



City of
GREENFIELD, MASSACHUSETTS

PLANNING & DEVELOPMENT DEPARTMENT

Roxann Wedegartner
Mayor

City Hall • 14 Court Square • Greenfield, MA 01301
Phone 413-772-1549 • Fax 413-772-1309
eric.twarog@greenfield-ma.org • www.greenfield-ma.gov

March 22, 2022

Dr. Greenthumb Greenfield, LLC
220-228 Main Street
Greenfield, MA 01301

Certified Mail #: 7020 0090 0001 3321 9306

To Whom It May Concern:

On March 22, 2022 the decision for the approved special permit for property located at 220-228 Main Street (Assessor's Map 51, Lot 60) in Greenfield was filed with the City Clerk. The twenty day appeal period begins on March 22, 2022 and so will end on Monday, April 11, 2022. If there are no appeals you may pick up the certified decision and recording verification form from the City Clerk's office after the 20th day (any day after December 20th). There is a \$10.00 fee for picking up the certified decision and recording verification form from the City Clerk's office. After the decision and recording verification form have been picked up, bring it with a \$105.00 check to the Franklin County Registry of Deeds to get it recorded. The recording verification form must be filled out by the Registry of Deeds as proof of recording. Once completed by the Registry, please return the recording verification form to the Department of Planning and Development.

Please note that the ZBA approval does not constitute you being allowed to begin construction without all appropriate permits. Various permits from multiple town departments may still need to be obtained and it is up to you to contact relevant departments and obtain approval on all permits before work begins. Contact names and numbers are listed on the attached sheet. Please contact the Inspections and Enforcement Center at (413) 772-1404 for more information. If you have any questions regarding the special permit please contact me at (413) 772-1549 or at eric.twarog@greenfield-ma.gov.

Sincerely,

Eric Twarog, AICP
Director of Planning and Development

Enclosure: City Department Contacts

SPECIAL PERMIT
CITY OF GREENFIELD, MA.
14 COURT SQUARE
GREENFIELD, MA 01301
413-772-1549



THE COMMONWEALTH OF MASSACHUSETTS
CITY OF GREENFIELD

Notice is hereby given that the Greenfield Zoning Board of Appeals granted a special permit for property located at 220-228 Main Street (Assessor's Map 51, Lot 60), which is located in the Central Commercial (CC) Zoning District, for a special permit pursuant to Sections 200-4.7(C21); 200-7.17; 200-8.3; and 200-8.4 of the Zoning Ordinance, in order to allow the operation of an adult-use marijuana retail establishment at this location with the following conditions:


- 1) The project shall meet all requirements of the American with Disabilities Act (ADA);
- 2) Vehicles shall exit the sally port garage through a right turn exit only;
- 3) Hours of operation shall be 9:00 a.m. to 10:00 p.m. Monday through Saturday and from 11:00 a.m. to 6:00 p.m. on Sundays;
- 4) The Applicant shall follow all requirements as stated in the review memo from the Department of Public Works dated February 24, 2022;
- 5) The Applicant shall follow all requirements as stated in the review memo from the Department of Planning and Development dated February 17, 2022;
- 6) All exterior non-security lights for the establishment shall be turned off by 11:00 p.m.;
- 7) This special permit approval is based on the plan set with a revision date of March 4, 2022;
- 8) The sally port entrance level and sidewalk level at this area shall be at the same level and pedestrian safe;
- 9) The Applicant shall submit a revised plan of the warning lights at the sally port to be administratively approved by the Chair of the Zoning Board of Appeals and the Director of the Department of Planning and Development.

The hearing on this special permit was opened on March 10, 2022 and closed on March 10, 2022.

The Zoning Board of Appeals hereby certifies that a copy of this decision and all plans referred to in this decision have been filed with the City Clerk on March 22, 2022

An appeal from the decision of the Zoning Board of Appeals may be made by any person aggrieved pursuant to MGL chapter 40A, section 17 as amended within twenty (20) days after the date of filing of a notice of decision in the Office of the City Clerk. Notice of the appeal and a copy of the complaint shall be given to the City Clerk within the twenty-day appeal period.

Board of Appeals:

 Chairman
Mark Maloney

The Greenfield Zoning Board of Appeals issued a decision dated March 10, 2022 on the application of Dr. Greenthumb Greenfield, LLC for property located at 220-228 Main Street (Assessor's Map 51, Lot 60), in Greenfield, Massachusetts, Book 7803 Page 39. This decision was duly filed in the office of the City Clerk on March 22, 2022. Twenty (20) days have passed and no appeals are pending.

Attest:

Date issued: _____

cc: Applicant, Assessor, Inspector of Buildings, Department of Public Works, Fire Department, Licensing Commission, Planning Board, Abutters, Public hearing attendees requesting notification, Planning Board abutting Towns - Gill, Bernardston, Leyden, Colrain, Shelburne, Deerfield, Montague.

Dr. Greenthumb Greenfield, LLC
For property located at 220-228 Main Street (Assessor's Map 51, Lot 60)
March 10, 2022

At a public meeting on Thursday, March 10, 2022 at 7:15 p.m., via Webex, the Greenfield Zoning Board of Appeals held a public hearing on the application of Dr. Greenthumb Greenfield, LLC for property located at 220-228 Main Street (Assessor's Tax Map 51, Lot 60), which is located in the Central Commercial (CC) Zoning District, for a special permit pursuant to Sections 200-4.7(C21); 200-7.17; 200-8.3; and 200-8.4 of the Zoning Ordinance, in order to allow the operation of an adult-use marijuana retail establishment at this location. Chairman Maloney explained the public hearing process to the Applicant. Winn read the public notice into the record. Members of the Board sitting were Mark Maloney, Chairman; James Winn, Clerk; Peter Wozniak; David Singer; and Debra Gilkes. The following project proponents were present: Steve Drakulich, Architect; John Toro and Justin Pagan, property owners.

Maloney Read the email from Deputy Police Chief William Gordon stating that Police Chief Robert Haigh has reviewed the security plan for 220-228 Main Street and has approved the plan. He will send an official letter when he returns from vacation next week.

Maloney Introduced the Board members sitting and asked the Applicants to introduce themselves and explain what they want to do, where they want to do it, and why.

Drakulich Mr. Drakulich shared his screen with the Board and presented the project to the Board. He reviewed the site plan, the proposed interior garage sally port, interior payout, building elevations, and lighting plan with the Board. He stated that he had a meeting with the Mayor, the Mayor's Chief of Staff, the Engineering Superintendent, and the Director of Planning and Development relative to moving the existing loading zone south and losing three on-street parking spaces. The Mayor's Office supported this request. He stated that the 2nd floor will not be renovated at this time and that the basement area will only be used for mechanicals.

Maloney Asked for clarification on the area labeled as "future commercial space".

Drakulich Responded that this area will be a future commercial space that has not yet been determined.

Maloney Inquired on the window area near the break room and whether someone would be able to break in.

Drakulich Responded that there will be a pull down metal covering that will be closed everyday so that the area is secure.

Chairman Maloney asked if the Board members have any questions at this time.

Maloney No questions at this time.

Winn Inquired on any plans for the future commercial space.

Toro Responded that this area may be used for a Marijuana Delivery Operator facility in the future. He stated that if it is used for such a use, they will need to come back before the Board for approval.

Wozniak Inquired on the grade of the sidewalk in the area of the proposed interior sally port garage. Is it ADA compliant?

Drakulich Responded that the sidewalk in this area will have ADA compliant curbs.

Wozniak Inquired on snow removal in this area.

Drakulich Responded that the owners will have to shovel this area as well as the rest of the sidewalk area in front of their building.

Wozniak Inquired on the proposed hours of operation.

Toro Responded 8:00 AM to 10:00 PM seven days per week.

Singer Asked about the street lamps in this area and if they need to be moved.

Drakulich Responded that he doesn't think the street light will need to be moved but if it does, they would pay for moving it.

Singer Inquired on the review comments from the Health Director.

Drakulich Responded that odor is not an issue for marijuana dispensaries. He stated that he met directly with the Health Director to discuss odor concerns.

Singer Inquired on the comments from the Commission on Disability Access (CDA).

Chairman Maloney clarified for the Board that all ADA requirements will need to be met for this project.

Gilkes Asked about the time frame for building renovations.

Toro Responded that the CCC just approved their application at the state level. Their goal is a 4th quarter of 2022 opening.

Popkin No questions at this time.

Winn Read review comments from the Department of Planning & Development, the CDA, Department of Public Works, Health Department, and the Planning Board which provided a positive recommendation.

Maloney Inquired if the Applicants reached out to the business owners in the area relative to moving the existing loading zone south and losing three on-street parking spaces.

Drakulich Responded that he had a meeting with the Mayor and her Chief of Staff on this and they supported the idea. They did not reach out directly to the business owners in the area.

Chairman Maloney opened up the public hearing to public comment at 8:28 p.m.
Chairman Maloney closed the public hearing at 7:47 p.m.

Chairman Maloney asked if the Board members have any additional questions at this time.

Maloney Inquired on the size of the proposed sign and mentioned the requirements of the CCC for signage.

Drakulich Responded that the proposed sign meets the requirements of the Greenfield Zoning Ordinance and that it would also have to meet CCC requirements.

Winn No additional questions at this time.

Wozniak No additional questions at this time.

Singer Inquired on the latest plans set revision date.

Drakulich Responded the 03/04/2022 revision.

Gilkes No additional questions at this time.

Popkin No additional questions at this time.

Chairman Maloney closed the public hearing to public comment at 8:38 p.m.

Board Discussion/Decision

Dr. Greenthumb Greenfield, LLC for property located at 220-228 Main Street (Assessor's Tax Map 51, Lot 60)

Maloney Stated that the security plan has been approved, the lighting is okay, and moving the loading zone and losing 3 parking spots is not an issue. The proposed hours of operation should be reduced to 9:00 AM to 9:00 PM.

Winn Stated that the approved hours of operation for 49 Bank Row are: 9:00 AM to 10:00 PM Monday through Saturday and from 10:00 AM to 8:00 PM on Sundays. The approved hours of operation for Patriot Care are: 9:00 AM to 10:00 PM Monday through Saturday, and from 11:00 AM to 6:00 PM on Sundays.

The Board discussed potential hours of operation.

Wozniak Suggested a condition of approval that the sidewalk curbing near the sally port area be ADA compliant.

Singer Suggested the following conditions of approval: the sidewalk at the sally port area be ADA compliant; a right turn exit only when exiting the sally port area; all conditions of the DPW review memo, all conditions of the Department of Planning and Development memo, as shown on the 03/04/2022 revised plan set; all lights out at 11:00 PM; all signage to conform with both Zoning Ordinance and CCC regulations; and that the Applicant submit a revised plan of the warning lights at the sally port to be administratively approved by the Chair of the Zoning Board of Appeals and the Director of the Department of Planning and Development.

Winn **Moved to approve the application of Dr. Greenthumb Greenfield, LLC for property located at 220-228 Main Street (Assessor's Tax Map 51, Lot 60), which is located in the Central Commercial (CC) Zoning District, for a special permit pursuant to Sections 200-4.7(C21); 200-7.17; 200-8.3; and 200-8.4 of the Zoning Ordinance, in order to allow the operation of an adult-use marijuana retail establishment at this location with the following conditions:**

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- 4) The Applicant shall follow all requirements as stated in the review memo from the Department of Public Works dated February 24, 2022;**

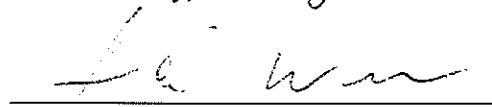
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- 7) This special permit approval is based on the plan set with a revision date of March 4, 2022;
- 8) The sally port entrance level and sidewalk level at this area shall be at the same level and pedestrian safe;
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Singer Seconded the motion.

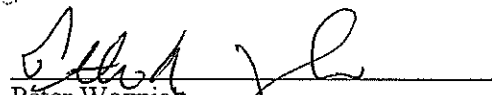
VOTED: With 5 yes votes the motion is declared unanimous.



Mark Maloney, Chairman



James Winn, Clerk



Peter Wozniak



David Singer



Debra Gilkes