

## New Braintree Planning Board

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### Special Permit Application Adult Marijuana Establishments

#### GENERAL INSTRUCTIONS:

To complete this application, you must fill in your name, address and telephone number, describe your property, answer several questions and attach a plot plan, application fee and other items noted below. Each item satisfies one or more requirements of the New Braintree Zoning Bylaw and Massachusetts General Law. **If any answers or supporting documents are missing, your application may be rejected.** It is recommended that applicants obtain a copy of the Zoning Bylaw from the Town Clerk's Office or at the Town's website at [www.newbraintree.org](http://www.newbraintree.org). Completed applications can be submitted to the New Braintree Town offices at 20 Memorial Drive during regular office hours.

The following suggestions will assist you in completing the application:

- Submit two (2) copies of the application and supporting material. When submitting full size plans (greater than 24x36 inches, if necessary), you must also submit two (2) copies of plans measuring 11X17 inches. An electronic version of the plans is also recommended and may be requested by the Board.
- The property information is a necessary part of the application. This is available at the Assessor's Office and on-line, as are copies of maps of your neighborhood.
- A plot plan is required with your application. It consists of a drawing of your property along with the location of all buildings, driveways, parking areas, building square footage, the measurement of lot area and of all boundaries, and street and side yard setbacks. In particular, be sure to include:
  - the distance between your property boundary and all structures and uses noted in the Bylaw
  - the dimensions, wording and locations of any existing or proposed signs
  - the location and type of any exterior lighting
  - the location of any screening, or visual or sound barriers required under the law

#### THE PUBLIC HEARING:

- Once a completed application has been submitted to the Town, the Planning Board will schedule a public hearing and notify you of the date, time and place.

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- You are required to advertise the public hearing, at your expense, in a newspaper of general circulation in each of two (2) successive weeks, the first publication to be not less than fourteen (14) days before the day of the hearing, and by posting such notice in a conspicuous place in the Town Hall for a period of not less than fourteen (14) days before the day of such hearing. The legal notice shall also be sent by mail to abutters, owners of land directly opposite on any public or private street or way, and abutters to the abutters within three hundred (300) feet of the property line of the petitioner as they appear on the most recent applicable tax list and certified by the Town Assessor, notwithstanding that the land of any such owner is located in another city or town. You must also send the notice to the New Braintree Planning Board and the Planning Board of every abutting town.
- The legal notice shall contain the name of the Applicant, a description of the area or premises, street address, the date, time and place of the public hearing, the subject matter of the hearing, and the nature of action requested.
- The Planning Board will hold the public hearing within sixty-five (65) days of receiving a completed application.
- You, or a representative, must attend the hearing. If you are represented by an attorney and he or she wishes to present a written statement, it may be delivered to the Board at the hearing.
- At the hearing, you or your representative will be asked to briefly review your application and to answer any questions presented by the Board.

#### **SPECIAL PERMIT DECISIONS:**

The Planning Board shall issue a decision within ninety (90) days after the close of the public hearing. Typically conditions will be included in the decision requiring further actions to be taken by the Applicant prior to issuance of a Building Permit or Occupancy Permit.

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**PART I APPLICANT INFORMATION**

Name(s): \_\_\_\_\_

Address: \_\_\_\_\_

Telephone #: \_\_\_\_\_ Email: \_\_\_\_\_

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**PART II OWNER INFORMATION (If different than Applicant)**

Name(s): \_\_\_\_\_

Address: \_\_\_\_\_

Telephone #: \_\_\_\_\_ Email: \_\_\_\_\_

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**PART III PROPERTY INFORMATION**

Address for which the Special Permit is requested: \_\_\_\_\_

Town Assessor Map #: \_\_\_\_\_

Area: \_\_\_\_\_ Frontage: \_\_\_\_\_

Deed Reference: Book \_\_\_\_\_ Page \_\_\_\_\_ Date \_\_\_\_\_

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#### PART IV DESCRIPTION OF REQUEST

1. CHECK THE TYPE OF FACILITY REQUESTED, AS DEFINED IN THE ZONING BYLAW:

- Craft Marijuana Cooperative
- Marijuana Cultivator
- Marijuana Product Manufacturer
- Marijuana Retailer
- Marijuana Independent Testing Laboratory
- Marijuana Microbusiness
- Marijuana Research Facility
- Marijuana Transporter

2. Is the proposed Marijuana Establishment located on a parcel which is within five hundred (500) feet of any of the following (check if applicable):

- A public or private school, preschool or kindergarten up to grade 12
- A public or private library
- Duly licensed daycare centers
- Churches, synagogues or other places of worship
- Public or private playgrounds

3. Is the Marijuana Establishment proposed as an:

- Enclosed facility, or
- Open Air facility

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4. Do all proposed structures associated with the proposed Marijuana Establishment comply with the minimum setback of 100 feet as measured from the nearest edge of any public right-of-way or abutting property boundary and all other dimensional requirements of the New Braintree Zoning Bylaw, Section 4?

\_\_\_\_\_ Yes      \_\_\_\_\_ No

5. Does the total footprint of all proposed structures devoted to active cultivation of the proposed Marijuana Establishment, including greenhouse space, exceed 13,500 square feet of total area?

\_\_\_\_\_ Yes      \_\_\_\_\_ No

6. Do any proposed individual enclosed structures of the proposed Marijuana Establishment exceed 4,500 square feet?

\_\_\_\_\_ Yes      \_\_\_\_\_ No

7. Total square footage devoted to active cultivation of the proposed use: \_\_\_\_\_

8. Are any waivers being requested under Section F(j) of the Bylaw (please list and describe):

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**PART V REQUIRED ATTACHMENTS**

- \_\_\_\_\_ Filing Fee, check made payable to the Town of New Braintree (Amount to be determined)
- \_\_\_\_\_ Executed Community Host Agreement
- \_\_\_\_\_ Proof that the application to the Cannabis Control Commission has been deemed complete, or final permit from the Cannabis Control Commission
- \_\_\_\_\_ Evidence that the Applicant has site control and right to use the site for a Marijuana Establishment facility in the form of a deed or valid purchase and sales agreement or, in the case of a lease a notarized statement from the property owner and a copy of the lease agreement
- \_\_\_\_\_ Site Plan/Plot Plan
- \_\_\_\_\_ Documentation of abutter notice
- \_\_\_\_\_ Security Plan
- \_\_\_\_\_ Odor Control Plan
- \_\_\_\_\_ Management Plan
- \_\_\_\_\_ Energy Use Plan
- \_\_\_\_\_ Decommissioning Plan

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**PART VI SIGNATURES**

I certify that all of the above are true to the best of my knowledge:

Owner Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Applicant Signature (if different): \_\_\_\_\_ Date: \_\_\_\_\_