

# Questions & Answers

*The Milford Board of Selectmen has scheduled a Special Election for Tuesday, March 6.*



## **Why are we having a Special Election?**

The recreational marijuana bylaw approved in the September Special Election is slightly different from the bylaw approved at Town Meeting in October. Because of this difference, the Massachusetts Attorney General recommended that Milford hold another town-wide vote.

### *Here's a summary of the ballot question ...*

General Laws Chapter 94G, Section 3, allows cities and towns in the Commonwealth to approve By-Laws or Ordinances prohibiting certain Marijuana establishments to operate. The question, if voted in the affirmative, would approve the Town Meeting vote of October 30, 2017 to enact Zoning By-Law Amendments which would prohibit the establishment of Marijuana Establishments in Milford, such establishment being defined in Chapter 94G, § 1 as "... a marijuana cultivator, marijuana testing facility, marijuana product manufacturing, marijuana retailer or any other type of licensed marijuana-related business". The one exception would be for certain non-retail sales activity which could be undertaken by entities licensed as Medical Marijuana facilities as of July 1, 2017, and only within the IB Zoning District. **An affirmative vote would not prohibit Medical Marijuana Establishments.**

## **But didn't we already vote on this?**

Yes, in September, 2017, the town voted in favor of a bylaw to prohibit all recreational marijuana business in town. After that vote, the proposed bylaw was sent to Town Meeting as required by law.

At Town Meeting, an amendment was introduced to provide an exemption for two existing medical marijuana businesses in town. By a vote of 171-7, the bylaw (with the amendment) was overwhelmingly supported by Town Meeting members.

Now, to confirm Town Meeting's approval of the amended bylaw, another Special Election is needed.

## **Why did Town Meeting amend the bylaw?**

Town Meeting must vote on any bylaw change. When the ballot question reached Town Meeting, an overwhelming majority of Town Meeting members wanted to protect the two existing medical marijuana businesses.

The amendment allows the two existing businesses to continue to operate in Milford in their designated industrial zone, but not to expand into retail sales.

## **What affect will this amended version have on the bylaw?**

Town Meeting's amendment makes one small change to the bylaw. It provides an exemption to two medical marijuana businesses that are already established in Milford.

If the ballot question passes on March 6, new recreational marijuana businesses – including retail businesses – will NOT be allowed to open in Milford.

## **Which businesses are exempt from this bylaw?**

Two existing Milford businesses – Sira Naturals (formerly Sage Naturals) and ProVerde Laboratories – are exempt from the bylaw. Sira Naturals is a manufacturing and cultivating firm. ProVerde is a testing company. Neither firm is involved in retail sales in Milford.

## **Will they be able to sell marijuana here in Milford?**

No, they would not be allowed to sell retail. The bylaw restricts their business operations to their current industrial zone.

## **Will they be involved in recreational marijuana?**

Both businesses are currently involved in medical marijuana, but under the bylaw, will be allowed to expand into recreational marijuana as part of their current business operations. Retail sales would be prohibited in Milford.

## **Is this second special election really necessary?**

This is new law with no legal precedent in place. While the amended bylaw could be implemented without another election, the state Attorney General felt a second Special Election would fully protect Milford from potential legal challenges.

## **Will a medical marijuana dispensary be allowed to open in Milford?**

Yes, this bylaw applies only to recreational marijuana businesses. Medical marijuana businesses, including dispensaries, would continue to be allowed to operate in Milford per current zoning bylaws.

## **Why does Milford CARES support the amended bylaw?**

Milford CARES began this initiative with the mission of protecting Milford families and children. We recognize that marijuana is now legal in Massachusetts, but the law also allows local municipalities to prohibit and/or regulate recreational marijuana businesses within their communities.

Our goal was to prohibit recreational marijuana businesses in Milford. After the September Special Election, we learned that two existing medical marijuana businesses in town would be negatively impacted by this bylaw.

Because neither business is involved in retail sales, we felt that this exemption was a reasonable request to support our local business community and still achieve our central goal, to prohibit recreational marijuana sales in Milford.

## **Who else is supporting this amended bylaw?**

Town Meeting approved the amended bylaw with a vote of 171-7. All three members of the Milford Board of Selectmen have endorsed the bylaw.



**Milford Community Against  
Recreational Marijuana  
Retail Establishments**

