

**DECISION  
GRAFTON PLANNING BOARD**

2022 JUL 26 | PM 5: 27

**SPECIAL PERMIT SP 2020-1 & SITE PLAN APPROVAL  
MODIFICATION #2****Marijuana Establishment****CBJD Holdings, LLC (Applicant/Owner)**

Decision of the Planning Board of the Town of Grafton, Massachusetts (hereinafter the BOARD) on the petition of CBJD Holdings, LLC (hereinafter the APPLICANT) for Modification of Special Permit & Site Plan Approval 2020-1 to add Marijuana Product Manufacturing use to the Existing Marijuana Establishment on property located at 135 Westboro Road (hereinafter the SITE) as shown on the Grafton Assessor's Map 13, Lot 2, and owned by CBJD Holdings, LLC (hereinafter the OWNER) by deeds recorded in the Worcester District Registry of Deeds in Book 66421, Page 23 as described herein.

**I. BACKGROUND**

On March 26, 2020, the Planning Board approved a Special Permit and Site Plan Approval application for the renovation of the existing 10,000-square foot building for a Registered Marijuana Dispensary, Marijuana Retailer and Marijuana Transporter. The existing collocated businesses including Wicked Twisted Pretzel and Pecorino's Wine and Cheese were proposed to remain.

On March 28, 2022, the Board voted to allow minor exterior adjustments (add a porch, with roof above, to the front of the building, with new stairs and a new handicap ramp access. Two entrances were proposed to have access from the new porch) pursuant to Section 1.3.3.10 of the Grafton Zoning Bylaw.

On May 5, 2022, the Applicant submitted an Application for a Modification of the Special Permit & Site Plan Approval to add Marijuana Product Manufacturing use to the Existing Marijuana Establishment. Notice of the public hearing and the subject matter thereof was published in the Grafton News on May 5 and May 12, 2022, and posted with the Town Clerk's Office on May 5, 2022. Abutters received notification by First Class Mail.

A public hearing on the Application was opened on May 23, 2022. The following Board members were present throughout the public hearing process where testimony was received: Chair David Robbins, Vice Chair Justin Wood, Clerk Linda Hassinger, Member Robert Hassinger, Member Prabhu Venkataraman, and Associate Member Maura McCormack. Throughout the public hearing, all those wishing to speak to the petition were heard. Following public input, the hearing was closed on May 23, 2022.

**II. SUBMITTALS**

The following items were submitted to the Board for its consideration of this application:

EXHIBIT 1. Original Application Submission, received May 3, 2022 to include the following:

- a) Application for Modification of a Special Permit & Site Plan Approval (SP 2020-01), 2 pages.
- b) Certificate of Good Standing, signed by Christine Atchue, dated May 3, 2022, 1 page.
- c) Certified Abutters List, signed by Tammy Kalinowski, Principal Assessor, dated April 6, 2022, 2 pages.
- d) Waiver Request Form, 3 pages.

EXHIBIT 2. Plan: “Haze of Grafton”, dated March 21, 2022, prepared by McGeorge Architecture Interiors, 18 Fifth Avenue, East Greenwich, RI, 1 sheet.

EXHIBIT 3. Public Hearing Notice, for publication in the Worcester Telegram and Gazette on May 5 and 12, 2022, 1 page.

EXHIBIT 4. Comment, Nancy Connors, Health Department, dated May 16, 2022, 1 page.

EXHIBIT 5. Comment, Michael Killeen, Fire Department, dated May 16, 2022, 1 page.

EXHIBIT 6. Comment, Katrina Koshivos, Zoning Board of Appeals, dated May 17, 2022, 1 page.

EXHIBIT 7. Comment, Normand Crepeau, Police Chief, dated May 17, 2022, 1 page.

### **III. FINDINGS**

At their meeting of June 13, 2022, after due consideration of the Exhibits submitted and the entire record of proceedings introduced and accepted in this matter, the Grafton Planning Board (motion by Robert Hassinger, seconded by Justin Wood), voted five (5) in favor and zero (0) opposed, to make the following findings:

- F1. That determinations regarding the following FINDINGS are based upon the documents and plans identified in this Decision, as well as the information and EXHIBITS submitted and presented in association with this application.
- F2. That during the public hearing Colonel Booth, representing CBJD Holdings, Inc. (Applicant/Owner) presented a project update. It was noted the Applicant is requesting addition of Marijuana Manufacturing Use to the existing Marijuana Establishment the Applicant is awaiting additional Cannabis Control Commission (CCC) review. Manufacturing will be production of marijuana infused edibles and beverage products. An additional ten (10) full time jobs will be added with preferential hiring of local residents.
- F3. The Manufacturing use will be licensed under the same entity as the existing Marijuana Establishment and will not require a separate license.

- F4. The Manufacturing use will not produce additional odor beyond the existing produced by existing baking use. The Applicant proposes to utilize odorless marijuana distillate and will produce smells related to the baking products. Marijuana flower product will only be used in repackaging related to the Dispensary use and produces very minor odors.

#### **IV. DECISION**

At their meeting of June 13, 2022 after due consideration of the exhibits submitted and the entire record of proceedings introduced and accepted in this matter, the Grafton Planning Board (motion by Robert Hassinger, seconded by Justin Wood), voted five (5) in favor and zero (0) opposed to **APPROVE** the application for Modification a Special Permit with the following conditions:

1. This approval specifically modifies the approved Special Permit SP 2020-1, dated March 26, 2020, recorded in the Worcester District Registry of Deeds (WDRD) (Bk: 63711 Pg: 244), as modified by Determination of Minor Modification of the Planning Board, dated March 28, 2022, for minor exterior modifications.
2. The modification granted herein specifically allows addition of Marijuana Product Manufacturing use to the Existing Marijuana Establishment.
3. Unless modified by this Decision, all conditions of the previous Special Permit (2020-1) & Site Plan Approval DECISION, as modified, recorded in the WDRD and referenced herein, remain in full force and effect.
4. Changes to the plans or conditions (including hours of operation) authorized by SP 2020-1, as modified by this and prior Decisions, may be made only upon authorization from the Planning Board. Requests for such change(s) shall be submitted in writing to the Planning Board. Such authorization shall only be granted provided the Board finds that any change requested by the Applicant is not a substantial change and is consistent with the intent and purpose of this Decision. Any proposed change deemed substantial in nature shall require a modification of the original Special Permit and Site Plan Approval application and decision.
5. Per ZBL Section 5.10.8.b, copies of registrations and licenses and a copy of a signed Host Agreement with the Town of Grafton, in accordance with M.G.L. Chapter 94G and subsequent regulations, shall be provided to the Building Commissioner prior to the issuance of a Certificate of Occupancy.
6. This Modification of the Special Permit (SP 2020-1) shall not take effect until the Decision has been recorded in the WDRD and a copy provided to the Planning Board and the Building Department. Said copy shall include recording information such as the WDRD Book and Page Number and/or Instrument Number.
7. By recording this Special Permit and Site Plan Approval Decision in the WDRD, the Applicant agrees to and accepts the conditions set forth in this Special Permit and Site Plan Approval Decision.

**V. RECORD OF VOTE**

<u>David Robbins, Chair</u>	<u>AYE</u>	<u>Justin Wood, Vice Chair</u>	<u>AYE</u>
<u>Linda Hassinger, Clerk</u>	<u>AYE</u>	<u>Robert Hassinger, Member</u>	<u>AYE</u>
<u>Prabhu Venkataraman, Member</u>		<u>Maura McCormack</u>	<u>AYE</u>

**DATE OF FILING OF DECISION:**

**BY ORDER OF THE BOARD**



7/26/2022

\_\_\_\_\_  
Christopher McGoldrick, Town Planner

\_\_\_\_\_  
Date

- Applicant / Owner
- Assessor
- Graves Engineering
- Building Inspector
- Conservation Commission

**To Whom It May Concern:** This is to certify that the 20 day appeal period has passed and there have been no appeals made to this office.

Kandy Lavalley, Town Clerk

Date