

# Seabrook Planning Board Agenda

## January 22, 2024 6:30PM

Seabrook Community Center  
311 Layette Road, Seabrook, NH 03874 603-474-3252

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### **Public Hearing;**

The proposals would add the following to the Zoning Ordinance:

#### Proposed Amendment 1:

Add the following definition to Section 2: **Cannabis Shop:** A facility, building, or place where cannabis is offered in any amount, either individually or in any combination, for sale. This definition does not include Alternative Treatment Centers as defined by RSA chapter 126-X.

Add a row to Section 6, Table 1 that designates “Cannabis Shops” as *Not Permitted* in all zoning districts.

#### Proposed Amendment 2:

Add the following definition to Section 2: **Alternative Treatment Center:** An "alternative treatment center" as defined in RSA 126-X:1 as a not-for-profit entity registered under RSA 126-X:7 that acquires, possesses, cultivates, manufactures, delivers, transfers, transports, sells, supplies, and dispenses cannabis, and related supplies and educational materials, to qualifying patients, designated caregivers, other alternative treatment centers, and visiting qualifying patients.

Add a row to Section 6, Table 1 that designates “Alternative Treatment Centers” as *Conditional Use – only permitted if granted by Planning Board* in Zone 3 (Industrial) and *Not Permitted* in all other zoning districts.

Add a new subsection to Section 8 - Special Exceptions & Conditional Use Permits:

8.200 **Alternative treatment centers.** Pursuant to the authority provided in RSA 674:21, the Planning Board may grant a conditional use permit for an alternative treatment center (including for a separate cultivation location or noncultivation location) in the Industrial District (Zone 3).

8.210 **Purpose and intent:** The purpose of this subsection is to implement NH RSA 126-X, authorizing the use of therapeutic cannabis, and to regulate the location and operations

of alternative treatment centers, so as to promote and protect the public health, safety and welfare of the residents of the Town of Seabrook. The intent of this Subsection is to:

- Provide for the safe sale and distribution of therapeutic cannabis to patients who qualify to obtain, possess and use cannabis for medical purposes under RSA 126-X and as managed by the New Hampshire Department of Health and Human Services; and
- Protect public health and safety through reasonable limitations on business operations as they relate to location, noise, air, building, neighborhood and patient safety, security for the business and its personnel, and other health safety concerns.

8.220 **Criteria:** In addition to the criteria listed in subsection 8.100, the following criteria must be satisfied in order for the Planning Board to grant a conditional use permit for an alternative treatment center:

8.221 An alternative treatment center shall not be located within 1,000 feet of the property line of a public or private elementary or secondary school or designated drug-free zone.

8.222 An alternative treatment center shall not be located within 1,000 feet of a residential district (Zone 1, Zone 2R, Zone 6R, Zone 6M).

8.223 The alternative treatment center shall be located in a permanent building and may not be located within a trailer, manufactured home, cargo container, or any structure that has axles with wheels. Drive-through services at an alternative treatment center are prohibited.

8.224 Hours of operation shall be approved by the Planning Board.

8.225 The alternative treatment center shall provide for the proper disposal of cannabis remnants or byproducts, which remnants or byproducts shall not be placed in the facility's exterior refuse containers.

8.226 A security plan shall be reviewed and approved by the Seabrook Police Department. The security plan must take into account the measures that will be taken to ensure the safe delivery of any product to the facility (including permitted times for delivery), how the product will be secured onsite, and how patient transactions will be facilitated in order to ensure safety. The applicant shall provide to the Police Department a detailed narrative and floor plan, as well as any other relevant documentation, describing how the alternative treatment center shall be secured.

8.227 The use of cannabis is prohibited on the property.

8.228 The alternative treatment center shall emit no cannabis-related fumes, vapors, or odors which can be smelled or otherwise perceived from beyond the lot lines or the property where the facility is located.

8.229 Signage. In addition to the requirements of Section 13, signage must comply the applicable requirements of the NH Health & Human Services Department (DHHS) Administrative Rules (He-C 400, as most recently published or amended by DHHS) pertaining to Advertising Restrictions.

Jason Janvrin, Chair  
Seabrook Planning Board