



**Planning & Development**  
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**Memo**

Date: February 21, 2023

To: Planning Board

From: Michael G. Livingston, Town Engineer/Planner

Re: Registered Marijuana Dispensary

**Background:**

In 2011 the Town adopted Ordinances for medical marijuana uses as mandated by the State. The State has changed the statutes and is relaxing the distribution and licensing of Registered Marijuana dispensaries. Towns can now apply homerule on these facilities/uses.

Current requirements and definitions adopted in 2011 were based on State statutes and definitions at that time.

One such facility/use transferred an existing State Dispensary license to Wells from another community in 2020 and currently operates on Route 1. Two new applications are currently under review by the Planning Board.

The Board of Selectmen has proposed ordinance changes to limit the number of Dispensaries in the Town to 3 and to be located only along Route One in the General Business District.

The Planning Board conducted a public hearing and has workshopped several recommendations to be included.

**Recommendations:**

- Limit of the number of facilities to 3
- Eliminate the use from the RC District
- Increase the minimum distance to schools and daycares from 1,000 feet to 2,000 feet
- Stand-alone dispensary use to be eliminated
- Eliminate growing, cultivation or manufacturing/production as part of a dispensary use
- Security requirements to specify no access except by a qualified patient or caregiver
- Requirement for opaque windows
- All terminology should be a "Registered medical marijuana dispensary"
- A specific fee should be applied for facilities that do not adhere to the operational requirements of a Dispensary.

See attached draft ordinance changes for consideration.

The Planning Board to consider voting on ordinance change recommendations to be forwarded to the Board of Selectmen.