

MEDICAL MARIJUANA TREATMENT CENTER (MTC)

ARTICLE XXVIII: Marijuana Establishments and Medical Marijuana Treatment Centers

§ 173-195. Purpose.

§ 173-196. Applicability.

§ 173-197. Siting.

§ 173-198. Limitations.

§ 173-199. Administration and procedure.

§ 173-200. Special permit requirements.

A. Buffer Zones:

1. No Marijuana Establishment or MTC shall be located within 500 feet of any lot containing a licensed child care facility; public park, playground, athletic field or other public recreational land or facility; any use or facility where persons under the age of 18 commonly congregate to participate in scheduled or structured activities; religious facility; drug or alcohol rehabilitation facility; correctional facility, halfway house or similar facility; or any other non-located Marijuana Establishment or MTC. For purposes of § 173-200A.1, distances shall be measured in a straight line from the nearest point of the property line in question to the nearest point of the property line where the Marijuana Establishment or MTC is or will be located.

2. No Marijuana Establishment or MTC shall be closer than 500 feet from the nearest School Entrance, defined as the entrance(s) that provide ingress and egress to students of the preexisting public or private or private school providing education in kindergarten or any grades 1 through 12 at the time of the newspaper publication of the proposed Marijuana Establishment or MTC's community outreach meeting. For purposes of § 173-200A.2, the buffer zone distance of 500 feet shall be measured in a straight line from the geometric center of the Marijuana Establishment or MTC's Entrance, meaning the means the entrance or entrances that provides ingress and egress to Consumers, Registered Qualifying Patients and Caregivers to the Marijuana Establishment or MTC, to the geometric center of the nearest School Entrance, unless there is an Impassable Barrier within those 500 feet; in these cases, the buffer zone distance shall be measured along the center of the shortest publicly-accessible pedestrian travel path from the geometric center of the Marijuana Establishment or MTC's Entrance to the geometric center of the nearest School Entrance. As used in this subpart, Impossible Barrier shall mean a highway, public or private way or path, inaccessible structure, body of water, or other obstruction that renders any part of the 500-foot straight-line distance between a Marijuana Establishment or MTC's Entrance and a School Entrance inaccessible by a pedestrian or automobile.

B. The SPGA may reduce the minimum distance requirement in § 173-200A as part of the

issuance of a special permit in the following instances only:

1. Issuance of a special permit for a Marijuana Establishment to an entity with an existing MTC in Littleton.
 2. Renewal of a special permit for an existing Marijuana Establishment or MTC where the use has been established after issuance of the original special permit.
 3. Change of permit holder for an existing Marijuana Establishment or MTC where the use has been established after issuance of the original special permit.
 4. Where the SPGA determines that reduction in the minimum distance is necessary for purposes of maintaining consistency with state law and siting of Marijuana Establishments or MTCs.
 5. The applicant demonstrates to the satisfaction of the SPGA that application of Section 173-200A will effectively prohibit the placement of a MTC within the Town.
- C. A Marijuana Establishment or MTC that seeks to expand or alter its operations outside those outlined in its original special permit shall obtain a new or amended special permit. This includes an increase in a cultivation tier for Marijuana Establishments.
- D. All delivery of cannabis or marijuana shall comply with the requirements of § 173-198.
- E. The SPGA shall not issue any special permit that would cause the Town to exceed the limits set forth in § 173-198.
- F. An MTC shall obtain a new special permit prior to converting to or collocating with a Marijuana Establishment. A Marijuana Establishment shall obtain a new special permit prior to converting to or collocating with a MTC.
- G. No smoking, burning, or consumption of any marijuana product shall be permitted at any Marijuana Establishment, except as may be authorized by law for purposes of cultivation, testing, research, or manufacturing.
- H. All shipping and receiving areas shall serve the Marijuana Establishment or MTC exclusively. In the case of a multi-use or multi-tenant site, the Marijuana Establishment or MTC shall be laid out and designed to ensure separation from other uses or tenants at the site.
- I. The Marijuana Establishment or MTC shall have adequate water supply, stormwater systems, sewage disposal, and surface and subsurface drainage.
- J. Air Quality:
1. The Marijuana Establishment or MTC shall operate within an enclosed structure. For purposes of this Section, greenhouse shall qualify as an enclosed

structure; provided § 173-200.J.2 and § 173-200.J.3 are satisfied.

2. The Marijuana Establishment or MTC shall incorporate the best available control technology to ensure that emissions do not violate M.G.L. c.111.
 3. The Marijuana Establishment or MTC shall utilize the best available control technology to ensure that no odor from marijuana can be detected by a person with a normal sense of smell at the property line.
- K. Adequate lighting, including night lighting that provides for monitoring or building and site security, including those measures to prevent diversion of marijuana and marijuana products cultivated outdoors.
- L. A Marijuana Retailer shall post at a conspicuous location at the public entrance a sign that states "Only individuals 21 years of age or older, unless in possession of a registration card issued by the Cannabis Control Commission." The required text shall be a minimum of two inches in height. Signage shall otherwise be limited to that which is permitted under the Cannabis Control Commission's regulations and the Town's sign bylaw, as applicable.
- M. The Marijuana Establishment or MTC shall provide and keep up to date contact information as required by the Chief of Police and Building Commissioner such as name, telephone number and electronic mail address of a contact person who must be available 24 hours a day, seven days a week.
- N. No special permit shall be issued unless the Applicant has executed a Host Community Agreement with the Town in accordance with M.G.L. c. 94G, § 3 or obtain an HCA waiver.
- O. Unless otherwise exempt by law, no special permit shall be issued until the Applicant has held a community outreach meeting, as defined in the Cannabis Control Commission's regulations.

§ 173-201. Special permit approval criteria.

§ 173-202. Special permit conditions.

§ 173-203. No accessory use Marijuana Establishments.

A true copy:

Attest:

Diane Crory
Town Clerk
May 15, 2025