

COMMONWEALTH OF MASSACHUSETTS

Plymouth ss.

To any of the Constables of the Town of Hull in the County of Plymouth

Greetings:

In the name of the Commonwealth of Massachusetts you are hereby directed to notify and warn the Inhabitants of the Town of Hull qualified to vote on Town affairs and elections to meet at **Hull High School situated at 180 Main Street** in said Hull, on Monday, the **sixth day of May next, 2024** at 7:00 o'clock in the evening, then and there to act upon the following articles, namely:

ARTICLE 1: To hear and act upon the following:

- The Report of the Select Board
- The Report of the School Committee
- The Report of the Fire Department
- The Report of the Police Department
- The Report of the Treasurer/Collector
- The Report of the Town Clerk
- The Report of the Board of Assessors
- The Report of the Municipal Light Board
- The Report of the Trustees of the Public Library
- The Report of the Town Counsel
- The Report of the Retirement Board
- The Report of the Committees
- The Report of the Town Accountant
- The Report of the Board of Health
- The Report of the Planning Board

or take any other action relative thereto. (Inserted by the Select Board)

ARTICLE 2: To see if the Town will assume liability in the manner provided by section 29 of Chapter 91 of the General Laws and amendments thereto, for all damages that may be incurred by work to be performed by the Department of Public Works of Massachusetts and/or the Massachusetts Department of Environmental Protection for the improvement, development, maintenance and protection of tidal and non-tidal rivers and streams, harbors, tidewaters, foreshores and shores along the public beach outside of Boston Harbor and authorize the Select Board or Town Manager to execute and deliver a bond of indemnity therefore to the Commonwealth, or take any other action relative thereto. (Inserted at the request of the Town Manager)

ARTICLE 3: To see if the Town will authorize the Select Board or Town Manager to enter into contracts with the Massachusetts Department of Public Works and/or Commissioner and/or Massachusetts Department of Environmental Protection for the construction or maintenance of seawalls and land areas bordering on tidal waters, for the ensuing year, or take any other action relative thereto. (Inserted at the request of the Town Manager)

ARTICLE 4: To see if the Town will authorize the Select Board to enter into contracts with the Commonwealth of Massachusetts, its divisions, commissions and agencies, including the Department of Public Works and/or the County Commissioners for the construction and maintenance of public highways for the ensuing year, or take any other action relative thereto. (Inserted at the request of the Town Manager)

ARTICLE 5: To see if the Town will authorize the Treasurer/Collector to enter into compensating balance agreements, as permitted by G.L. c.44, §53F, or take any other action relative thereto. (Inserted at the request of the Town Manager)

ARTICLE 6: To see if the Town will vote that all income from sales of electricity to private consumers or for electrical supplies to municipal buildings or for municipal power, and for sales of appliances and jobbing during the next fiscal year, be appropriated for the Municipal Light Department, the whole to be expended by the Town Manager for the expenses of the plant for the next fiscal year, as defined in Section 57 of Chapter 164 of the General Laws and Chapter 8 of the Acts of 1989, as amended, or take any other action relative thereto. (Inserted the request of the Town Manager)

ARTICLE 7: To see if the Town will fix the salaries of the following Town Officers, viz;

Select Board
Moderator
Town Clerk
Assessors
Municipal Light Board

or take any other action relative thereto. (Inserted at the request of the Town Manager)

ARTICLE 8: To see if the Town will raise and appropriate or appropriate and transfer from available funds a sum of money to defray the expenses of Fiscal Year 2025 for:

General Government
Schools

or take any other action relative thereto. (Inserted at the request of the Town Manager)

ARTICLE 9: To see if the Town will raise and appropriate or appropriate and transfer from available funds a sum of money to operate the Harbormaster's Department as a so-called enterprise account, or take any other action relative thereto. (Inserted at the request of the Harbormaster)

ARTICLE 10: To see if the Town will raise and appropriate or appropriate and transfer from available funds a sum of money to operate the Sewer Department as a so-called Enterprise Account, including appropriating retained earnings/surplus revenue for repairs, maintenance and capital improvements, or take any other action relative thereto. (Inserted at the request of the Permanent Sewer Commission)

ARTICLE 11: To see if the Town will raise and appropriate or appropriate and transfer from available funds a sum of money to operate the Cable Television Public, Educational and Governmental Access Fund as a so-called enterprise account, or take any other action relative thereto. (Inserted at the request of the Town Manager)

ARTICLE 12: To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money to pay prior fiscal year's bills not paid due to an insufficiency of

appropriation or late billing, or take any action relative thereto. (Inserted at the request of the Town Manager)

Axon Enterprises	Police	Fiscal Year 2021	\$2,234.00
Axon Enterprises	Police	Fiscal Year 2022	\$3,304.14
Axon Enterprises	Police	Fiscal Year 2022	\$ 375.00
Cannon Electric	Town Buildings	Fiscal Year 2023	\$ 434.65
Cannon Electric	Town Buildings	Fiscal Year 2023	\$1,949.96
Selig Plumbing	Library	Fiscal Year 2021	\$1,600.00
Selig Plumbing	Library	Fiscal Year 2021	\$1,285.00
Selig Plumbing	Library	Fiscal Year 2021	\$ 625.00
Selig Plumbing	Library	Fiscal Year 2021	\$1,215.00
Selig Plumbing	Library	Fiscal Year 2022	\$2,700.00
Selig Plumbing	Library	Fiscal Year 2022	\$1,420.00
Selig Plumbing	Library	Fiscal Year 2023	\$1,125.00

ARTICLE 13A: To see if the Town will appropriate and/or reserve from the Community Preservation annual revenues in the amounts recommended by the Community Preservation Committee for Committee administrative expenses, community preservation projects and other expenses in Fiscal Year 2025, with each item to be considered a separate appropriation, as follows:

From FY 2025 estimated revenues for Historic Resources Reserve	\$ 70,000
From FY 2025 estimated revenues for Community Housing Reserve	\$ 70,000
From FY 2025 estimated revenues for Open Space Reserves	\$ 70,000
From FY 2025 estimated revenues for Committee Administrative Expenses	\$ 30,000

or take any other action relative thereto. (Inserted at the request of the Community Preservation Committee)

ARTICLE 13B: To see if the Town will take the following action and appropriate from the Community Preservation accounts in the amounts recommended by the Community Preservation Committee, as follows:

- a) Appropriate **\$10,000** from the Community Preservation Open Space/Recreation Reserve to be used by the Town of Hull to hire a consultant to conduct a dog park feasibility study in town to establish a location and interest as well as cost, in accordance with the Town’s procurement practices, with the Town of Hull also filing reports on said project with the Community Preservation Committee; and further that the Select Board and Town Manager are authorized to take all related actions necessary or appropriate to carry out this vote.

- b) Appropriate **\$10,000** from the Community Preservation General Fund to be used for an Open Space/Recreation project to be used by the Town of Hull to undertake resurfacing of the exterior red zone of the Kenberma Pickleball Courts located at Kingsley Road Map 28/ Lot 025 or, however it may be designated, in accordance with the Town’s procurement practices, with the Town of Hull also filing reports on said project with the Community Preservation Committee; and further that the Select Board and Town Manager are authorized to take all related actions necessary or appropriate to carry out this vote.

- c) Appropriate **\$20,000** from the Community Preservation General Fund to be used for an Open Space/Recreation project to be used by the Town of Hull to undertake the purchase and installation of "sails" shade structures to be installed at Menice Field located at Nantasket Avenue Map 40/Lot 005, the Dust Bowl, located at Main Street Map 2/Lot 038, and Kenberma Pickleball Courts located at Kingsley Road Map 28/Lot 025, or, however it may be designated, in accordance with the Town's procurement practices, with the Town of Hull also filing reports on said project with the Community Preservation Committee; and further that the Select Board and Town Manager are authorized to take all related actions necessary or appropriate to carry out this vote.
- d) Appropriate **\$25,000** from the Community Preservation General Fund to be used for an Historic project to be used by the Friends of the Paragon Carousel to undertake the restoration of the carousel lights at the Paragon Carousel located at 205 Nantasket Avenue Map 37/Lot 009-A or, however it may be designated, in accordance with the Town's procurement practices, with the Town of Hull also filing reports on said project with the Community Preservation Committee; and further that the Select Board and Town Manager are authorized to take all related actions necessary or appropriate to carry out this vote.
- e) Appropriate **\$7,700** from the Community Preservation General Fund to be used for an Historic project to be used by the Town of Hull to undertake the purchase of Veteran's Memorial Grave Markers to be placed at the Hull Cemetery located at Duck Lane Map 07/Lot 006 or, however it may be designated, in accordance with the Town's procurement practices, with the Town of Hull also filing reports on said project with the Community Preservation Committee; and further that the Select Board and Town Manager are authorized to take all related actions necessary or appropriate to carry out this vote.
- f) Appropriate **\$85,000** from the Community Preservation General Fund to be used for an Historic project to be used by the Hull Lifesaving Museum to undertake the restoration of the building located at 199 Main Street Map 01/Lot 004 or, however it may be designated, in accordance with the Town's procurement practices, with the Town of Hull also filing reports on said project with the Community Preservation Committee; and further that the Select Board and Town Manager are authorized to take all related actions necessary or appropriate to carry out this vote.
- g) Appropriate **\$27,000** from the Community Preservation General Fund to be used for an Historic project to be used by the St. Nicholas United Methodist Church to undertake the restoration of the steeple at the St. Nicholas United Methodist Church located at 128 Spring Street Map 06/Lot 004 or, however it may be designated, in accordance with the Town's procurement practices, with the Town of Hull also filing reports on said project with the Community Preservation Committee; and further that the Select Board and Town Manager are authorized to take all related actions necessary or appropriate to carry out this vote.
- h) To see if the Town will appropriate a sum of money, to be derived from the Community Preservation Fund, to be used by the Town of Hull for the Village Fire Station Historic Preservation and Rehabilitation and Construction Project, so-called, located at 129 Spring Street Map 06/Lot 062 or, however it may be designated, provided that any amounts appropriated hereunder shall reduce by a like amount, the funds previously authorized to be borrowed for this project by vote of the Town adopted under Article 6B(F) of the warrant at the Annual Town Meeting held on May 1, 2023.

or take any other action relative thereto. (Inserted at the request of the Community Preservation Committee)

ARTICLE 14: To see if the Town will vote to accept the provision of G.L. c. 32, 103§(j) inserted by section 19 of Chapter 188 of the Acts of 2010 to increase the maximum base amount on which the COLA adjustment is calculated from \$18,000.00 annually to \$19,000.00 annually, or take any other action relative thereto. (Inserted at the request of the Hull Contributory Retirement Board)

ARTICLE 15: To see if the Town will vote to raise and appropriate, and/or transfer from available funds, a sum of money to be added to the Stabilization Fund, or take any other action relative thereto. (Inserted at the request of the Town Manager)

ARTICLE 16: To see if the Town will vote to appropriate the sum of \$3,836,117.50, received in legal settlement proceeds for the February 2013 storm damage to the Wastewater Treatment Facility for repairs, replacements, and upgrades associated with the Wastewater Treatment Facility and collection system per the provisions of G.L. c. 44, §53, or take any other action relative thereto. (Inserted at the request of the Town Manager)

ARTICLE 17: To see if the Town will vote to raise and appropriate, and/or transfer from available funds, a sum of money for the costs associated with the additional costs to complete the Crescent Beach Seawall and Revetment Project, including construction, engineering, design, legal expenses, and related expenses, and the claims of *RC&D v. Hull; Hull v. RC&D and Hull v. Allied World Insurance Company* regarding the Crescent Beach Seawall and Revetment Project and dispute, or take any other action relative thereto. (Inserted at the request of the Town Manager)

ARTICLE 18: To see if the Town will vote, pursuant to G.L. c. 40, §5B, to create a special purpose stabilization fund for the funding of capital improvements and projects, to be known as the Capital Stabilization Fund, and further, to see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of money to said Capital Stabilization Fund, or take any other action relative thereto. (Inserted at the request of the Town Manager)

ARTICLE 19: To see if the Town will replace current Chapter 111, et. seq. Capital Outlay Committee, with the following:

Chapter 111. Capital Improvement Planning Committee

§111-1. Establishment; Membership.

There shall be a Capital Improvement Planning Committee ("Committee"), which shall perform the duties set forth in the following sections of this chapter and shall be governed by the provisions thereof. Said Committee shall consist of seven (7) members plus the Town Accountant. The Committee shall be appointed by the Select Board and composed of one member of the Advisory Board, one member of the Select Board, one member of the Planning Board, the School Superintendent or designee, the Town Manager or designee, and two citizens of the Town appointed by the Select Board. The Town Accountant shall be an ex-officio Committee staff member without voting privileges and shall not be counted for quorum purposes. The Committee shall choose its own officers and shall serve without compensation.

§111-2. Appointments.

[Amended 5-8-2021 ATM by Art. 6B]

A. Members so appointed shall be appointed following the conclusion of the Annual Town Meeting and shall serve for the fiscal year following appointment, except those appointed after the start of the fiscal year shall serve for the remainder of that fiscal year. Said members may be reappointed for successive terms.

B. Members of boards serving on said Committee shall be appointed annually by their respective Boards. Said members may be reappointed for successive terms.

§111-3. Vacancies.

Whenever any vacancy shall occur in the Committee, it shall be filled by the appointing authority which appointed the member whose position shall have become vacant. Any person appointed to fill a vacancy in the Committee shall hold office for the unexpired term of the person whom he or she succeeds.

§111-4. Powers and duties.

It shall be the duty of the Committee to ascertain annually what capital improvement projects will be required by the Town during the next five years. In making this determination, it may consult with Town, county, federal and state officials and with other boards and committees of the Town.

The Committee shall study proposed capital projects and improvements involving major, nonrecurring, tangible projects and assets which:

- 1) are purchased, leased, lease-purchased or similar procurement or undertaken at intervals of not less than five years;
- 2) have a useful life of at least five years; and
- 3) cost over \$50,000.

Capital Improvement Plan: All officers, boards, and committees, including the Select Board and School Committee, shall, by January 15th of each year, give to the Town Manager, for presentation to the Committee, information concerning all anticipated projects requiring Town Meeting action during the ensuing five years. The Committee shall consider the relative need, impact, timing, and cost of these expenditures and the effect that each will have on the town's financial position.

Annual Report: The Committee shall prepare an annual report recommending a capital improvement budget for the next fiscal year and a capital improvement program with recommended capital improvements for the following four fiscal years. The report shall be submitted to the Town Manager and presented to the Select Board at the annual Draft Town Budget presentation.

Reporting: The Committee shall publish and distribute to each voter electronically and/or in print an annual report and such further reports as it deems advisable, and shall include in such reports its estimates of income, operational expenses and tax rates, and its recommendations for scheduling capital outlays and for the financing of such outlays as in its judgment cannot be or should not be paid for entirely out of the current revenues and available funds. The Committee shall file its original report with the Town Clerk.

or take any other action relative thereto. (Inserted at the request of the Town Manager)

ARTICLE 20: To see if the Town will vote to create and establish an Opioid Special Revenue Fund authorized by Chapter 77 of the Acts of 2023 and to transfer from free cash the sum of \$86,438 to be added to said Special Revenue Fund, or take any other action relative thereto. (Inserted at the request of the Town Manager)

ARTICLE 21: To see if the Town will raise and appropriate, transfer from available funds, and/or borrow a sum of money to pay costs of a feasibility study for a new public safety facilities combined, including the payment of all costs incidental or related thereto; or to take any other action relative thereto. (Inserted at the request of the Town Manager)

ARTICLE 22: To see if the Town will raise and appropriate, transfer from available funds, and/or borrow a sum of money to pay costs of equipping and outfitting the Hull Community Television Media Center, and any other costs incidental or related thereto; to authorize the Town Manager to apply for and accept grants and gifts to accomplish said projects and purposes, which amounts shall be spent in addition to the funds appropriated under this vote; and to authorize the Select Board or Town Manager to enter into agreements and take any other action necessary to carry out said projects, or take any other action relative thereto. (Inserted at the request of the Town Manager)

ARTICLE 23: To see if the Town will raise and appropriate, transfer from available funds, and/or borrow a sum of money to pay costs of the design and construction of repairs and improvements to the Pemberton Float, and any other site improvements, equipment and any other costs incidental or related thereto; to authorize the Town Manager to apply for and accept grants and gifts to accomplish said projects and purposes, which amounts shall be spent in addition to the funds appropriated under this vote; and to authorize the Select Board or Town Manager to enter into agreements and take any other action necessary to carry out said projects, or take any other action relative thereto. (Inserted at the request of the Town Manager)

ARTICLE 24: To see if the Town will raise and appropriate, transfer from available funds, and/or borrow a sum of money to pay costs of the design and construction of repairs and improvements to the Hull Memorial School and the related costs of relocating the Town Hall Administrative Offices and other Town Offices and Departments to the Hull Memorial School, and any other site improvements, equipment and any other costs incidental or related thereto; to authorize the Town Manager to apply for and accept grants and gifts to accomplish said projects and purposes, which amounts shall be spent in addition to the funds appropriated under this vote; and to authorize the Select Board to enter into agreements and take any other action necessary to carry out said projects, or take any other action relative thereto. (Inserted at the request of the Town Manager)

ARTICLE 25A: To see if the Town will raise and appropriate, transfer from available funds, and/or borrow a sum of money to pay costs of the design and construction of repairs and improvements to the Nantasket Avenue seawall, revetment and related coastal access infrastructure, and any other shore protection projects, including any related land acquisition costs, site improvements, landscaping, equipment and any other costs incidental or related thereto; to authorize the Town Manager to apply for and accept grants and gifts to accomplish said projects and purposes, which amounts shall be spent in addition to the funds appropriated under this vote; or take any other action relative thereto. (Inserted at the request of the Town Manager)

ARTICLE 25B: To see if the Town will authorize the Select Board to acquire by gift, purchase, eminent domain or otherwise portions of the properties at Assessor's Map 09-47, 09-048 and any other property within 1,000 feet thereto for general municipal purposes, and for all purposes and uses accessory thereto, including but not limited to construct, repair, maintain and improve a road, utilities, dune, seawall, shore protection devices and infrastructure systems, to protect persons and property, to provide protection from storms or sea level rise, to enable and facilitate public and municipal access to and use of said area, all as relates to the Fitzpatrick Way Seawall Project; and to accomplish same raise and appropriate and/or appropriate and/or transfer from available funds or borrow a sum of money; and to authorize the Town Manager to apply for and accept grants and gifts to accomplish said projects and purposes; and to authorize the Town to enter into agreements for said projects and purposes, or take any other action relative thereto. (Inserted at the request of the Town Manager)

ARTICLE 26: To see if the Town will vote to accept the provision of G.L. c. 200A, §9A for managing of the Town Treasurer's checking accounts, or take any other action relative thereto. (Inserted at the request of the Town Manager)

ARTICLE 27: To see if the Town will vote to accept the provisions of G.L. c. 59, §5, Clause 54, exempting personal property from taxation if less than an amount of \$10,000, as established by Town Meeting; and further, by establishing such minimum value of personal property subject to taxation as \$10,000, beginning in FY26, or take any other action relative thereto. (Inserted at the request of the Board of Assessors)

ARTICLE 28: To see if the Town will amend Chapter 233 of the Code/Bylaws of the Town of Hull, Conservation, by adding the following new sections, to be numbered as indicated or by the Town Clerk:

A. §233-6. [Procedures.]

Unless otherwise exempted by law, applications for a hearing before the Conservation Commission are required and a hearing held, before conducting any activities that may impact natural resources protected by the Massachusetts Wetlands Act (G.L. C.131, §40) and/or other applicable law. These procedures are detailed in 310 CMR 10.05 and other applicable law. After-the-fact applications for the following procedures have additional Conservation Commission administrative fees:

(a) Notice of Intent (NOI)

A NOI is a standard application for a proposed activity which is likely to impact on a site or nearby wetland resource areas. The Conservation Commission is the town appointed body responsible for review of a NOI. The information supplied with the NOI is the primary data base used in making decisions on wetlands projects. Complete and accurate submissions minimize possible delays to secure necessary information.

(b) Request for Determination of Applicability (RDA)

Any person who would like a formal decision as to whether the Conservation Commission has jurisdiction over a specific area or a proposed activity (or both) may file a RDA with the Conservation Commission.

B. §233-7. [After-The-Fact Fees.]

(a) Payments to the Town of Hull in accordance with the fee schedule established herein or otherwise provided for by law shall accompany all after-the-fact NOIs and RDAs. Fees are payable at the time of application and are nonrefundable.

(b) The applicant is responsible for payment of the fee or cost to provide public notice for publishing in the local newspaper.

(c) After-the-Fact-Fee Schedule:

Filing fee for any after-the-fact RDA and NOI shall be **in addition** to the Commonwealth of Massachusetts fee (310 CMR 10.03(7) associated with the NOI application (Mass Dept. of Environmental Protection WPA Form 3), set forth as follows:

Requests for Determination of Applicability		\$ 50.00
Notice of Intent*	Category 1	\$100.00
	Category 2	\$275.00
	Category 3	\$550.00
	Category 4	\$750.00
	Category 5	\$ 3.00/ foot (Not less than \$100.00)
	Category 6	\$ 3.00/ foot (Not less than \$100.00)

*[Notice of Intent Categories] (from Mass DEP Form wpa3inst.doc, ref. 1/03/13):

CATEGORY 1: \$100.00

- a) Work on Single Family Lot: addition, pool, etc.
- b) Site work without house.
- c) Control vegetation (SFH): removal, herbicide, etc.
- d) Resource improvement.
- e) Work on septic system separate from house.
- f) Monitoring well activities minus roadway.

CATEGORY 2: \$275.00

- a) Construction of Single Family House (SFH).
- b) Parking lot.
- c) Beach nourishment.
- d) Electric Generating Facility activities.
- e) Inland Limited Projects minus road crossings.
- f) New agricultural or aqua-cultural projects.
- g) Each crossing for driveway to SFH.
- h) Any point source discharge.

CATEGORY 3: \$550.00

- a) Site preparation (for development beyond NOI scope).
- b) Each building (for development) including site.
- c) Road construction not crossing or driveway.
- d) Hazardous clean up.

CATEGORY 4: \$750.00

- a) Each crossing for development or commercial road.
- b) Dam, sluiceway, tide gate work.
- c) Landfill.
- d) Sand and gravel operation.
- e) Railroad line construction.
- f) Control vegetation in development (SFH).
- g) Bridge (SFH).
- h) Water level variation.
- i) Hazardous waste alterations to resource area.
- j) Dredging.
- k) Package treatment plant & discharge.

CATEGORY 5: \$3.00 per linear foot (\$100.00 minimum)

- a) Docks, piers, revetments, dikes, etc.

CATEGORY 6: \$3.00 per linear foot (\$100.00 minimum)

- a) Boundary delineations for wetlands resources

or take any other action relative thereto. (Inserted by the Climate Adaption & Conservation Department)

ARTICLE 29: To see if the Town will amend the Zoning Bylaw to establish §410-3.2.A(8) Accessory Dwelling Units; establish §410-4.10 ACCESSORY DWELLING UNITS; and amend §410-5.1 Table 50 as follows:

§410-3.2. Single-Family Residence Districts A, B and C

A. Permitted uses for Single-Family Residence Districts A, B and C

(8) Accessory Dwelling Units, subject to the requirements of §410-4.10 of this Zoning Bylaw.

§410-4.10 ACCESSORY DWELLING UNITS

A. PURPOSE:

The purpose of this Bylaw is to provide:

- (1) Accessory dwelling units without significantly adding to the number of buildings in the Town or substantially altering the appearance of the residential property and for the purpose of enabling owners of single-family dwellings to share space and the burdens of homeownership with others while also protecting the stability, property values and residential character of the surrounding neighborhood.
- (2) Owner occupants of single-family homes with a means of obtaining rental income, companionship, and/or security, thereby enabling them to remain more comfortably in homes and neighborhoods they might otherwise be forced to leave;
- (3) A limited number of Accessory Dwelling Units via special permit which allows for orderly development and ultimately limited impact on the community;
- (4) The Town the ability to monitor Accessory Dwelling Unit (ADU) construction and use for code compliance.

B. DEFINITIONS:

ACCESSORY DWELLING UNIT (ADU)

A self-contained housing unit incorporated within a single-family dwelling and clearly subordinate in size to the principal dwelling in a manner that maintains the character and structural appearance of a single-family dwelling consistent with the provisions of §410-4.10 and G.L. Chapter 40A §1A Definition of "Accessory Dwelling Unit."

Principal Dwelling

For the purposes of this §410-4.10 is a single-family dwelling exclusive of the area that constitutes the Accessory Dwelling Unit (ADU).

A single-family dwelling with an Accessory Dwelling Unit (ADU) shall not be deemed to be a two-family dwelling.

C. PROCEDURES

- (1) Accessory Dwelling Units created under this by-law shall require a special permit from the Board of Appeals.
- (2) The owner shall submit an application for a building permit for an Accessory Dwelling Unit, along with building plans, and survey and site plans of the existing and proposed conditions, to the Building Commissioner for review.
- (3) If the Building Commissioner determines the proposed ADU is in compliance with this zoning bylaw §410-4.10, and all code requirements for residential use the application may be submitted to the Board of Appeals for review and decision.

D. GENERAL CONDITIONS

Any Permit for an Accessory Dwelling Unit (ADU) issued pursuant to this §410-4.10 shall be subject to, and shall incorporate the following conditions:

(1) Owner Occupation

- (a) The owner of the single-family dwelling shall occupy either the principal dwelling or the ADU as the owner's primary residence. Temporary absences of the owner for a period of not more than six months in the aggregate in any twelve- month period and active military service of the owner for any length of time shall not be deemed a violation of this requirement provided that the dwelling units may only be occupied by family members of the owner during the owner's absence.
- (b) The owner shall recertify annually, by submission of a notarized affidavit to the Building Commissioner: that the owner shall continue to occupy either the principal dwelling or the ADU as the owner's primary residence, except for bona fide temporary absence as provide above in subsection D(1)(a).
- (c) Upon the sale or other conveyance or transfer of a single-family dwelling which has been issued an ADU Permit, the new owner shall, within thirty (30) days of such transfer, submit a notarized affidavit to the Building Commissioner certifying that the owner will continue to occupy either the principal dwelling or the ADU as the owner's primary residence and comply with all conditions of the ADU Use, if the owner intends to maintain the ADU permit.

(2) ADU Limit

- (a) As of the date that the application for a Permit for an Accessory Dwelling Unit is filed, the total number of ADU Permits shall not exceed 100.
 - (b) ADU Permits shall be restricted to ten (10) per calendar year as determined by the Building Commissioner
- (3) Compliance – The owner shall recertify annually, by application for Board of Health Housing Code Division Certificates of Occupancy and comply with the rules and regulations of the Board of Health.
- (4) Transfer - Neither the principal dwelling nor the Accessory Dwelling Unit may be sold or otherwise conveyed or transferred separately from the other.
- (5) Short Term Rental - A Principal Dwelling or Accessory Dwelling Unit shall not be used for boarding and lodging, or other commercial use. A Principal Dwelling or ADU may be rented for periods not shorter than 6 months at a time, and are prohibited from any use as rental units on a weekly or daily basis.

E. DIMENSIONAL AND DESIGN REQUIREMENTS:

Any special permit for an Accessory Dwelling Unit (ADU) issued pursuant to this §410-4.10 shall be subject to, and shall incorporate the following conditions:

- (1) Any property/structure that has received a special permit or variance to expand square footage of the structure after the date of adoption of the ADU bylaw is not eligible for an ADU special permit.

- (2) An Accessory Dwelling Unit shall not be larger in floor area than ½ the floor area of the principal dwelling or 900 square feet, whichever is smaller.
- (3) An Accessory Dwelling Unit shall not have more than two bedrooms.
- (4) An Accessory Dwelling Unit shall not create an undue burden on the neighborhood.
- (5) An Accessory Dwelling Unit shall not be metered separately from the principal dwelling for electric, gas, water, or sewer utilities serving the single-family dwelling.
- (6) The parking requirement for an ADU is one off-street parking space per bedroom in addition to the minimum required two off-street parking spaces for a single-family dwelling, which shall be provided on the premises, as per Section 410-5.2.A. Table 55 Parking.
- (7) Any new entrance for the Accessory Dwelling Unit or the principal dwelling shall be located on the side or in the rear of the single-family dwelling, and all stairways to upper stories shall be enclosed within the exterior walls of the single-family dwelling, so as to be less visible from the street.
- (8) Additional or modified landscaping, fences or other buffers may be necessary to protect abutting properties from potential negative visual or auditory impacts of the ADU.

F. SEVERABILITY:

All the clauses of this bylaw are distinct and severable, and if any clause shall be deemed illegal, void or unenforceable, it shall not affect the validity, legality, or enforceability of any other clause or portion of this bylaw.

§410-5.1 Table 50 (addition is underlined)

	SF-A	SF-B	SF-C
Maximum Number of Dwelling Units per Lot	1+ <u>ADU</u>	1+ <u>ADU</u>	1+ <u>ADU</u>

or take any other action relative thereto. (Inserted at the request of the Planning Board)

ARTICLE 30: To see if the Town will amend the Zoning Bylaw §4.10-2.2 Meaning of Words; §4.10-4.1 Site Plan Review; the Hull Zoning Map, and any other sections necessary in the effort to comply with G.L. c. 40A §3A “MBTA Communities Zoning Law” so called as follows:

(~~Strikethrough~~ language to be removed/underlined language to be included)

§4.10-2.2 Meaning of Words:

FAMILY

One or more persons (no maximum) related by blood, marriage, or adoption and including domestic employees occupying a dwelling unit and living together as a single housekeeping unit ; or a group not exceeding four persons, who need not be related by blood, marriage, or adoption occupying a dwelling unit and living together as a single housekeeping unit

§4.10-4.1 Site Plan Review

§4.10-4.1.A:

- A. Purpose:** The purpose of the site plan review process is to protect the health, safety, convenience and general welfare of Town residents by providing for a review of plans for uses, buildings and structures which may have significant impacts on traffic, municipal and public services and utilities, environmental quality, community economics and community values in the Town.

Site Plan Review requirements shall not be construed to prevent compliance with G.L c. 40A §3A.

§4.10-4.1.C(5)(a):

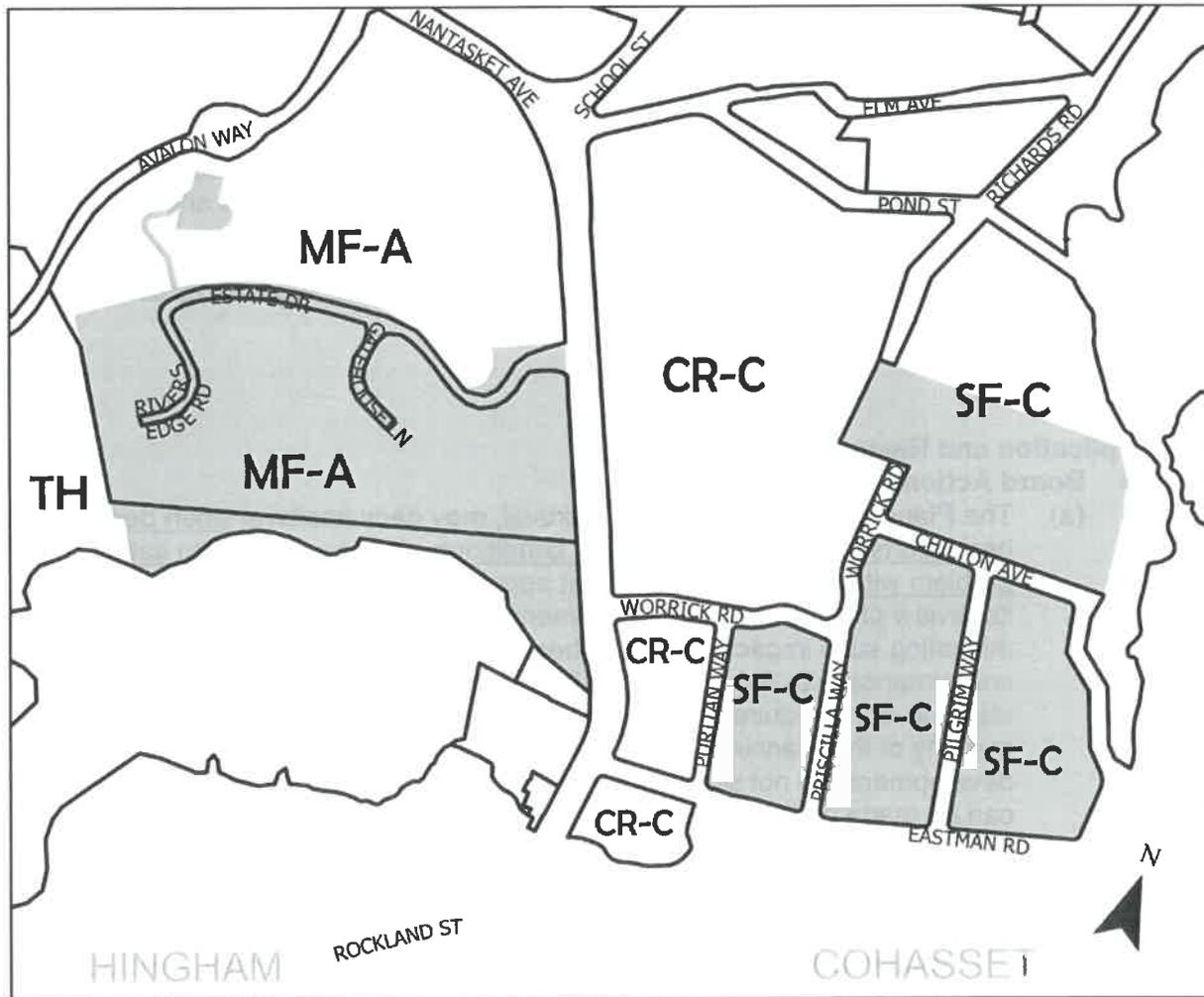
C. Application and Review Procedure

(5) Board Actions:

- (a)** The Planning Board may grant approval, may deny approval when despite best efforts, no form of reasonable conditions could be devised to satisfy the problem with the plan, or may grant approval with special conditions, based on its review of the projected development impacts and the proposed methods of mitigating such impacts, and whether the proposed development is in conformance with Subsection D, Design Guidelines. The Planning Board may also waive the requirements for site plan review if, in the opinion of a two-third majority of the Planning Board, the adverse impacts of the proposed development are not significantly greater than the impacts of uses which are or can be made of the site under existing laws and regulations.

ZONING MAP AMENDMENTS

1. Expansion of Commercial Recreation C (CRC) district as shown in warrant to include Block-Lots (50-024, 50-043, 50-040, 50-072, 50-053, 42-100, 50-059, 50-076, 50-007, 50-046, 50-066)
2. Expansion of Commercial Recreation B (CRB) district as shown in warrant to include Block-Lots (39-900, 38-005, 38-024, 38-025, 39-184)
3. Expansion of Multi-Family B (MFB) district as shown in warrant to include Block-Lots (49-070, 59-100, 59-200, 48-033)



EXISTING ZONING

- SF-C** Single Family C
- MF-A** Multi-Family A
- TH** Townhouse
- CR-C** Commercial Recreation C

**PROPOSED
COMMERCIAL RECREATION - C
EXPANSION
REPRESENTED BY GREY AREA**

**Zoning Map Amendment 1
WEST CORNER
Existing and Proposed Conditions**



EXISTING ZONING

- MF-A** Multi-Family A
- CR-B** Commercial Recreation B

**PROPOSED
COMMERCIAL RECREATION - B
EXPANSION
REPRESENTED BY GREY AREA**

**Zoning Map Amendment 2
NANTASKET BEACH
Existing and Proposed Conditions**



EXISTING ZONING

- MF-A** Multi-Family A
- MF-B** Multi-Family B
- SF-B** Single-Family B

**PROPOSED
MULTI-FAMILY B
EXPANSION
REPRESENTED BY GREY AREA**

Zoning Map Amendment 3 ATLANTIC HILL Existing and Proposed Conditions

Nothing in this bylaw shall be construed in a manner to prevent compliance with G.L. c.40A, §3A. or take any other action relative thereto. (Inserted at the request of the Planning Board)

ARTICLE 31: To see if the Town will amend the Zoning Bylaws to establish a Floodplain Overlay District Bylaw as follows, with numbering to be done by the Town Clerk if necessary:

§410-3.8 Floodplain District.

- A. The Floodplain District is herein established as an overlay district. The District includes all special flood hazard areas designated on the Plymouth County Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency for the administration of the National Flood Insurance Program, effective date July 3, 2024. These maps indicate the 1%-chance regulatory floodplain. The exact boundaries of the District shall be defined by the 1%-chance base flood elevations shown on the Plymouth County FIRM and further defined by the Plymouth County Flood Insurance Study (FIS) report effective date July 3, 2024. The effective FIRM and FIS report are incorporated herein by reference and are on file with the Town Clerk, Planning Board, Building Commissioner, and Climate Adaptation & Conservation Department.
- B. Use Regulations: The use regulations governing the Floodplain District of Hull are in §410-4.2, Floodplain District use and development regulations, of these zoning Bylaws. Important state regulations concerning floodplain areas are referenced therein.

§410-4.2. Floodplain District use and development.

- A. The purpose of the Floodplain Overlay District is to:
- 1) Ensure public safety through reducing the threats to life and personal injury.
 - 2) Eliminate new hazards to emergency response Commissioners.
 - 3) Prevent the occurrence of public emergencies resulting from water quality, contamination, and pollution due to flooding.
 - 4) Avoid the loss of utility services which if damaged by flooding would disrupt or shut down the utility network and impact regions of the community beyond the site of flooding.
 - 5) Eliminate costs associated with the response and cleanup of flooding conditions.
 - 6) Reduce damage to public and private property resulting from flooding waters.
 - 7) Preserve the natural flood control characteristics and the flood storage capacity of the floodplain.
 - 8) Minimize potential loss of life, destruction of property, and environmental damage resulting from the projected impacts of a warming climate, including extreme rain events and relative sea level rise.

B. Designation of Floodplain Administrator

The Town of Hull hereby designates the position of Floodplain Administrator to be the *Building Commissioner* for the Town. In the event the Building Commissioner is not available, the Director of Climate Adaptation and Conservation shall act the Administrator or such other administrative employee designated by the Town Manager.

C. Permit Requirements

The Town of Hull requires a permit for all proposed construction or other development in the floodplain overlay district, including new construction or changes to existing buildings, placement of manufactured homes, placement of agricultural facilities, fences, sheds, storage facilities or drilling, mining, paving and any other development that might increase flooding or adversely impact flood risks to other properties. Hull's permit review process includes the requirement that the applicant obtain all local, state and federal permits that will be necessary in order to carry out the proposed development in the floodplain overlay district. The applicant must acquire all necessary permits, and must demonstrate that all necessary permits have been acquired.

- (1) All development in the district, including structural and non-structural activities,

whether permitted by right, by special permit or by variance, must be in compliance with Chapter 131, Section 40 of the Massachusetts General Laws and with the following:

- (a) Sections of the Massachusetts State Building Code (780 CMR) which address floodplain and coastal high hazard areas;
- (b) Wetlands Protection Regulations, Department of Environmental Protection (DEP) (currently 310 CMR 10.00);
- (c) Inland Wetlands Restriction, DEP (currently 310 CMR 13.00);
- (d) Coastal Wetlands Restriction, DEP (currently 310 CMR 12.00);
- (e) Minimum Requirements for the Subsurface Disposal of Sanitary Sewage, DEP (currently 310 CMR 15, Title 5);

Permit applicants in the Floodplain Overlay District shall be made aware of future flood risk including the projected frequency and depth of flooding as shown on the Hull's MC-FRM "2.4 Foot Sea Level Rise" map dated 05/19/2022, and on the "1.2 Foot Sea Level Rise Flood Depth" map dated 05/19/2022, or the most current version of the MC-FRM (or latest state-adopted projection models), on file with the Town Clerk, Building Commissioner, Planning Board, and Department of Climate Adaptation and Conservation. Applications for new construction and/or substantial improvement of 3 or more residential units, new construction and/or substantial improvement of non-residential structures shall include (1) a narrative, on a form designated by the Town, describing proposed methods to minimize future flood impacts to the property and surrounding areas, and (2) if relevant, include on site plans 1%-chance BASE FLOOD elevation predicted for 2.4 Foot Sea Level Rise. The future flood risk maps and GIS data layers are for planning purposes. Building Code flood resistant regulations apply only to the FEMA FIRMs.

D. Floodway Encroachment

In Zones A, A1-30, and AE, along watercourses that have not had a regulatory floodway designated, the best available Federal, State, local, or other floodway data shall be used to prohibit encroachments in floodways which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.

In Zones A1-30 and AE, along watercourses that have a regulatory floodway designated on the Town's FIRM encroachments are prohibited, including fill, new construction, substantial improvements, and other development within the adopted regulatory floodway unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the base flood discharge.

E. Unnumbered A Zones

In A Zones, in the absence of FEMA BFE data and floodway data, the Building Department will obtain, review and reasonably utilize base flood elevation and floodway data available from a Federal, State, or other source as criteria for requiring new construction, substantial improvements, or other development in Zone A as the basis for elevating residential structures to or above base flood level, for flood-proofing or elevating nonresidential structures to or above base flood level, and for prohibiting encroachments in floodways.

F. AO and AH Zones Drainage Requirements

Within Zones AO and AH on the FIRM, adequate drainage paths must be provided around structures on slopes, to guide floodwaters around and away from proposed structures.

G. Subdivision Proposals

All subdivision proposals and development proposals in the floodplain overlay district shall be reviewed to assure that:

- (a) Such proposals minimize flood damage.
- (b) Public utilities and facilities are located & constructed so as to minimize or eliminate flood damage.
- (c) Adequate drainage is provided to reduce exposure to flood hazards.

When proposing subdivisions or other developments in the Federal Floodplain District greater than 50 lots or 5 acres (whichever is less), the applicant must provide technical data to determine base flood elevations for each developable parcel shown on the design plans.

H. Recreational Vehicles

In A1-30, AH, AE Zones, V1-30, VE, and V Zones, all recreational vehicles to be placed on a site must be elevated and anchored in accordance with the zone's regulations for foundation and elevation requirements or be on the site for less than 180 consecutive days or be fully licensed and highway ready.

I. Protection of Dunes

Man-made Alteration of sand dunes within the Zone VE which would increase potential flood damage are is prohibited. All new construction within Zone VE must be located landward of the reach of mean high tide.

J. Watercourse Alterations

In a riverine situation, the Floodplain Administrator shall notify the following of any alteration or relocation of a watercourse:

- Adjacent Communities, especially upstream and downstream
- Bordering States, if affected
- NFIP State Coordinator
Massachusetts Department of Conservation and Recreation
- NFIP Program Specialist
Federal Emergency Management Agency, Region I

K. Requirement to Submit New Technical Data

If the Town acquires data that changes the base flood elevation in the FEMA mapped Special Flood Hazard Areas, the Town will use its best efforts, within 6 months, to notify FEMA of these changes by submitting the technical or scientific data that supports the change(s). Notification shall be submitted to:

- NFIP State Coordinator
Massachusetts Department of Conservation and Recreation
- NFIP Program Specialist
Federal Emergency Management Agency, Region I

L. Variances to Building Code Floodplain Standards

The Town will request from the State Building Code Appeals Board a written and/or audible copy of the portion of the hearing related to the variance, and will maintain this record in the community's files.

The Town shall also issue a letter to the property owner regarding potential impacts to the annual premiums for the flood insurance policy covering that property, in writing over the signature of the Floodplain Administrator that (i) the issuance of a variance to construct a

structure below the base flood level will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage and (ii) such construction below the base flood level increases risks to life and property. Such notification shall be maintained with the record of all variance actions for the referenced development in the floodplain overlay district.

M. Variances to Local Zoning Ordinances Related to Community Compliance with the National Flood Insurance Program (NFIP).

A variance from these floodplain ordinances must meet the requirements set out by State law and may only be granted if: 1) Good and sufficient cause and exceptional non-financial hardship exist; 2) the variance will not result in additional threats to public safety, extraordinary public expense, or fraud of the public; and 3) the variance is the minimum action necessary to afford relief.

N. Abrogation and Greater Restriction

The floodplain management regulations found in this Floodplain Overlay District shall take precedence over any less restrictive conflicting Zoning Ordinance provision.

O. Disclaimer of Liability

The degree of flood protection required by this ordinance is considered reasonable but does not imply total flood protection. Nothing contained herein or any act taken or not taken relative to this bylaw shall be construed to be a specific assurance of safety or assistance.

P. Severability

If any section, provision, or portion of this ordinance is deemed to be unconstitutional or invalid by a court, the remainder of the ordinance shall be effective.

Q. Definitions

AREA OF SPECIAL FLOOD HAZARD — means the land in the floodplain within a community subject to a 1% or greater chance of flooding in any given year. The area may be designated as Zone A, AO, AH, A1-30, AE, A99, V1-30, VE or V.

BASE FLOOD — means the flood having a 1% chance of being equaled or exceeded in any given year.

COASTAL HIGH HAZARD AREA — means an area of special flood hazard extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources. The area is designated on a FIRM as Zone V, V1-30, VE.

DEVELOPMENT — means any man-made change to improved or unimproved real estate, including but not limited to building or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials. [US Code of Federal Regulations, Title 44, Part 59]

FLOOD INSURANCE RATE MAP (FIRM) — means an official map of a community on which FEMA has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

FLOOD INSURANCE STUDY (FIS) — means an examination, evaluation and determination of flood hazards, and if appropriate, corresponding water surface elevations or an examination, evaluation and determination of flood-related erosion hazards.

FLOODWAY — means the channel of the river, creek or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively

increasing the water surface elevation more than a designated height. [International Building Code, Chapter 2, Section 202]

FUNCTIONALLY DEPENDENT USE — means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities. [US Code of Federal Regulations, Title 44, Part 59] Also [Referenced Standard ASCE 24-14]

HIGHEST ADJACENT GRADE — means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure. [US Code of Federal Regulations, Title 44, Part 59]

HISTORIC STRUCTURE — means any structure that is:

- (a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- (b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- (c) preservation programs which have been approved by the Secretary of the Interior; or)
- (d) Individually listed on a state inventory of historic places in states with historic preservation programs that have been certified either:
 - (1) By an approved state program as determined by the Secretary of the Interior or
 - (2) Directly by the Secretary of the Interior in states without approved programs.

[US Code of Federal Regulations, Title 44, Part 59]

NEW CONSTRUCTION — means structures for which the start of construction commenced on or after the effective date of the first floodplain management code, regulation, ordinance, or standard adopted by the authority having jurisdiction, including any subsequent improvements to such structures. *New construction includes work determined to be substantial improvement.* [Referenced Standard ASCE 24-14]

RECREATIONAL VEHICLE — means a vehicle which is:

- (a) Built on a single chassis;
- (b) 400 square feet or less when measured at the largest horizontal projection;
- (c) Designed to be self-propelled or permanently towable by a light duty truck; and
- (d) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

[US Code of Federal Regulations, Title 44, Part 59]

REGULATORY FLOODWAY - see FLOODWAY.

SPECIAL FLOOD HAZARD AREA — means the land area subject to flood hazards and shown on a Flood Insurance Rate Map or other flood hazard map as Zone A, AE, A1-30, A99, AR, AO, AH, V, VO, VE or V1-30. [Base Code, Chapter 2, Section 202]

START OF CONSTRUCTION — means the date of issuance for new construction and substantial improvements to existing structures, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement or other improvement is within 180 days after the

date of issuance. The actual start of construction means the first placement of permanent construction of a building (including a manufactured home) on a site, such as the pouring of a slab or footings, installation of pilings or construction of columns.

Permanent construction does not include land preparation (such as clearing, excavation, grading or filling), the installation of streets or walkways, excavation for a basement, footings, piers or foundations, the erection of temporary forms or the installation of accessory buildings such as garages or sheds not occupied as dwelling units or not part of the main building. For a substantial improvement, the actual "start of construction" means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building. [Base Code, Chapter 2, Section 202]

STRUCTURE — means, for floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank that is principally above ground, as well as a building, other than a gas or liquid storage tank that is principally above ground and affixed to a permanent site, as well as a manufactured home on foundation. For the latter purpose, the term includes a building while in the course of construction, alteration or repair, but does not include building materials or supplies intended for use in such construction alteration or repair, unless such materials or supplies are within an enclosed building on the premises.

SUBSTANTIAL DAMAGE — means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT — means any repair, reconstruction, rehabilitation, addition or improvement of a building or structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the improvement or repair is started. If the structure has sustained substantial damage, any repairs are considered substantial improvement regardless of the actual repair work performed. The term does not, however, include either:

1. Any project for improvement of a building required to correct existing health, sanitary or safety code violations identified by the Building Commissioner and that are the minimum necessary to assure safe living conditions.
2. Any alteration of a historic structure provided that the alteration will not preclude the structure's continued designation as a historic structure. [Base Code Section 1612.2]

SUBSTANTIAL REPAIR OF A FOUNDATION — means when work to repair or replace a foundation results in the repair or replacement of a portion of the foundation with a perimeter along the base of the foundation that equals or exceeds 50% of the perimeter of the base of the foundation measured in linear feet, or repair or replacement of 50% of the piles, columns or piers of a pile, column or pier supported foundation, the Building Commissioner shall determine it to be substantial repair of a foundation. Applications determined by the Building Commissioner to constitute substantial repair of a foundation shall require all existing portions of the entire building or structure to meet the requirements of 780 CMR. [As amended by MA in 9th Edition BC]

VARIANCE — means a grant of relief by a community from the terms of a flood plain management regulation. [US Code of Federal Regulations, Title 44, Part 59]

VIOLATION — means the failure of a structure or other development to be fully compliant with the community's flood plain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in §60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided. [US Code of Federal Regulations, Title 44, Part 59]

ZONE AE — means area of special flood hazard with water surface elevations determined.

ZONE AO — means area of special flood hazards having shallow water depths and/or unpredictable flow paths between (1) and (3) ft. (Velocity flow may be evident; such flooding is characterized by ponding or sheet flow.)

ZONE VE — means area of special flood hazards, with water surface elevations determined and with velocity, that is inundated by tidal floods (coastal high hazard area).

A variance from this FP Bylaw must meet the requirements set out by State law and may only be granted if a good and sufficient cause and exceptional non-financial hardship exist; 2) the variance will not result in additional threats to public safety, extraordinary public expense, or fraud or victimization of the public; and 3) the variance is the minimum action necessary to afford relief.

or take any other action relative thereto. (Inserted by the Building Commissioner and the Director of Climate Adaptation and Conservation)

Article 32-A Marijuana Zoning Bylaw Amendment: To see if the Town will amend the Zoning Bylaw §410-3.13 Marijuana Overlay District in order to limit marijuana establishments to retail only, limit the number of retailers to two (2) by special permit, and to add language to further regulate Marijuana Retail Establishments and Medical Marijuana Treatment Centers by Special Permit; and have Town Clerk renumber sections and subsections as necessary, as follows:

(~~Strikeout~~ language is proposed to be removed / underlined language is proposed to be included)

§410-3.13 Marijuana Overlay District.

All marijuana related uses (medical and/or recreational) are prohibited outside the boundaries of the Marijuana Overlay District.

- A. **Purpose.** The purpose of the Marijuana Overlay District (MOD) is to provide for the placement and regulation of Marijuana related uses as authorized pursuant to State regulations with a goal of minimizing potential adverse impacts on adjacent property owners, neighborhoods, and the Town in general.
- B. **Definitions.**

MARIJUANA ESTABLISHMENT

A marijuana cultivator, independent testing laboratory, marijuana product manufacturer, ~~marijuana retailer~~ or any other type of licensed marijuana related business. Does not include ~~Registered Marijuana Dispensaries~~ Medical Marijuana Treatment Centers or Marijuana Retail Establishments.

To the extent required the following prohibition may be subject to a Referendum.

Prohibition: Consistent with G.L. c. 94G, §3(a)(2), all types of “Marijuana Establishments” as that term is defined in G.L. c. 94G, §1 and 935 CMR 500, including, marijuana cultivators, craft marijuana cooperatives, marijuana product manufacturers, independent testing laboratories, marijuana transporters or any other type of licensed marijuana-related businesses, shall be prohibited within the Town of Hull; provided however, that this prohibition shall not apply to Marijuana Retail Establishments as defined in §410-3.13 of the Zoning Bylaw.

This prohibition shall also not apply to the sale, distribution, or cultivation of marijuana for medical purposes by a “Medical Marijuana Treatment Center” as defined in §410-3.13 of the Zoning Bylaw.

MARIJUANA RETAIL ESTABLISHMENT

An entity licensed to purchase, repackage, white label, and transport marijuana or marijuana product from marijuana establishments, and to transfer this product to marijuana establishments and to sell to consumers.

Maximum Retail Establishments: The number of Marijuana Retail Establishments permitted to be located within the Town of Hull shall not exceed two (2).

MARIJUANA PRODUCT

Products that have been manufactured and contain marijuana or an extract from marijuana, including concentrated forms of marijuana and products composed of marijuana and other ingredients that are intended for use of consumption, including edible products, beverages, topical products, ointments, oils and tinctures.

~~REGISTERED MARIJUANA DISPENSARIES~~

~~Entity and facility registered under 105 CMR 725.100 that acquires, cultivates, possesses, processes, transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to registered qualifying patients or their personal caregivers.~~

MEDICAL MARIJUANA TREATMENT CENTER (MTC)

Formerly known as a Registered Marijuana Dispensary (RMD), means an entity licensed under 935 CMR 501.101 that acquires, cultivates, possesses, Processes (including development of related products such as Edibles, MIPs, Tinctures, aerosols, oils, or ointments), Repackages, transports, sells, distributes, delivers, dispenses, or administers Marijuana, products containing Marijuana, related supplies, or educational materials to Registered Qualifying Patients or their Personal Caregivers for medical use. Unless otherwise specified, MTC refers to the site(s) of dispensing, cultivation, and preparation of Marijuana for medical use.

C. Authority and Establishment

- (1) The Planning Board shall be the Special Permit and Site Plan Review Granting Authority for uses in the MOD.
- (2) The boundaries of the MOD are shown on the Town of Hull Zoning Map on file with the Town Clerk.
- (3) Within the MOD all requirements of the underlying districts remain in effect, except where these regulations provide an alternative to such requirements. If the provisions of the MOD are silent on a zoning regulation, the requirements of the underlying district shall apply. If the provisions of the MOD conflict with the requirements of the underlying district, then the provisions of the MOD shall control.

D. Special Permit and Site Plan Review Administration and Procedures

- (1) All proposals for any marijuana related facility within the MOD are required to obtain both Special Permit and Site Plan Review approval.
- (2) Special Permit and Site Plan Applicants for Medical Marijuana Treatment Centers ~~Registered Marijuana Dispensaries~~; see Subsection F.
- (3) Special Permit and Site Plan Applicants for Marijuana Retail Establishments see Subsection G.

- (4) The Planning Board shall act as Special Permit and Site Plan Review Granting Authority for the MOD, following the procedures for Special Permits specified in §410-3.5A(2)(a)[4], [5], [6], [9], [12], [13], [14], [15], [16] and [17] of this Zoning Bylaw and Site Plan Review under §410-4.1.
- E. Severability. If any provision of this by-law shall be found invalid for any reason, such invalidity shall be construed as narrowly as possible, and the balance of the Section shall be deemed to be amended to the minimum extent necessary, so as to secure the purposes thereof, as set forth in Subsection A hereof.
- F. **MEDICAL MARIJUANA TREATMENT CENTERS (MTC) REGISTERED MARIJUANA DISPENSARIES (MEDICAL MARIJUANA)**. Applicants seeking approval to operate an MTC -Registered Marijuana Dispensaries (RMD) within the MOD shall proceed under the following regulations:
- (1) Use Regulations. ~~Registered Marijuana Dispensaries~~ MTCs are allowed only within the set boundaries of the MOD.
 - (2) Host Agreement. Prior to application with the Planning Board applicants shall ~~negotiate~~ execute a host agreement or host agreement waiver with the Select Board.
 - (3) Application. In addition to the materials required under §410-3.5A(2) of the Zoning By-Law, the application for a Special Permit RMD MTC shall include:
 - (a) Disclosure Statement - A notarized statement signed by the organization's Chief Executive Officer and corporate attorney disclosing all of its designated representatives, including officers and directors, shareholders, partners, members, managers, directors, officers or other similarly-situated individuals and entities and their addresses. If any of the above are entities rather than persons, the Applicant must disclose the identity of all such responsible individual persons for such entity.
 - (b) Description of Activities - A narrative describing the type and scale of all activities that will take place on the proposed site, including, but not limited to on-site sales of marijuana or marijuana infused products, off-site deliveries, distribution of educational materials, and other programs or activities.
 - (c) Floor Plans - A floor plan of the premises of the proposed RMD MTC that identifies the square footage available and describes the functional areas of the RMD MTC.
 - (d) Site Plans - A plan or plans depicting all proposed development on the property as required under §410-4.1 of this bylaw.
 - (e) Service Area - A map and narrative describing the area proposed to be served by the RMD MTC and the anticipated number of clients that will be served within that area. This description shall indicate where any other RMD MTC exists or have been proposed within the expected service area.
 - (f) Transportation and Parking Analysis - A quantitative analysis, prepared by a qualified transportation specialist acceptable to the Planning Board, modeling the expected origin and frequency of client and employee trips to the site, the expected modes of transportation used by clients and

- employees, and the frequency and scale of deliveries to and from the site.
- (g) Context Map - A map depicting all lots and land uses within a 500-foot radius of the premises.
 - (h) Building Elevations and Signage - Architectural drawings of all exterior building facades and all proposed signage, specifying materials and colors to be used.
 - (i) Registration Materials: RMD MTC shall be registered by the Massachusetts Department of Public Health (~~DPH~~) Cannabis Control Commission and copies of the application materials issued for the purpose of seeking registration included in the application to the Town.
 - (j) Letters from the Police and Fire Departments indicating that they have reviewed the application materials and approve for the safety and security measures of the RMD MTC.
 - (k) Executed host agreement or host community agreement waiver.
- (4) Dimensional Regulations. Dimensional Regulations are governed by the underlying zoning or applicable overlay district.
- (5) Special Permit Criteria. In granting a Special Permit for a RMD MTC, in addition to the general criteria for issuance of a Special Permit as set forth in §410-3.5A(2) of this Zoning By-Law, the Planning Board shall find that the following criteria are met:
- (a) The building or buildings in which RMD MTC activities take place shall not be located within, on the same lot as, or on a lot adjacent to a licensed pharmacy or within buildings that contain any pharmacy, medical doctor offices or the offices of any other professional practitioner authorized to prescribe the use of medical marijuana, which exist as of the effective date of this amendment to the Zoning By-Law.
 - (b) The RMD MTC shall establish policies and procedures to ensure that no marijuana is smoked, eaten or otherwise consumed or ingested on the Premises.
 - (c) The hours of operation shall be set by the Planning Board, but in no event shall a RMD MTC be open to the public, nor shall any sale or other distribution of marijuana occur upon the Premises or via delivery from the Premises, between the hours of 8:00 p.m. and 8:00 a.m.
 - (d) The RMD MTC 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.
 - (e) The MTC Premises have been shall be designed to be compatible with other buildings in the area and to mitigate any adverse visual or design impacts that might result from required security measures and restrictions on visibility into the building's interior.
 - (f) The RMD MTC provides a secure indoor waiting area for individuals and clients.

- (g) The site is designed such that it provides convenient, safe and secure access and egress for clients and employees arriving to and leaving from the site using all modes of transportation, including drivers, pedestrians, bicyclists and public transportation users.
 - (h) Traffic generated by client trips, employee trips, deliveries to and from the RMD MTC, and parking and queuing especially during peak periods at the RMD MTC, shall not create a substantial adverse impact on nearby uses.
 - (i) ~~Buffer Zone: An RMD MTC or Marijuana Establishment shall not be sited within a radius of 500 feet of an existing, licensed daycare center; a school or a playground dedicated to the primary use by or for children; a facility where the primary use is a video arcade; or the Paragon Carousel. The 500-foot distance shall be measured in a straight line from the nearest point of that portion of a lot dedicated to the use of any of the activities (e.g., Marijuana Establishment, school, playground, etc.), so, by way of example and not limitation, if the Marijuana Establishment is located in a multi-tenanted building and a playground is located in or on a portion of a larger lot, the line would be measured from the closest exterior portion of the Marijuana Establishment premises to the nearest point of the portion of the lot used for playground purposes. The buffer zone distance of 500 feet shall be measured in a straight line from the geometric center of the RMD MTC Marijuana Establishment Entrance to the geometric center of the nearest applicable Entrance, unless there is an Impassable Barrier (as that term is defined by 935 CMR 500.002) 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 Retail Establishment RMD MTC Entrance to the geometric center of the nearest applicable Entrance.~~
- (6) Special Permit Conditions. The Planning Board shall impose conditions reasonably appropriate to improve site design, traffic flow, public safety, air quality, and preserve the character of the surrounding area and otherwise serve the purpose of this Section. In addition to any specific conditions applicable to the Applicant's RMD MTC, the Planning Board shall include the following conditions in any Special Permit granted under this Section:
- (a) Hours of Operation, including dispatch of home deliveries.
 - (b) ~~The Special Permit shall be limited to the current Applicant and shall lapse if the permit holder ceases operating the RMD.~~
 - (c) The Special Permit shall lapse upon the expiration or termination of the Applicant's registration by DPHCCC.
 - (d) The permit holder shall provide to the Building Commissioner, Police and Fire Departments, and the Board of Health, the name, telephone number and electronic mail address of a contact person in the event that such person needs to be contacted after regular business hours to address an urgent issue. Such contact information shall be kept updated by the permit holder.
 - (e) The designated contact person(s) shall notify in writing the Police and Fire Departments, Building Commissioner, Board of Health, and the Planning Board within a minimum 12 hours following a violation, a potential violation,

or any attempts to violate any applicable law, or any criminal, potential criminal, or attempted criminal activities as a RMD MTC permitted under this Section.

- (f) The designated representatives shall file an annual report (annually from the issuance of a Certificate of Occupancy) with the Office of Community Development providing a copy of all current applicable state licenses for the RMD MTC and to demonstrate continued compliance with the conditions of the Special Permit.
- (g) ~~A Marijuana Establishment~~ An MTC licensed after July 1, 2017 shall not convert to a Marijuana Retail Establishment without following the Special Permit and Site Plan Review procedures outlined in Subsection ~~H §410-3.13.G~~.
- (h) If the Planning Board determines that the provided parking is not adequate to address the observed demand after operations have commenced the applicant agrees to meet with the Planning Board to explore options and make best efforts to resolve the issue.

G. MARIJUANA RETAIL ESTABLISHMENTS (RECREATIONAL MARIJUANA)

~~The Planning Board may grant a special permit to a Marijuana Establishment and/or an applicant for a standalone adult use retail license to authorize adult use retail sales, subject to execution of a new Host Community Agreement, submission of new applications for site plan approval and special permit satisfying all of the requirements of Section 410-3.13H.~~

~~§410-3.13.H-~~

~~Applicants seeking approval to operate a Marijuana Retail Establishment, which definition specifically includes a Marijuana Retailer, as both are defined in Chapter 309-2, within the MOD shall proceed under the following regulations:~~

- (1) Use Regulations. Marijuana Retail Establishments are allowed only within the set boundaries of the MOD pursuant to a Special Permit and Site Plan Approval. The Planning Board shall be the Special Permit Granting Authority.
- (2) Host Community Agreement or Host Community Agreement Waiver. Prior to submitting an application with the Planning Board, applicants shall ~~negotiate~~ execute a host community agreement or host community agreement waiver with the Board of Selectmen Select Board.
- (3) Application. In addition to the materials required under §410-3.5A(2) of the Zoning By-Law, the application for a Special Permit for a Marijuana Retail Establishment shall include:
 - (a) Disclosure Statement - A notarized statement signed by the organization's Chief Executive Officer and corporate attorney disclosing all of its designated representatives, including officers and directors, shareholders, partners, members, managers, directors, officers or other similarly-situated individuals and entities and their addresses. If any of the above are entities rather than persons, the Applicant must disclose the identity of all such responsible individual persons for such entity.
 - (b) Description of Activities - A narrative describing the type and scale of all activities that will take place on the proposed site, including, but not limited to on-site sales of marijuana or marijuana infused products, off-site

deliveries, distribution of educational materials, and other programs or activities.

- (c) Floor Plans - A floor plan of the premises of the proposed Marijuana Retail Establishment that identifies the square footage available and describes the functional areas of the Marijuana Retail Establishment.
 - (d) Site Plans – A plan or plans depicting all proposed development on the property as required under §410-4.1 of this bylaw.
 - (e) 45 Service Area- A map and narrative describing the area proposed to be served by the Marijuana Retail Establishment and the anticipated number of clients that will be served within that area. This description shall indicate where any other Marijuana Retail Establishment exists or have been proposed within the expected service area.
 - (f) Transportation and Parking Analysis – A quantitative analysis, prepared by a qualified transportation specialist acceptable to the Planning Board, modeling the expected origin and frequency of client and employee trips to the site, the expected modes of transportation used by clients and employees, and the frequency and scale of deliveries to and from the site.
 - (g) Context Map – A map depicting all lots and land uses within a 500 feet and any marijuana related land uses within a 2500-foot radius of the premises.
 - (h) Building Elevations and ~~Signage~~ – Architectural drawings of all exterior building facades ~~and all proposed signage~~, specifying dimensions, materials and colors to be used.
 - (i) Licensure Materials – Marijuana Retail Establishments shall be licensed by the Cannabis Control Commission ~~and copies of the application materials issued for the purpose of seeking licensure included in the application to the Town.~~ A Marijuana Retail Establishment’s Cannabis Control Commission application shall be included in the application to the Town. A statement outlining how the proposed project complies with the Cannabis Control Commission’s regulations and process for approval shall be included.
 - (j) Letters from the Police and Fire Departments indicating that they have reviewed the application materials ~~and approve for~~ the safety and security measures of the Marijuana Retail Establishment.
 - (k) Executed host community agreement or host community agreement waiver.
 - (l) Signage - Drawings of all proposed signage specifying location, illumination, dimensions, materials and colors to be used and details of sign construction.
- (4) Dimensional Regulations. Dimensional Regulations are governed by the underlying zoning or applicable overlay district.
- (5) Special Permit Criteria. In granting a Special Permit for a Marijuana Retail Establishment, in addition to the general criteria for issuance of a Special Permit as set forth in §410-3.5A(2) of this Zoning By-law, the Planning Board shall find that the following criteria are met:
- (a) The building or buildings in which Marijuana Retail Establishment activities take place shall not be located within, on the same lot as, or on a lot adjacent to a licensed pharmacy or within buildings that contain any pharmacy, medical doctor offices or the offices of any other professional practitioner authorized to prescribe the use of medical marijuana, which exist as of the effective date of this amendment to the Zoning By-Law. This shall not prohibit a Marijuana Retail Establishment from collocating with a MTC.

- (b) The Marijuana Retail Establishment shall establish policies and procedures to ensure that no marijuana is smoked, eaten or otherwise consumed or ingested on the Premises.
- (c) The hours of operation shall be set by the Planning Board, but in no event shall a Marijuana Retail Establishment be open to the public, nor shall any sale or other distribution of marijuana occur upon the Premises or via delivery from the premises, between the hours of 8:00 p.m. and 8:00 a.m.
- (d) The Marijuana Retail Establishment meets all of the permitting requirements of all applicable agencies within the Commonwealth of Massachusetts and will be in compliance with all applicable state and local laws and regulations.
- (e) ~~The Premises-Marijuana Retail Establishment~~ have has been designed to be compatible with other buildings in the area and to mitigate any adverse visual or design impacts that might result from required security measures and restrictions on visibility into the building's interior.
- (f) The ~~46~~ Marijuana Retail Establishment provides a secure indoor waiting area for individuals and clients.
- (g) Site is designed such that it provides convenient, safe and secure access and egress for clients and employees arriving to and leaving from the site using all modes of transportation, including drivers, pedestrians, bicyclists and public transportation users.
- (h) Traffic generated by client trips, employee trips, deliveries to and from the Marijuana Retail Establishment, and parking and queuing especially during peak periods at the Marijuana Retail Establishment, shall not create a substantial adverse impact on nearby uses.
- (i) Buffer Zones:
 - [1] A Marijuana Retail Establishment Entrance may not be closer than 500 feet from the nearest ~~School~~ Entrance (as that term is defined by 953 CMR 500.002) of any schools (k-12), daycares centers, video arcades, the Paragon Carousel and playgrounds dedicated for the use of children. ~~(a)~~The buffer zone distance of 500 feet shall be measured in a straight line from the geometric center of the Marijuana Establishment Entrance to the geometric center of the nearest ~~School~~ applicable Entrance, unless there is an Impassable Barrier (as that term is defined by 935 CMR 500.002) 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 Retail Establishment Entrance to the geometric center of the nearest ~~School~~ applicable Entrance.
 - [2] A Marijuana Retail Establishment shall be a minimum distance of 2,500 feet from the location of another Marijuana Retail Establishment or MTC, measured from the two closest points on the lots where these establishments are to be located. This is not meant to prohibit a single facility from containing both a Marijuana Retail Establishment and an MTC.
- (j) Marijuana Retail Establishments shall be located only in a permanent, enclosed building and not within any mobile facility. All sales shall be conducted either within the building or by home delivery pursuant to applicable state regulations. There shall be no "drive through windows" or

openings of any kind allowing the purchase of marijuana or marijuana products to consumers outside of an enclosed structure.

- (k) Signage/Lighting. Marijuana Retail Establishments shall conform to the signage requirements of §410-7.1 of the Zoning Bylaw. The Planning Board may impose additional restrictions on signage, as appropriate, to mitigate any aesthetic impacts.

- (6) Special Permit Conditions. The Planning Board shall impose conditions reasonably appropriate to improve site design, traffic flow, public safety, air quality, and to preserve the character of the surrounding area and otherwise serve the purpose of this Section. In addition to any specific conditions applicable to the Applicant's Marijuana Retail Establishment, the Planning Board shall include the following conditions in any Special Permit granted under this Section:

- (a) Hours of Operation, including dispatch of home deliveries.
- (b) ~~Special Permit shall be limited to the current Applicant and shall lapse if the permit holder ceases operating the Marijuana Establishment.~~
- (c) Special Permit shall lapse upon the expiration or termination of the Applicant's license by the Cannabis Control Commission.
- (d) The Permit holder shall provide to the Building Commissioner, Police and Fire Departments, Town Manager, Select Board, and the Board of Health, the name, telephone number and electronic mail address of a contact person in the event that such person needs to be contacted after regular business hours to address an urgent issue. Such contact information shall be kept updated by the permit holder.
- (e) The permit holder shall notify the Town Manager, Select Board, Zoning Enforcement Officer and Planning Board in writing within 48 hours of the cessation of operation of the Marijuana Retail Establishment's expiration or termination of the permit holder's license with the Cannabis Control Commission.
- (f) The designated contact person(s) shall notify in writing the Police and Fire Departments, Town Manager, Select Board, Building Commissioner, Board of Health, and the Planning Board within a minimum 12 hours following a violation, a potential violation, or any attempts to violate any applicable law, or any criminal, potential criminal, or attempted criminal activities as a Marijuana Retail Establishment permitted under this Section.
- (g) The designated representatives shall file an annual report (annually from the issuance of a Certificate of Occupancy) with the Office of Community Development and Planning providing a copy of all current applicable state licenses for the ~~17~~ Marijuana Retail Establishment and to demonstrate continued compliance with the conditions of Special Permit.
- (h) If Planning Board determines that provided parking is not adequate to address observed demand after operations have commenced the applicant agrees to meet with the Planning Board to explore options and make best efforts to resolve the issue.
- (i) No marijuana shall be smoked, eaten or otherwise consumed or ingested on the premises.
- (j) The Marijuana Retail Establishment operations shall not create nuisance conditions in parking areas, sidewalks, streets and areas surrounding its premises and adjacent properties. "Nuisance" includes, but is not limited to, disturbances of the peace, open public consumption of marijuana, excessive

pedestrian or vehicular traffic, odors emanating from the Marijuana Retail Establishment's premises, electrical lighting, illegal drug activity under State or local law, harassment of passersby, excessive littering, excessive loitering, illegal parking, excessive loud noises, excessive citation for violations of State traffic laws and regulations and/or Transportation Division Rules and Regulations, queuing of patrons (vehicular or pedestrian) in or other obstructions of the public way (sidewalks and streets), collisions between vehicles, bicyclists, and pedestrians, lewd conduct or police detentions and arrests.

- (k) Any Marijuana Retail Establishment that the Special Permit Granting Authority determines has become a nuisance for any reason may be found in violation of the Special Permit.

or take any other action relative thereto.

Article 32-B Marijuana General Bylaw Amendment : To see if the Town will amend the General By-law §309 Marijuana Establishments in order to update §309-2 Definitions, §309-3 Marijuana Retail Establishment Cap, §309-4 General Requirements, and amend specific terms throughout the bylaw as follows:

(Strikeout language is proposed to be removed / underlined language is proposed to be included)

§309 Marijuana Establishments Uses

Throughout §309 except in §309-2 Definitions, the following terms shall be substituted:

"Marijuana Establishment" substituted with "Marijuana Retail Establishment or MTC"

"Marijuana Establishments" substituted with "Marijuana Retail Establishments or MTCs"

§309-2 Definitions.

See G.L. c. 94G, §1, and G.L. c. 94I, §1, and the regulations promulgated thereunder by the Commonwealth of Massachusetts, for definitions of applicable terms. This section specifically adopts the following definitions consistent with G.L. c. 94G, §1, and 935 CMR 500, as they may be amended:

CCC

The Massachusetts Cannabis Control Commission, or its successor.

MARIJUANA

All parts of any plant of the genus Cannabis, not excepted below and whether growing or not; the seeds thereof; and resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture or preparation of the plant, its seeds or resin, including tetrahydrocannabinol as defined in section 1 of chapter 94C; provided, however, that "marijuana" shall not include (1) the mature stalks of the plant, fiber produced from the stalks, oil, or cake made from the seeds of the plant, any other compound, manufacture, salt derivative, mixture or preparation of the mature stalks, fiber, oil or cake made from the seeds of the plant or the sterilized seed of the plant that is incapable of germination; (2) hemp; or (3) the weight of any other ingredient combined with marijuana to prepare topical or oral administrations, food, drink or other products. Marijuana also includes marijuana products except where the context clearly indicates otherwise.

MARIJUANA CULTIVATOR

~~An entity licensed by the CCC to cultivate, process, and package marijuana, to deliver~~

~~marijuana to marijuana establishments and to transfer marijuana to other marijuana establishments, but not to consumers.~~

MARIJUANA ESTABLISHMENT

~~A marijuana retailer, marijuana product manufacturer, marijuana cultivator, independent testing laboratory, standards laboratory, marijuana research facility, marijuana transporter, marijuana micro-business, or any other type of marijuana-related business that has been duly licensed by the CCC.~~

A marijuana cultivator, independent testing laboratory, marijuana product manufacturer, or any other type of licensed marijuana related business. Does not include Medical Marijuana Treatment Centers (MTC) or Marijuana Retail Establishments.

MARIJUANA ESTABLISHMENT AGENT

A board member, director, employee, executive, manager, or volunteer of a Marijuana Establishment, who is 21 years of age or older. "Employee" includes a consultant who provides on-site services to a Marijuana Establishment related to the cultivation, harvesting, preparation, packaging, storage, testing, or dispensing of marijuana.

MARIJUANA INDEPENDENT TESTING LABORATORY

~~An entity licensed by the CCC to test marijuana and marijuana products consistent with G.L.c. 94G, including certification for potency and the presence of contaminants.~~

MARIJUANA MICRO-BUSINESS

~~A Marijuana Establishment licensed by the CCC to act as a co-located licensed Marijuana Cultivator in an area less than 5,000 square feet, a licensed Marijuana Product Manufacturer, and a licensed Marijuana Delivery Service in compliance with operating procedures for each such license.~~

MARIJUANA PRODUCT MANUFACTURER

~~An entity licensed by the Commonwealth to obtain, manufacture, process and package marijuana and marijuana products, to deliver marijuana and marijuana products to marijuana establishments and to transfer marijuana and marijuana products to other marijuana establishments, but not to consumers.~~

MARIJUANA PRODUCTS

Products that have been manufactured and contain marijuana or an extract from marijuana, including concentrated forms of marijuana and products composed of marijuana and other ingredients that are intended for use or consumption, including edible products, beverages, topical products, ointments, oils and tinctures.

MARIJUANA RESEARCH FACILITY

~~An entity licensed by the CCC to engage in research projects, including cultivation, purchase or acquisition otherwise of marijuana for the purpose of conducting research regarding marijuana and marijuana products. A marijuana research facility may be academic institutions, nonprofit corporations and domestic corporations or entities authorized to do business in Massachusetts. A marijuana research facility may hold a CCC marijuana retailer license to sell marijuana and marijuana products.~~

MARIJUANA RETAILER ESTABLISHMENT

~~An entity licensed by the commonwealth to purchase and deliver marijuana and marijuana products from marijuana establishments and to deliver, sell or otherwise transfer marijuana and marijuana products to marijuana establishments and to consumers.—~~

An entity licensed to purchase, repackage, white label, and transport marijuana or marijuana product from marijuana establishments, and to transfer this product to marijuana establishments and to sell to consumers.

MARIJUANA SOCIAL CONSUMPTION OPERATOR

A Marijuana Retailer licensed by the Massachusetts Cannabis Control Commission to purchase marijuana and marijuana products from marijuana establishments and to sell marijuana and marijuana products on its premises only to consumers or allows consumers to consume marijuana and marijuana products on its premises only.

~~MARIJUANA TRANSPORTER~~

~~An entity, not otherwise licensed by the CCG, that is licensed by the CCG to purchase, obtain and possess marijuana and marijuana products solely for the purpose of transporting, temporary storage, sale and distribution to marijuana establishments, not for sale to consumers.~~

MEDICAL MARIJUANA TREATMENT CENTER (MTC)

A not-for-profit entity Medical Marijuana Treatment Center registered under 105 CMR 725.100, also known as a Registered Marijuana Dispensary (RMD), that acquires, cultivates, possesses, processes (including development of related products such as edible marijuana-infused products, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to registered qualifying patients or their personal caregivers for medical use. Unless otherwise specified, RMD refers to the site(s) of dispensing, cultivation, and preparation of marijuana for medical use.

~~STANDARDS LABORATORY~~

~~A laboratory meeting the requirements of the independent testing laboratory that is licensed by the Massachusetts Cannabis Control Commission as a standards laboratory to ensure consistent and compliant testing by the independent testing laboratories.~~

§309-3 Cap on the number of ~~marijuana retailers~~ Marijuana Retail Establishments

The number of ~~permits~~ licenses issued pursuant to this section to ~~marijuana retailers~~ Marijuana Retail Establishments shall not exceed two.

§309-4 General requirements for marijuana establishments.

B. Operational Requirements

(1) General

- (a) With the exception of medical marijuana cultivation conducted pursuant to a special permit issued under the Town's zoning by-law and this general bylaw, all ~~marijuana establishments'~~ Marijuana Retail Establishments or MTCs licensed operations shall be conducted within a building or structure.

or take any other action relative thereto.

ARTICLE 33: To see if the Town will authorize the Select Board to acquire by gift, purchase, eminent domain or otherwise the property known as "Beach Avenue" fifty (50) feet in width or an interest therein or a portion thereof, abutting easterly along the properties located at Assessors Parcels 19-050 (169 Beach Avenue); 25-077 (33 Malta Street); 27-012 (31 Beach Avenue) for general municipal purposes, and for all purposes and uses accessory thereto, including but not limited to construct, repair, maintain and improve a road, utilities, dune, and infrastructure system, to protect persons and property, to provide protection from storms or sea level rise, to enable and

facilitate public and municipal access to and use of the beach; and to accomplish same raise and appropriate and/or appropriate and/or transfer from available funds or borrow a sum of money; and to authorize the Town the Town to enter into agreements for said projects and purposes, or take any other action relative thereto. Nothing contained in this article or any action there under shall be construed to indicate that the Town does not already own or have sufficient interests in the property. Any action taken under this article is intended to remove any clouds on the Town's rights and/or to establish and affirm the Town's rights, or take any other action relative thereto. (Inserted at the request of the Town Manager)

ARTICLE 34: Opiod Settlement Abatement Fund to the Town of Hull, Ma From the state of Massachusetts. To set forth a committee per state statute guidelines of the Opiod Abatment Fund

Direct the Selectboard to set up a committee for the Opiod Abatement Fund granted to the Town of Hull from the state of Massachusetts per the guidelines set forth by the state to comprise of people in opiod recovery ,also include first responders IE: Police and Fire pesonnel Chiefs or thier designee , Board of health agent or designee . For the best use of the funds IE: Recovery ,prevention ,collaboration between first responders and the recovery community . The money is to come out of The Opiod Abatement funds not the general funds of the town. (Citizens' Petition inserted at the request of Scott Miller and others)

ARTICLE 35: Current Bylaw 359-10 Deposits on street; violations and penalties. No person other than a Town agent shall place or cause to be placed on any public sidewalk, street, highway or beach or upon any of the common lands of the Town any manure, gravel, dirt, ashes, lumber, wood, buildings, carriages, boxes, barrels, stones, coal or any rubbish or other things. THIS BYLAW SHALL BE AMENDED AS BELOW:

No person, including a Town official or agent, shall place or cause to be placed on or across any public or Town-controlled sidewalk, street, path, right of way, highway or beach or upon any of the common lands of the Town (each a "Right of Way") any manure, gravel, dirt, ashes, lumber, wood (including telephone poles), buildings, carriages, boxes, barrels, stones, coal or any rubbish or other things (each an "Obstruction"): provided that a Town official or agent may place an Obstructions on or across a Right of Way so long as such placement (i) is strictly necessary to ensure public safety, (ii) is temporary (and not seasonal), and (iii) is designed to prevent all access to the Right of Way by persons or vehicles other than those strictly necessary to achieve the stated public safety objective. (Citizens' Petition inserted at the request of Kathleen Wolf and others)

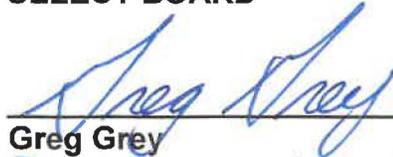
ARTICLE 36: Move that the Town/Select Board will stipulate that the Railroad Bed Right of Way, from L St. to XY St., which is unobstructed from December through April, will continue to be unobstructed throughout the year, and that the Town owned barrier at the corner of L Street and the Right of Way will be removed and replaced by a lockable gate (or chain) which can be accessed by police and fire for emergency use (as stated in the RR Bed report) and/or take any other action relative there to. (Citizens' Petition inserted at the request of Kathleen Wolf and others)

And you are hereby directed to serve this Warrant by causing attested copies thereof to be posted at the main entrance to the Municipal Building and at least three other public places in said town thirty days at least before the time of holding said meeting, as directed by vote of the town.

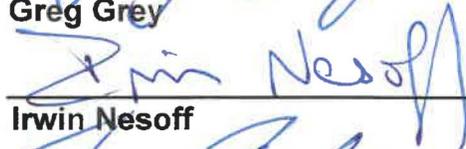
Hereof fail not and make due return of this Warrant with your doings thereof to the Town Clerk at the time and place of meeting aforesaid.

Given under our hands this 1st day of April, 2024.

SELECT BOARD



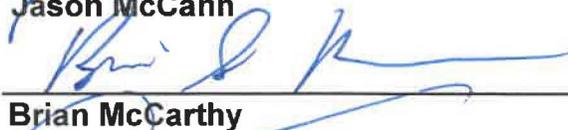
Greg Grey



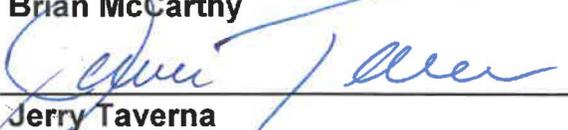
Irwin Nesoff



Jason McCann



Brian McCarthy



Jerry Taverna

Plymouth ss.

Date: 4-4-2024

By virtue of the above warrant, I have this day notified and warned as therein directed, the Inhabitants of the Town of Hull qualified to vote in elections and town affairs, to meet at the time and place for the purpose therein stated.



Constable, Town of Hull

Fiscal Year 2025 Projected Revenue and Expenditures

Revenue Summary	FY 24	FY25	Dollar Change	% Change
Real Estate/Property Taxes				
Base Tax Levy	33,751,785	35,053,190	1,301,405	3.86%
Statutory 2 1/2 Increase	843,795	876,330	32,535	3.86%
Growth in Tax Base	457,610	457,610	0	0.00%
Debt Exclusion-High School	322,950	310,700	-12,250	-3.79%
Debt Exclusion-Streets	867,794	841,444	-26,350	-3.04%
Excess Levy	0	0	0	-
Maximum Allowable Tax Levy	\$36,243,934	\$37,539,274	\$ 1,295,340	3.57%
Intergovernmental Revenues				
State Revenue Sharing	6,906,436	6,977,844	71,408	1.03%
Less Offsets	(20,481)	(20,495)	(14)	0.07%
Projected Net State Aid	\$6,885,955	\$6,957,349	\$ 71,394	1.04%
Local Receipts				
Estimated Local Receipts	4,148,407	5,048,613	900,206	21.70%
Overlay Surplus	350,000	350,000	0	0.00%
Available Funds (Free Cash)	1,400,000	1,725,000	325,000	23.21%
Available Funds (Revolving)	0	57,000	57,000	
Reserved for Appropriation	25,000	25,000	0	0.00%
High School Field Revolving	95,043	93,439	(1,604)	-1.69%
Transfer from Enterprise-ROB	453,226	449,712	(3,514)	-0.78%
Total Local Receipts	\$6,471,678	\$7,748,764	\$ 1,277,088	19.73%
TOTAL RECEIPTS	\$49,801,585	\$52,245,387	\$ 2,643,822	6.33%
Expenditure Summary				
Operational Budget	30,145,331	31,899,235	1,753,904	5.82%
Health Insurance	6,560,329	6,777,139	216,810	3.30%
Other Insurances	1,507,682	1,851,825	344,143	22.83%
Veterans Benefits	200,000	200,000	0	0.00%
Town Wide	364,976	393,434	28,458	7.80%
Pension Total	4,373,317	4,546,879	173,562	3.97%
Debt & Interest	3,826,253	3,730,898	-95,355	-2.49%
General Reserve Fund	25,000	25,000	0	0.00%
Capital Improvements	540,000	765,000	225,000	-
Total Services Costs	\$47,542,888	\$ 60,189,410	\$ 2,646,522	6.57%
Other Expenses				
Overlay	395,000	395,000	0	0.00%
Snow & Ice Deficit	250,000	200,000	(50,000)	-20.00%
Other Total:	\$645,000	\$595,000	\$ (50,000)	-7.75%
Intergovernmental Charges				
State County Assessments	354,319	366,077	11,758	3.32%
Educational Assessments	502,858	510,575	7,717	1.53%
Regional Dispatch	556,500	584,325	27,825	5.00%
Intergovernmental Total	\$1,413,677	\$1,480,977	\$ 47,300	3.35%
TOTAL EXPENDITURES	\$49,601,585	\$52,245,387	\$ 2,643,822	6.33%
NET EXCESS/(DEFICIT)	\$0	\$0	\$0	

Fiscal Year 2025 Projected Revenue and Expenditures
Enterprise Funds

Revenue Summary	FY 24	FY 25	Dollar Change	Percent Change
Sewer Revenue	7,191,168	7,272,006	80,838	
Sewer Available Funds	20,000	20,000	0	
Sewer Retained Earnings	0	0	0	
Total Sewer Revenues	\$7,211,168	\$7,292,006	\$80,838	1.12%
Cable Revenue	302,116	283,077	-19,039	
Cable Available Funds	0	0	0	
Cable Retained Earnings	0	20,000	20,000	
Total Cable Revenues	\$302,116	\$303,077	\$961	0.32%
Harbormaster Revenue	199,220	190,216	-9,004	
Harbor Available Funds	98,617	98,617	0	
Harbor Retained Earnings	30,000	50,000	20,000	
Total Harbor Revenues	\$327,837	\$338,833	\$10,996	3.35%
Total Enterprise Fund Revenue	\$7,841,121	\$7,933,916	\$92,795	1.18%
Expenditure Summary	FY 24	FY 25	Dollar Change	Percent Change
Sewer Operating Budget	4,684,465	4,823,348	138,883	
Sewer Debt and Interest	2,511,703	2,453,658	-58,045	
Sewer OPEB	15,000	15,000	0	
Total Sewer Expenditures	\$7,211,168	\$7,292,008	\$80,838	1.12%
Cable Operating Budget	297,116	298,077	961	
Cable Debt and Interest	0	0	0	
Cable OPEB	5,000	5,000	0	
Total Cable Expenditures	\$302,116	\$303,077	\$961	0.32%
Harbormaster Operating Budget	280,837	291,833	10,996	
Harbor Debt and Interest	42,000	42,000	0	
Harbor OPEB	5,000	5,000	0	
Total Harbor Expenditures	\$327,837	\$338,833	\$10,996	3.35%
Total Enterprise Expenditures	\$7,841,121	\$7,933,918	\$92,795	1.18%
NET EXCESS(DEFICIT)	\$0	\$0	\$0	

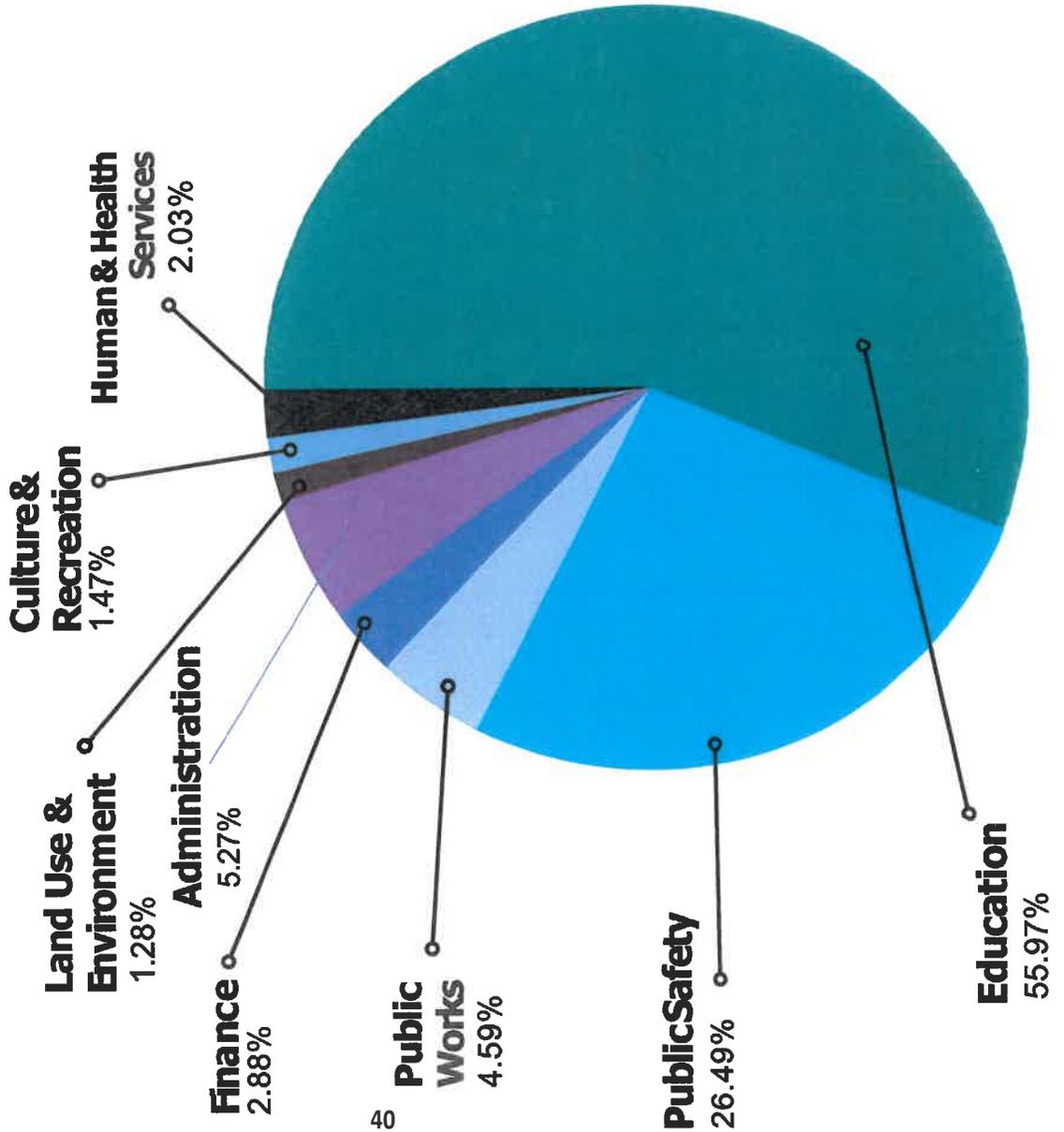
Fiscal Year 2025 Budget Worksheet

Department		FY24 Approp	Town Manager Recommend	Advisory Bd. Recommend	FY24 to FY25 Change	Percent Change
Selectmen	122	573,173	630,714	630,714	57,541	10.04%
General Government Support	124	144,612	74,500	74,500	-70,112	-48.48%
Advisory Board	131	6,750	6,750	6,750	0	0.00%
Director of Finance	135	191,962	209,322	209,322	17,360	9.04%
Assessors	141	250,232	263,624	263,624	13,392	5.35%
Treasurer/Collector	145	401,922	446,780	446,780	44,858	11.16%
Law Department	151	147,898	300,000	300,000	152,102	102.84%
Information Technology	155	46,945	106,982	106,982	60,037	127.89%
Town Clerk	161	106,600	117,740	117,740	11,140	10.45%
Conservation	171	187,267	199,970	199,970	12,703	6.78%
Comm Dev & Planning	175	204,904	209,819	209,819	4,915	2.40%
Town Buildings	192	247,984	444,649	444,649	196,665	79.31%
Police Department	210	3,590,215	3,782,795	3,782,795	192,580	5.36%
Fire Department	220	3,928,444	4,269,257	4,269,257	340,813	8.68%
Building Department	241	278,264	313,341	313,341	35,077	12.61%
Emergency Management	291	35,885	35,885	35,885	0	0.00%
Animal Control	292	31,418	31,621	31,621	203	0.65%
Shellfish	297	15,422	17,784	17,784	2,362	15.32%
School Department	301	17,334,735	17,854,777	17,854,777	520,042	3.00%
Public Works	421	1,256,503	1,316,273	1,316,273	59,770	4.76%
Snow Removal	423	74,830	74,830	74,830	0	0.00%
Park Maintenance	496	73,235	73,935	73,935	700	0.96%
Board of Health	511	222,296	262,545	262,545	40,249	18.11%
Council on Aging	541	334,224	352,527	352,527	18,303	5.48%
Veterans Services	543	30,779	32,822	32,822	2,043	6.64%
Library	610	369,715	407,919	407,919	38,204	10.33%
Park and Recreation	650	59,117	62,074	62,074	2,957	5.00%
Department Budgets		30,145,331	31,899,235	31,899,235	1,753,904	5.82%
Self Insurances	912	232,847	248,101	248,101	15,254	6.55%
Health & Life Insurance	914	6,560,329	6,777,139	6,777,139	216,810	3.30%
Townwide Insurance	915	798,600	878,460	878,460	79,860	10.00%
Medicare Tax	916	393,826	413,517	413,517	19,691	5.00%
Veterans Benefits	543	200,000	200,000	200,000	0	0.00%
Collective Bargaining Reserve	122	0	129,338	129,338	129,338	-
Separation Pay Reserve	122	0	100,000	100,000	100,000	-
Fuel Reserve	131	82,409	82,409	82,409	0	0.00%
Insurance Total		8,268,011	8,828,964	8,828,964	560,953	6.78%
Hydrant Availability	124	284,326	291,434	291,434	7,108	2.50%
Derelict Property Services	124	4,000	4,000	4,000	0	0.00%
Audit/Consultant	124	76,650	98,000	98,000	21,350	27.85%
Town Wide Total		364,976	393,434	393,434	28,458	7.80%
Contributory	918	4,373,317	4,546,879	4,546,879	173,562	3.97%
Pension Total		4,373,317	4,546,879	4,546,879	173,562	3.97%
Principal-Debt Excluded	712	905,000	900,000	900,000	-5,000	-0.55%
Interest-Debt Excluded	752	286,946	252,144	252,144	-34,802	-12.13%
Principal- Long Term	710	1,880,073	1,841,484	1,841,484	-38,589	-2.05%
Interest- Long Term	750	679,234	613,486	613,486	-65,748	-9.68%
Interest-Temp Borrowing	751	75,000	123,784	123,784	48,784	65.05%
Fees on Borrowing	751	0	0	0	0	-
Debt Service Total		3,826,253	3,730,898	3,730,898	-95,355	-2.49%
Reserve Fund		25,000	25,000	25,000	0	0.00%
Capital		540,000	765,000	765,000	225,000	41.67%
Total Budget		47,542,888	50,189,410	50,189,410	2,646,522	5.57%



TOWN OF HULL

FY25 Budget



Department	Percentage
Education	55.97%
Public Safety	26.49%
Public Works	4.59%
Finance	2.88%
Administrative	5.27%
Land Use & Environment	1.28%
Culture & Recreation	1.47%
Human & Health Services	2.03%