (E) General requirements and Conditions for all Marijuana Establishments by adding after subsection (12) the following new subsections:

***(13) No Marijuana Outdoor Cultivation in the RC zone shall be located within a distance of 500 400 feet from ~~any residential property~~ the nearest residential property line as measured in a straight line as the shortest distance from the edge of the marijuana canopy to the edge of ~~any building or other occupied space~~ the nearest residential property line.***

***(14) — A Marijuana Indoor or Outdoor Cultivation shall comply in every respect with the requirements 935 CMR 500.110(6) which regulates “Security and Alarm Requirements for Marijuana Establishments Operating Outdoors.”***

***a) Implement adequate security measures to ensure that outdoor areas are not readily accessible to unauthorized individuals and to prevent and detect diversion, theft or loss of Marijuana which shall at a minimum, include:***

***b) Marijuana not grown inside a securable structure shall be enclosed within a minimum of eight (8) foot opaque perimeter security fence to prevent unauthorized entry to the cultivation facility with signs notifying observers that it is a Limited Access Area.***

***e) Commercial grade, nonresidential locks;***

- ~~d) A security alarm system that shall be continuously monitored, whether electronically, by a monitoring company or other means determined to be adequate by the Commission; and provide an alert to designated employees of the Marijuana Establishment within five minutes after a notification of an alarm or a system failure, either by telephone, email, or text message;~~
- ~~e) Video cameras at all points of entry and exit and in any parking lot which shall be directed at all safes, vaults, sales areas, and areas where Marijuana is cultivated, harvested, processed, prepared, stored, handled, transferred or dispensed and for the purpose of securing cash. Cameras shall be angled so as to allow for the capture of clear and certain identification of any person entering or exiting the Marijuana Establishment or area;~~
- ~~f) 24-hour recordings from all video cameras that are available for immediate viewing by the Commission on request and that are retained for at least 90 calendar days. Recordings shall not be destroyed or altered, and shall be retained as long as necessary if the Marijuana Establishment is aware of a pending criminal, civil, or administrative investigation for which the recording may contain relevant information;~~
- ~~g) The ability to immediately produce a clear, color still image whether live or recorded;~~
- ~~h) A date and time stamp embedded in all recordings, which shall be synchronized and set correctly at all times and shall not significantly obscure the picture;~~
- ~~i) The ability to remain operational during a power outage; and~~
- ~~j) A video recording that allows for the exporting of still images in an industry standard format, including .jpg, bmp, and .gif. Exported video shall have the ability to be archived in a proprietary format that ensures authentication of the video and guarantees that no alteration of the recorded image has taken place. Exported video shall also have the ability to be saved in an industry standard file format that may be played on a standard computer operating system. All recordings shall be erased or destroyed prior to disposal;~~
- ~~k) All security system equipment and recordings shall be maintained in a secure location so as to prevent theft, loss, destruction and alterations.~~
- ~~l) In addition to the requirements listed in 935-CMR 500.110(4)(a) and (b) the Marijuana Establishment shall have a back-up alarm system, with all capabilities of the primary system, provided by a company supplying commercial grade equipment, which shall not be the same company supplying the primary security system or shall demonstrate to the Commission's satisfaction alternate safeguards to ensure continuous operation of a security system~~
- ~~m) Access to surveillance areas shall be limited to persons that are essential to surveillance operations, Law Enforcement Authorities acting within their lawful jurisdiction, police, and fire departments, security system service personnel and the Commission. A current list of authorized employees and service personnel that have access to the surveillance room must be available to the Commission on request. If the surveillance room is on-site of the Marijuana Establishment, it shall remain locked and shall not be used for any other function.~~
- ~~n) All security equipment shall be in good working order and shall be inspected and tested at regular intervals, not to exceed 30 calendar days from the previous inspection and test. o) Security plans and procedures shared with Law Enforcement Authorities pursuant to 935-CMR 500.110(1)~~

*o) shall include: a description of the location and operation of the security system including the location of the central control on the Premises, a schematic of security zones, the name of the security alarm company and monitoring company, if any, a floor plan or layout of the facility in a manner and scope as required by the municipality; and a safety plan for the manufacture and production of marijuana products as required pursuant to 935 CMR 500.101(1)(d)3.e.*

*p) Each licensee shall file an emergency response plan with the Greenfield Fire and Police Department*

**(14) All Marijuana establishments shall comply in every respect with the requirements 935 CMR 500.110 which regulates “Security Requirements for Marijuana Establishments”.**

**(15) No Outdoor Marijuana Cultivation establishment shall allow cultivation, processing, manufacture, sale, or display of marijuana or marijuana products to be visible from a public place without the use of binoculars, aircraft, or other optical aids.**

*(16) An Indoor or Outdoor Marijuana Cultivation shall be ventilated in such a manner that no odor from marijuana or its processing can be detected by a person with an unimpaired and otherwise normal sense of smell at any exterior boundary line of the cultivation property or at any adjoining use or property. Outdoor cultivation of marijuana will implement industry best practice to eliminate any noticeable trace of marijuana odor at the perimeter of the property of the cultivation site.*

**No marijuana cultivation facility, indoor or outdoor, shall create a “nuisance” to areas surrounding its premises and to adjacent properties. Nuisance includes odors emanating from an outdoor or an indoor cultivation. An Indoor or Outdoor marijuana cultivation shall be ventilated and an outdoor marijuana cultivation shall be managed in such a manner that no odor from marijuana or its processing can be detected by a person with an unimpaired and otherwise normal sense of smell at any exterior boundary line of the cultivation property, or at the property line of any adjoining use or property. The exhaust system to control odor shall be designed by a licensed professional air quality/environmental engineer recognized by the Commonwealth. Outdoor cultivation of marijuana will implement industry best practice to eliminate any noticeable trace of marijuana odor at the perimeter of property of the cultivation site. Any property owner may file an odor complaint by filing a report with the city Board of Health for investigation. The Board shall have jurisdiction to regulate and control odors. The Board of Health shall ensure that emissions do not violate M.G.L. Chapter 111, Section 31C, including but not limited to those specified for Odors. Marijuana cultivators found to be in violation of an order by the Board of Health shall be subject to the provisions of Chapter 111, Section 31C.**

**(17) Lighting from any Indoor or Outdoor Marijuana Cultivation shall not extend beyond property lines. Artificial lighting from within ~~gate~~ any building(s) shall not create light pollution.**

**(18) All applications for a special permit for marijuana cultivation must include a water management plan, submitted ~~and underwritten~~ by the applicant. It shall be prepared by an independent ~~contractor~~ qualified hydrogeologist or other qualified professional who is approved by the city. The plan will then be reviewed by the DPW Director. It must demonstrate that water usage at full capacity will not **adversely impact** the public water supplies of the City. **Said Water Management Plan shall also include recommending best management practices, including mandating the metering of water usage on all cultivations, practices to reduce and recycle water usage to accommodate various levels of drought, and other proposed mechanisms to minimize adverse****

**impacts on the city's water supplies and/or the existing private wells in use in the City and/or adjoining municipalities.**

The Greenfield Zoning Ordinance, Chapter 200, is hereby further amended in section 200-7.17 (F) Special Permit Requirements for all Marijuana Establishments by adding the following new subsections after subsection F(1g):

F. Special Permit Requirements

(1) In addition to the application requirements set forth in Section E of this Ordinance, a special permit application for a Marijuana Establishment shall include the following:

- ~~(h) Proximity to other licensed marijuana uses to prevent clustering.~~
- ~~(hi) Relationship to surrounding uses to avoid unnecessary exposure to minors.~~
- ~~(ijh) Site design and other development related site impacts.~~
- ~~(jki) Liability Insurance Coverage or Maintenance of Escrow as required in 935 CMR 500(10)~~

The Greenfield Zoning Ordinance, Chapter 200, is hereby further amended in section 200-7.17 (F) Special Permit Requirements, by adding, after subsection (2)(c) Mandatory Findings, the following new subsections:

(2) Mandatory Findings. The Special Permit Authority shall not issue a special permit for a Marijuana Establishment unless it finds that:

- (kd) the marijuana cultivation is consistent with, and compatible with, the character of the neighborhood, including the project's visual consistency and compatibility with surrounding uses.**
- (le) the applicant has demonstrated with evidence-based research that the site design and other development-related site impacts from a marijuana cultivation will not have an adverse impact on the property values of existing surrounding properties.**
- (mf) the marijuana cultivation, indoor or outdoor, has been designed so as not to create a nuisance to surrounding premises and to adjacent properties caused by odors emanating from the cultivation. No odor from a marijuana cultivation or its processing shall be detected by a person with an unimpaired and otherwise normal sense of smell at any exterior boundary line of the cultivation property, or at the property line of any adjoining use or property. An outdoor cultivation of marijuana has demonstrated that it will implement industry best management practices to eliminate any noticeable trace of marijuana odor at the perimeter of property of the cultivation site. The exhaust system to control odor has been designed by a licensed professional air quality/environmental engineer recognized by the Commonwealth.**
- (ng) the Water Management Plan produced for the marijuana cultivation under section 200-7.17 (E) demonstrates that the cultivation will not adversely impact the public water supplies of the city, and/or adjoining municipalities, nor the existing private wells in use in the City and/or adjoining municipalities.**