

DMCTC, Inc.
7 River Road
Whately, MA 01373

April 4, 2023

Whately Planning Board
4 Sandy Lane
Whately, MA 01373

RE: Proposed Zoning Bylaw Change

Dear Board Members,

Enclosed with this letter is the text of an amendment to the Whately Zoning Bylaw that our organization is submitting for consideration by the Town. This proposal would create a new land use category for non-hazardous manufacturing of cannabis products and allow this use in Whately's Commercial zoning district. Today, marijuana manufacturing is allowed in the Industrial zone and the Commercial/Industrial zones, but not in the Commercial zone.

The proposed zoning change is intended to increase business opportunities in Whately's commercial districts and to zone for marijuana manufacturing in a way that more closely aligns with current zoning for other light industrial uses. This land use would allow new and existing businesses in the Commercial zone to add a small-scale, high-value operations that can create new revenues and new jobs in Whately.

The proposed Limited Marijuana Manufacturing land use would allow new business opportunities in Whately. For example, this zoning would allow a business with a commercial kitchen to renovate inexpensively to modify their business for the production of cannabis edibles, or to allow a vacant commercial space to be used for small scale ice bath extraction, packaging, and distribution of cannabis products.

As with any marijuana-related use in Whately, the town boards will have the opportunity to review important operating plans such as security, odor control, energy use, and water use.

The current zoning bylaw makes a distinction between light industrial uses that involve hazardous materials and those that don't. For most general industrial uses, hazardous processes are allowed by special permit in the Industrial and Commercial-Industrial zones, while industrial processes that are non-hazardous are typically allowed by special permit in the Commercial zone. The proposed zoning change is careful to draw a distinction between marijuana manufacturing that utilizes hazardous materials (such as butane, ethanol, and pressurized carbon dioxide) and those that are non-hazardous. Only non-hazardous marijuana manufacturing would be extended into the Commercial zone. These non-hazardous processes are often similar to the kinds of processing a hobbyist home-grower may use. Commercial marijuana manufacturing would be prohibited in any residential zone, just as it is today.

We look forward to discussing the enclosed text at a future public hearing and hope to submit this text for consideration at the next Town Meeting.

Sincerely,

Jared Glanz-Berger
DMCTC, Inc.