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THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF THE ATTORNEY GENERAL

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July 2, 2019

Elizabeth Cunniff, Town Clerk
Town of Groveland
183 Main Street
Groveland, MA 01834

Re: Groveland Special Town Meeting of December 3, 2018 -- Case # 9274
Warrant Articles # 7 and 8 (Zoning)
Warrant Articles # 1, 5 and 9 (General)

Dear Ms. Cunniff:

Articles 7 and 8 - We approve Articles 7 and 8 from the December 3, 2018 Groveland Special Town Meeting.¹ However, the Town's temporary moratorium on recreational marijuana establishments (Section 7.5), adopted under Article 8, has now expired by its terms. In addition, we note that under Article 7 (approved herein), the Town amended its zoning by-laws (and Table of Uses) to add a new Section 7.6 prohibiting all types of non-medical marijuana establishments in the Town.

Note: Pursuant to G.L. c. 40, § 32, neither general nor zoning by-laws take effect unless the Town has first satisfied the posting/publishing requirements of that statute. Once this statutory duty is fulfilled, (1) general by-laws and amendments take effect on the date these posting and publishing requirements are satisfied unless a later effective date is prescribed in the by-law, and (2) zoning by-laws and amendments are deemed to have taken effect from the date they were approved by the Town Meeting, unless a later effective date is prescribed in the by-law.

¹ In a decision issued on March 18, 2019, we approved Articles 1, 5 and 9 and elected to proceed under the defect waiver provisions of Chapter 299 of the Acts of 2000 for Articles 7 and 8. In a certification received June 28, 2019, the Town Clerk affirmed that the notice was posted and published in accordance with the provisions of Chapter 299, and that no claims were filed with the Office of the Town Clerk within 21 days of publication. For this reason, the Attorney General is authorized by Chapter 299 to waive (and does so waive) the defect.

Very truly yours,

MAURA HEALEY
ATTORNEY GENERAL

Margaret J. Hurley

by: Margaret J. Hurley, Assistant Attorney General
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cc: Town Counsel Jonathan Eichman