



October 25, 2019

Mr. Dennis W. Farias  
City Clerk, City of New Bedford  
133 William Street, Room 118  
New Bedford, MA 02740

Mr. Farias:

I am writing you in response to your letter of October 15, which contains a City Council motion requesting that the Commission review the "Screening Form/Application for a Marijuana Establishment Host Community Agreement" and "Zoning Map" recently adopted by the city.

While I appreciate the City Council's efforts to ensure compliance with state laws and regulations, it is not the role of the Commission to provide that review. Both M.G.L. c. 94G and Chapter 55 of the Acts of 2017 reflect the Commonwealth's strong tradition of local control by giving a great deal of flexibility to municipal governments in how they choose to govern their licensing and zoning process.

Though town zoning bylaws may be subject to review by the Attorney General's Municipal Law Unit, the Commission does not have that authority. As laid out in M.G.L. c. 40A, M.G.L. c. 94G § 3, and elsewhere, the adoption of zoning and other bylaws and ordinances is a strictly limited to municipal governments. It is the standard policy of the Commission to recommend consultation with city legal staff or outside counsel for legal questions during or after the drafting and adoption process. As such, I must respectfully decline your invitation to meet with the City Special Committee on Licensing and Zoning.

Please reach out if you wish to discuss this, or other matters, further.

Respectfully,

A handwritten signature in black ink, appearing to read 'S. Hoffman', written over a horizontal line.

Steven J. Hoffman  
Chairman  
Cannabis Control Commission

Cc: Brian K. Gomes, Councilor at Large

