

<b>MODERATOR</b>	
1 Year Term	<b>Vote for ONE</b>
<b>WAYNE H. DAVIS</b>	
739 Concord Street	Candidate for Re-Election
<b>BOARD OF SELECTMEN</b>	
3 Year Term	<b>Vote for TWO</b>
<b>LUKE R. ASCOLILLO</b>	
84 Craigie Circle	Candidate for Re-Election
<b>KERRY W. KISSINGER</b>	
207 Elizabeth Ridge Road	Candidate for Re-Election
<b>BARBARA T. ARNOLD</b>	
225 Lowell Street	
<b>BOARD OF ASSESSORS</b>	
3 Year Term	<b>Vote for ONE</b>
<b>TERESA P. KVIETKAUSKAS</b>	
212 Judy Farm Road	
<b>BOARD OF HEALTH</b>	
3 Year Term	<b>Vote for TWO</b>
<b>ANTHONY MARIANO</b>	
1134 North Road	
<b>HOUSING AUTHORITY</b>	
5 Year Term	<b>Vote for ONE</b>
<b>HOUSING AUTHORITY</b>	
2 Year Term	<b>Vote for ONE</b>

To vote, mark a cross X in the square at the right of your choice.

<b>HOUSING AUTHORITY</b>	
1 Year Term	<b>Vote for ONE</b>

<b>PLANNING BOARD</b>	
3 Year Term	<b>Vote for THREE</b>
<b>EDWIN MISEK</b>	
70 Orchard Acres	Candidate for Re-Election
<b>EDWARD G. ROLFE</b>	
916 Maple Street	Candidate for Re-Election
<b>JASON M. WALSH</b>	
106 Robbins Drive	Candidate for Re-Election

<b>SCHOOL COMMITTEE</b>	
3 Year Term	<b>Vote for TWO</b>
<b>EVA MOSTOUFI</b>	
1173 North Road	
<b>SARA A. WILSON</b>	
201 Clark Farm	

<b>LIBRARY TRUSTEE</b>	
3 Year Term	<b>Vote for ONE</b>
<b>PRISCILLA S. STEVENS</b>	
871 Maple Street	Candidate for Re-Election

**INSTRUCTIONS: Questions 1 through 4 each requires a majority of those voting on them to pass.**

**Question 1:** Shall the Town of Carlisle be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay the Town's allocable share of the bond issued by the Concord-Carlisle Regional School District for improvements including the reconstruction of the access road and designing and constructing a new parking lot?

YES \_\_\_\_\_ NO \_\_\_\_\_

**Question 2:** Shall the Town of Carlisle be allowed to exempt from provisions of proposition two and one-half, so called, the amounts required to pay for the bond issued in order to fund a construction project on the Carlisle Police Station?

YES \_\_\_\_\_ NO \_\_\_\_\_

**Question 3:** Shall this Town adopt the following Bylaw?

**Town Counsel Summary:** Section 5.11 of the Zoning By-law, Marijuana Establishments, the full text of which is provided below, would prohibit all types of Marijuana Establishments regulated under *M.G.L. c.94G* from being sited in the Town. The adoption of Section 5.11 would not prevent a Medical Marijuana Treatment Center from operating in the Town, nor would it prevent the personal use of marijuana for medical or adult use, in accordance with other laws.

**Full Text of the Bylaw**

5.11 Marijuana Establishments

5.11.1 Definitions

Marijuana Establishment: A marijuana cultivator, marijuana testing facility, marijuana product manufacturer, marijuana retailer, or any other type of marijuana-related business, whether as a principal use, or as an accessory use, subject to regulation under Chapter 94G of the Massachusetts General Laws; provided, however, that a Medical Marijuana Treatment Center shall not be deemed to be a Marijuana Establishment.

5.11.2 Prohibition

All types of Marijuana Establishments, including Marijuana Establishments collocated with a Medical Marijuana Treatment Center, shall be prohibited in the Town of Carlisle.

YES \_\_\_\_\_ NO \_\_\_\_\_

**Question 4: Shall this Town adopt the following Bylaw?**

**Town Counsel Summary:**

At the April 29, 2019 Annual Town Meeting, the Town considered under Article 19 of the Warrant adoption of a Zoning Bylaw that would allow "Permitted Marijuana Establishments" pursuant to a special permit issued by the Planning Board within the Business District (but not the Carlisle Center Business District).

This ballot question asks whether this Zoning Bylaw should define "Permitted Marijuana Establishments" in Section 5.11.2 as a "Craft Marijuana Cooperative or Marijuana Cultivator" regulated under *M.G.L. c.94G*. Defining "Permitted Marijuana Establishments" in this manner would exclude all other forms of adult use Marijuana Establishments regulated under *M.G.L. c.94G* (such as Marijuana Testing Facilities, Marijuana Product Manufacturers, and Marijuana Retailers). This would have the effect of prohibiting these other forms of adult use Marijuana Establishments within Town. Only Craft Marijuana Cooperatives and Marijuana Cultivators would be allowed, and then only by special permit from the Planning Board.

Pursuant to *M.G.L. c.94G*, a ballot vote is necessary to prohibit the operation of one or more types of Marijuana Establishments in Town. Accordingly, limiting the field of "Permitted Marijuana Establishments" to "Craft Marijuana Cooperative[s] or Marijuana Cultivator[s]", and consequently prohibiting all other forms of adult use Marijuana Establishments, requires ballot approval by the Town.

Adopting this proposed definition into Section 5.11.2 (bolded and underlined in the full text of the bylaw laid out below) would not prevent a Medical Marijuana Treatment Center from operating in Town, nor would it prevent the personal use of marijuana for medical or adult use, in accordance with other laws.

**Full Text of the Bylaw**

**5.11 Permitted Marijuana Establishments**

- 5.11.1 Purpose**
- 5.11.1.1 To prohibit the siting of certain types of Marijuana Establishments that would have adverse impacts in the Town;
  - 5.11.1.2 To provide for the establishment of Permitted Marijuana Establishments (PMEs) in appropriate locations within the Town;
  - 5.11.1.3 To minimize the adverse impacts associated with PMEs on adjacent properties, residential neighborhoods, schools and other places where children congregate, and other land uses potentially incompatible with PMEs; and
  - 5.11.1.4 To regulate the siting, design, placement, security, safety, monitoring, and discontinuance of PMEs.

**5.11.2 Definitions**

In addition to the definitions provided below, the definitions in Section 5.10.1 shall apply equally to this Section 5.11.

Craft Marijuana Cooperative: A Marijuana Cultivator comprised of residents of the Commonwealth and organized as a limited liability company, limited liability partnership, or cooperative corporation under the laws of the Commonwealth, and licensed pursuant to *M.G.L. c.94G* and 935 CMR 500, *et seq.*, to cultivate, obtain, manufacture, process, package or brand cannabis or Marijuana products or to transport Marijuana to Marijuana Establishments, but not to consumers.

Marijuana Cultivator: An entity licensed pursuant to *M.G.L. c.94G* and 935 CMR 500, *et seq.*, to cultivate, process and package Marijuana, and to transfer Marijuana to other Marijuana Establishments, but not to consumers.

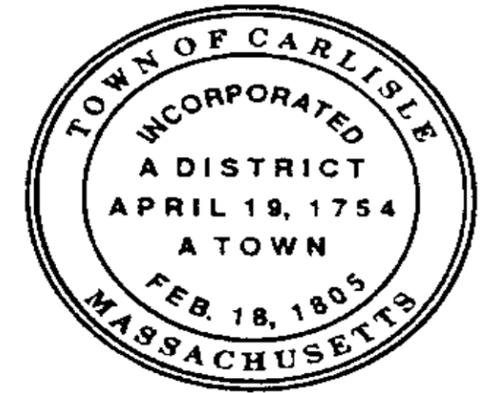
Marijuana Establishment: A marijuana cultivator, marijuana testing facility, marijuana product manufacturer, marijuana retailer, or any other type of marijuana-related business, whether as a principal use, or as an accessory or incidental use thereto, subject to regulation under Chapter 94G of the Massachusetts General Laws; provided, however, that a Medical Marijuana Treatment Center (RMD) shall not be deemed to be a Marijuana Establishment.

**Permitted Marijuana Establishment (PME): A Craft Marijuana Cooperative or a Marijuana Cultivator.**

Special Permit Granting Authority: The Town board charged with the responsibility for granting special permits for PMEs shall be the Carlisle Planning Board ("Planning Board"). The Planning Board may convene an ad hoc committee to assist it in reviewing an application for a PME.

**QUESTION 4 CONTINUED ON BACK, TURN BALLOT OVER**

# Annual Town Election Absentee Ballot



## OFFICIAL BALLOT

*Mary de Alderete*

**Mary de Alderete  
Town Clerk**

**SEE INSTRUCTIONS FOR VOTING**

**TUESDAY,  
MAY 7, 2019**

### 5.11.3 Applicability

- 5.11.3.1 All types of Marijuana Establishments and the commercial cultivation, production, processing, assembly, packaging, retail or wholesale sale, trade, distribution or dispensing of Marijuana is prohibited, unless permitted as an RMD in accordance with Section 5.10 or as a PME in accordance with this Section 5.11.
- 5.11.3.2 No PME shall be established except in compliance with the provisions of this Section 5.11. An RMD seeking to operate as a PME or collocate with a PME shall obtain a new special permit prior to operating as a PME.
- 5.11.3.3 Nothing in this Section 5.11 shall be construed to supersede federal and state laws governing the sale and distribution of narcotic drugs.
- 5.11.3.4 If any provision of this Section 5.11 or the application of such provisions to any person or circumstance shall be held invalid, the remainder of this Section, to the extent it can be given effect, or the application of those provisions to persons or circumstances other than those to which it is held invalid, shall not be affected thereby, and to thus the provisions of this Section are severable.
- 5.11.3.5 PMEs are allowed only in a Business District other than the Carlisle Center Business District, by a special permit granted by the Planning Board, provided the PMEs meets the requirements of this Section 5.11.
- 5.11.3.6 The granting of a special permit under this Section does not supersede federal, state or local laws or exempt an applicant from complying with all relevant federal, state and local requirements.

### 5.11.4 General Requirements and Conditions for all PMEs

- 5.11.4.1 No PMEs shall be located within a building or structure having a gross floor area of more than 20,000 s.f.
- 5.11.4.2 A PME shall not be located within 1,000 feet of any: (i) school or licensed child care facility; (ii) drug or alcohol rehabilitation facility; (iii) correctional facility, half-way house, or similar facility; (iv) public playground, public athletic field or other public recreational land or facility; (v) religious facility; or (vi) any other PME. Distances shall be calculated by direct measurement from the nearest property line of the land used for school or child care establishment or places where minors frequent to the nearest point of the building in which the PME is located.
- 5.11.4.3 Cultivation and storage of Marijuana shall be in a secure, locked area. There shall be no visibility of activities, products or treatment occurring within or on the premises of a PME from the exterior of such facility or premises.
- 5.11.4.4 PMEs shall have a designated contact for purposes of communicating with the Town, and shall provide the Carlisle Police Department and the Building Commissioner with the name, phone numbers and email address of said contact, along with the names, phone numbers and email addresses of all management staff and key holders to whom one can provide notice if there are operating problems associated with the establishment. The special permit shall require as a condition that a designated contact person for the PME shall be required to respond by phone or email within twenty-four hours of the time of contact and inquiry by a town official regarding operation of the PME.
- 5.11.4.5 The PME shall annually file an affidavit with the Building Commissioner demonstrating that it is in good standing with respect to all applicable state licenses and all conditions contained in the special permit.
- 5.11.4.6 The applicant shall hold a Community Outreach Meeting in accordance with the Cannabis Control Commission's regulations and guidance, prior to submission of its application for a special permit.
- 5.11.4.7 All PMEs shall execute a Host Community Agreement with the Town, pursuant to *M.G.L. c.94G, §3*. An RMD seeking to operate or collocate with a PME

shall demonstrate that its existing or amended Host Community Agreement permits operation as a PME, otherwise a new Host Community Agreement shall be executed. All special permits granted pursuant to this Section shall include a condition requiring the PME to comply with the terms of the Host Community Agreement and establish that any violation of the Host Community Agreement shall constitute a violation of the special permit.

- 5.11.4.8 All special permits granted pursuant to this Section shall include a condition requiring the PME to maintain its State issued license or registration in good standing at all times and establish that any suspension or revocation of such license or permit by the Massachusetts Cannabis Control Commission shall constitute a violation of the special permit.
- 5.11.4.9 The term of the special permit shall be determined by the Planning Board but shall be limited to the duration of the applicant's ownership of, or tenancy at, the premises and shall not be transferable. The special permit shall lapse if not exercised within one year of issuance.
- 5.11.4.10 The hours of operation of PMEs shall be set by the Planning Board. In no event shall a PME be open and/or operating between the hours of 8:00 p.m. and 8:00 a.m.
- 5.11.4.11 No smoking, burning or consumption of any product containing Marijuana or Marijuana-related products shall be permitted on the premises of a PME.

### 5.11.5 Special Permit Procedures

- 5.11.5.1 Pre-Application Conference. Applicants are strongly encouraged to meet with the Planning Board at a public meeting to discuss the proposed application for a new PME and to discuss in general terms the proposed PME prior to the formal submission of an application.
- 5.11.5.2 Application, Review and Recommendations. An Applicant seeking a special permit under this section shall file a written application and submit a site plan to the Planning Board, furnishing a copy to the Town Clerk. The Planning Board shall promulgate or amend Rules and Regulations Regarding Special Permits for Permitted Marijuana Establishments ("Rules and Regulations"), which shall be consistent with this Section 5.11 of the Zoning Bylaw. The Rules and Regulations shall further detail the required contents of the application and the process for review of the special permit application. The application shall be submitted in accordance with the requirements of said Rules and Regulations. The applicant shall be required to pay such fees, as determined by the Planning Board, as are necessary to cover any expenses connected with a public hearing and review of the application, including but not limited to the costs of all notices and the employment of outside consultants. Copies of the application shall also be submitted to the Board of Selectmen, the Board of Health, Police Department, and contingent upon their respective jurisdictions over the site, to the Conservation Commission and /or Historical Commission. The foregoing agencies may make recommendations as they deem appropriate and shall send copies thereof to the Planning Board and the applicant; provided that failure of any such agency to make recommendations within thirty five (35) days of receipt by said agency of the application shall be deemed lack of opposition thereto.
- 5.11.5.3 The application and each copy shall meet the application requirements for a special permit per Section 7.2 and as may be adopted by the Planning Board, and should include, at a minimum, the following information:
  - 5.11.5.3.1 The name and address of each owner of the PME;
  - 5.11.5.3.2 A copy of the Community Outreach Meeting Attestation Form;
  - 5.11.5.3.3 Copy of a Host Community Agreement executed pursuant to *M.G.L. c.94G, §3*;
  - 5.11.5.4.4 Copies of any licenses and permits for the PME issued to the applicant by the

### 5.11.6 Notice and Hearing

The Planning Board shall give notice, in a manner provided by Chapter 40A of the General Laws, as amended, of a public hearing to be held within sixty-five (65) days after filing of the application and shall act within ninety (90) days following the public hearing. Failure of the Planning Board to take action within said 90 days shall be deemed to be a grant of the permit applied for.

### 5.11.7 Approval and Findings

A special permit may be issued under this section only if the Planning Board finds that the project is in harmony with the general purpose and intent of this Section. Prior to the issuance of a special permit, the Planning Board shall make the following findings:

- 5.11.7.1 The PME satisfies the requirements of the zoning bylaw;
- 5.11.7.2 The PME meets all of the permitting requirements of all applicable agencies within the Commonwealth of Massachusetts and will be in compliance with all applicable state laws and regulations;
- 5.11.7.3 The PME is designed to minimize any adverse impacts on the residents of the Town with regard to the general safety, welfare, and quality of life in the community (such as, but not limited to, attractive nuisance and noise);
- 5.11.7.4 All Marijuana stored, processed, or cultivated shall be adequately secured in locked areas within the PME; and
- 5.11.7.5 The PME adequately addresses issues of vehicular and pedestrian traffic, circulation, parking and queuing, especially during peak periods at the facility, and adequately mitigates the impacts of vehicular and pedestrian traffic on neighboring uses.

### 5.11.8 Abandonment or Discontinuance of Use

A PME shall be required to remove all material, plants equipment and other paraphernalia prior to surrendering its state issued licenses or permits or within six months of ceasing operations, whichever comes first.

YES \_\_\_\_\_ NO \_\_\_\_\_

Commonwealth of Massachusetts and any of its agencies, as well as a letter explaining the status of any pending license applications with the Cannabis Control Commission;

5.11.5.4.5 Evidence that the applicant has site control and the right to use the site for a PME in the form of a deed or valid purchase and sale agreement, or, in the case of a lease, a notarized statement from the property owner and a copy of the lease agreement;

5.11.5.3.6 In addition to what is normally required in a site plan, details showing all exterior proposed security measures for the premises, including, but not limited to lighting, fencing, gates and alarms to ensure the safety of employees and patrons and to protect the premises from theft or other criminal activity;

5.11.5.3.7 A Management Plan including a description of all activities to occur on site, including all provisions for the delivery of Marijuana and related products;

5.11.5.3.8 Detailed information on the proposed water use and impacts on ground water;

5.11.5.3.9 An Odor Mitigation Plan;

5.11.5.3.10 A traffic impact statement; and

5.11.5.3.11 A Parking Plan.