



THE COMMONWEALTH OF MASSACHUSETTS  
OFFICE OF THE ATTORNEY GENERAL

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March 18, 2019

Joan M. Wordell, Town Clerk  
Town of Hudson  
78 Main Street  
Hudson, MA 01749

**Re: Hudson Special Town Meeting of November 19, 2018 -- Case # 9269**  
**Warrant Articles # 7, 8 and 9 (Zoning)**  
**\*\*CORRECTED DECISION\*\*<sup>1</sup>**

Dear Ms. Wordell:

**Articles 7, 8 and 9** - We approve Articles 7, 8 and 9, and the map amendments related to Articles 7, 8 and 9, from the November 19, 2018 Hudson Special Town Meeting. We will return the approved maps to you by regular mail.

**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.

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<sup>1</sup> In our decision issued March 15, 2019, we advised the Town that the bylaw amendments adopted under Article 9 must be approved at a municipal election pursuant to G.L. c. 94G, § 3 (a) (2) (i), before the by-law would take effect, because the Town had prohibited marijuana retail uses as part of the Marijuana Industrial Overlay District. However, the Town Clerk has informed us that at the Annual Town Meeting of May 7, 2018, under Article 26, the Town adopted a Recreational Marijuana Overlay District that allows marijuana retail (as well as other marijuana uses) in the Recreational Marijuana Overlay District. (See decision issued on June 20, 2018 in Case # 8933). Therefore, provided that the Town has not prohibited marijuana retail (or the operation of one or more types of marijuana establishments) in the entire Town, approval of Article 9 at a municipal election does not appear to be necessary. See G.L. c. 94G, § 3 (a) (2) (i). The Town should consult with Town Counsel with any questions on this issue.

Very truly yours,

MAURA HEALEY  
ATTORNEY GENERAL

*Margaret J. Hurley*

by: Margaret J. Hurley, Assistant Attorney General  
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cc: Town Counsel Aldo Cipriano