

# CITY OF GREENFIELD, MASSACHUSETTS

14 Court Square

Greenfield, Massachusetts 01301

(413) 772-1548



## Recording Verification Form

*This Form must accompany your submission to the Franklin County Registry of Deeds. Please have this verification form completed, stamped by the Registry and return to the Department of Planning and Development 14 Court Square, Greenfield, MA 01301*

Submitter's Name Patriot Care Corp.

Project Location 7 Legion Avenue (Assessor's Map 58, Lot 55)

Project Approval Date August 13, 2018

Type of Submission (please check one of the following):

- |  |  |
|--|--|
| <input type="checkbox"/> Approval Not Required (ANR)               | <input checked="" type="checkbox"/> Special Permit |
| <input type="checkbox"/> Variance                                  | <input type="checkbox"/> Chapter 61                |
| <input type="checkbox"/> Agricultural Protection Restriction (APR) | <input type="checkbox"/> Chapter 61A               |
| <input type="checkbox"/> Other _____                               | <input type="checkbox"/> Chapter 61B               |

Book and Page Number 7264-4

Document Number 10238

Recording Date 10/11/2018

FRANKLIN COUNTY REGISTRY OF DEEDS  
43 HOPE STREET  
P.O. BOX 1495  
GREENFIELD, MA 01302-1495  
SCOTT A. COTE REGISTER

Registry Stamp

FRANKLIN COUNTY  
REGISTRY OF DEEDS

# DOCUMENT COVER SHEET

*For use with documents that do not meet  
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from original document takes precedence  
when indexing data into Registry system.*



2018 00010238

Bk: 7264 Pg: 14 Franklin County  
Page: 1 of 6 10/01/2018 01:04 PM

*For Registry Use Only*

**THIS IS THE FIRST PAGE OF THIS DOCUMENT – DO NOT REMOVE**

**PROPERTY ADDRESS:** 7 LEGION AVE - GFLD MA 01030

**DOCUMENT TYPE:** \_\_\_\_\_

**NAME REFERENCE:** OWNER - CC MA REALTY LLC

**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 7 Legion Avenue (Assessor's Map 58, Lot 55), which is located in the Central Commercial (CC) Zoning District, 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 marijuana retailer to be co-located with the existing Registered Marijuana Dispensary (RMD) at this location.

The hearing on this special permit was opened on July 26, 2018 and closed on July 26, 2018.

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 Town Clerk on August 13, 2018.


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 Town Clerk. Notice of the appeal and a copy of the complaint shall be given to the Town Clerk within the twenty-day appeal period.

Board of Appeals:

 Chairman  
Mark Maloney

The Greenfield Zoning Board of Appeals issued a decision dated August 13, 2018 on the application of Patriot Care Corp. for property located at 7 Legion Avenue (Assessor's Map 58, Lot 55), in Greenfield, Massachusetts, Book 6686 Page 74. This decision was duly filed in the office of the City Clerk on August 13, 2018. Twenty (20) days have passed and no appeals are pending.

Attest A TRUE COPY,  
ATTEST:

  
Kathryn J. Scott  
Town Clerk  
Greenfield, MA 01301

Date issued: September 27, 2018

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.

2018 AUG 13 PM 1:40

GREENFIELD, MASS



**Patriot Care Corp.**  
**Property located at 7 Legion Avenue (Assessor's Map 58, Lot 55)**  
**July 26, 2018**

At a public meeting on Thursday, July 26, 2018 at 7:00 p.m., at the Department of Planning and Development, 114 Main Street, the Greenfield Zoning Board of Appeals held a public hearing on the application of Patriot Care Corp. for property located at 7 Legion Avenue (Assessor's Map 58, Lot 55), 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 marijuana retailer to be co-located with the existing Registered Marijuana Dispensary (RMD) at this location. Chairman Maloney explained the public hearing process to the Applicant. Killeen read the public notice into the record. Members sitting were Mark Maloney, Chair; Andrew Killeen, Clerk; James Winn; and Peter Wozniak. Also in attendance were the following project proponents: Dennis Kunian, Vice-President of Government and Community Relations for Patriot Care Corp.; George Agganis, Vice-President of Security for Patriot Care Corp.; David Calanzano, D.O.O for Patriot Care Corp.; Cal Goldswich, GPR, Inc.; and Nicki Rannikko, General Manager of 7 Legion Avenue for Patriot Care Corp. Chairman Maloney explained to the Applicant's representatives that the issuance of a special permit requires a super majority vote of the ZBA which is 4 affirmative votes. Chairman Maloney gave the option for the hearing to be continued to their next meeting when all five members are present. The Applicant's representatives elected to be heard at this meeting.

Maloney	Introduced the Board members sitting and asked the Applicant's team to introduce themselves and explain what they want to do, where they want to do it, and why.
Kunian	Mr. Kunian gave the history of 7 Legion Avenue and the current up and operational medical marijuana dispensary (RMD). He reviewed Patriot Cares involvement with the community of Greenfield. They are currently running RMDs in Boston and Lowell. He stated that they have provided 13 parking spaces for the facility even though the Zoning Ordinance doesn't require off-street parking within the Central Commercial District. Employees park in the back of the building. Parking is also available for clients.
Agganis	Mr. Agganis reviewed the security systems/measures being employed at the facility with the Board. The site has been designed to prevent theft through the use of preventative security cameras which are installed throughout the building and site.
Winn	Inquired if there is a permanent security person on site.
Agganis	Responded that there are two (2) permanent security people on site.
Maloney	Inquired if there is a fence separating the property from the railroad.
Agganis	Responded that there is an existing six (6) foot fence owned by Patriot Care Corp.
Maloney	Inquired on the issues relative to the renovation of the former American Legion building.
Calanzano	Responded that the condition of the back portion of the building and drainage issues required them to demolish the back wooden portion of the building. This allowed for staff parking at the rear of the building. The drainage issues have been resolved resulting in less impervious area.
Maloney	Inquired on lighting at night.
Agganis	Responded that night lighting has been increased in the area of the building for security purposes and is currently working well.

Maloney	Inquired on how long the RMD has been up and running and if there are any issues since operating.
Kunian	Responded that they have been up and operational as an RMD since April 2018 and that they have no issues.
Maloney	Inquired on the new uses under recreational marijuana.
Kunian	Responded that they prefer the term adult-use marijuana over recreational marijuana. The new use would include retail marijuana sales but that their primary mission is still medical marijuana. He explained to the Board that some current RMD users may not renew their registration cards now that adult-use marijuana is legal. He stated that Patriot Care Corp. is currently operating RMDs in ten (10) states but has not operated any recreational marijuana establishments. 7 Legion Avenue in Greenfield would be the first.
Killeen	Inquired on pricing once Franklin County gets built out.
Kunian	Responded that their intent is not to lower prices but to offer the best products available.
Killeen	Read review comments from the Planning Board and Board of Health. Comments in the form of "no comments" were received from the Fire Department.

Maloney inquired of the Board members if they have any additional questions at this time. The Board members responded no.

Chairman Maloney opened up the hearing for public comment at 7:49 p.m.

No public comment.

# **Public Hearing Closed at 7:49 p.m.**

## **Discussion/Decision**

### **Application of Patriot Care Corp. for property located at 7 Legion Avenue (Assessor's Map 58, Lot 55)**

Wozniak	No issues.
Winn	No issues.
Killeen	Stated that he is impressed with the operations of Patriot Care Corp. and supports individual liberties. He does not have any ethical objections to this use. However, he questioned the legality of the Zoning Board of Appeals approving a special permit for recreational marijuana use when the federal government still classifies marijuana as a Schedule 1 narcotic. He stated that in the case of local, state law vs. federal law, that federal law supersedes.
Maloney	Responded that he does not have an answer to this legal question. He suggests that the Board obtain a legal opinion from Town Counsel on this legal question and continue the Board deliberation to another meeting.
Kunian	Stated that Mitch McConnell told him personally that the federal dictate on the matter is to leave it up to the individual states.

**MOTION**      Moved by Killeen, seconded by Wozniak, and voted 4:0 to continue the Board's deliberation on the application of Patriot Care Corp. for property located at 7 Legion Avenue (Assessor's Map 58, Lot 55), which is located in the Central Commercial (CC) Zoning District, for a Special Permit pursuant to Sections 200-7.17, 200-8.3, and 200-8.4 of the Zoning Ordinance in order to allow the operation of marijuana retailer to be co-located with the existing Registered Marijuana Dispensary (RMD) at this location to a special meeting of the Board once a legal opinion has been obtained from Town Counsel.

**Patriot Care Corp.**  
**Property located at 7 Legion Avenue (Assessor's Map 58, Lot 55)**  
**August 13, 2018**

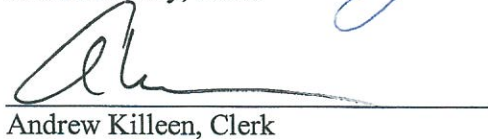
At a public meeting on Monday, August 13, 2018 at 1:00 p.m., at the Department of Planning and Development, 114 Main Street, the Greenfield Zoning Board of Appeals continued its deliberations on the application of Patriot Care Corp. for property located at 7 Legion Avenue (Assessor's Map 58, Lot 55), 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 marijuana retailer to be co-located with the existing Registered Marijuana Dispensary (RMD) at this location. Members sitting were Mark Maloney, Chair; Andrew Killeen, Clerk; James Winn; and Peter Wozniak.

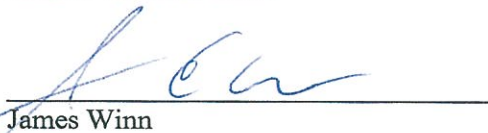
Winn            **Moved by Killeen to approve the application of Patriot Care Corp. for property located at 7 Legion Avenue (Assessor's Map 58, Lot 55), which is located in the Central Commercial (CC) Zoning District, for a Special Permit pursuant to Sections 200-4.7(C21), 200-7.17, 200-8.3, and 200-8.4 of the Zoning Ordinance in order to allow the operation of marijuana retailer to be co-located with the existing Registered Marijuana Dispensary (RMD) at this location with the condition that the hours of operation shall be 9:00 a.m. to 7:00 p.m. seven days per week..**

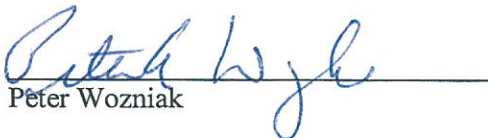
Wozniak        Seconded the motion.

VOTED:        With 4 votes yes, the motion was approved.

  
Mark Maloney, Chair

  
Andrew Killeen, Clerk

  
James Winn

  
Peter Wozniak