



Truro Planning Board Agenda

Remote Public Meeting – Work Session

Wednesday, October 28, 2020 – 1:00 pm

www.truro-ma.gov

REVISED AGENDA

Open Meeting

This will be a remote meeting. Citizens can view the meeting on Channel 18 in Truro and on the web on the "Truro TV Channel 18" button under "Helpful Links" on the homepage of the Town of Truro website (www.truro-ma.gov). Click on the green "Watch" button in the upper right corner of the page. Please note that there may be a slight delay (approx. 15-30 seconds) between the meeting and the television broadcast/live stream.

Citizens can join the meeting to listen and provide public comment via the link below, which can also be found on the calendar of the Board's webpage along with the meeting Agenda and Packet, or by calling in toll free at 1-877-309-2073 and entering the following access code when prompted: 365-102-845. Citizens will be muted upon entering the meeting until the public comment portion of the hearing. If you are joining the meeting while watching the television broadcast/live stream, please lower or mute the volume on your computer or television during public comment so that you may be heard clearly. Citizens may also provide written comment via postal mail or by emailing the Town Planner at planner1@truro-ma.gov.

Meeting link: global.gotomeeting.com/join/365102845

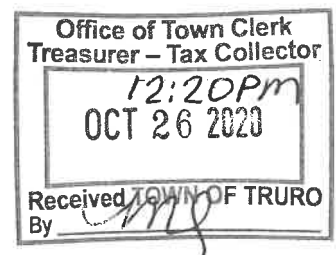
Public Comment Period

The Commonwealth's Open Meeting Law limits any discussion by members of the Board of an issue raised to whether that issue should be placed on a future agenda. Speakers are limited to no more than 5 minutes.

Work Session

- Review of work session meeting with Climate Action Committee
- Continue discussion of Marijuana Application Packet

Adjourn



Elizabeth Sturdy

From: Anne Greenbaum
Sent: Monday, October 26, 2020 7:00 PM
To: Carol Zablocki
Cc: 'Barbara Huggins Carboni'; Elizabeth Sturdy
Subject: Re: PB Work Session October 28, 2020

Hi Carol

Here are the links to the citizen's petition form as well as the Town Charter. The Charter explains the process.

<https://www.truro-ma.gov/sites/g/files/vyhlf3936/f/file/file/petitionfortmwarrantarticle.pdf>
https://www.truro-ma.gov/sites/g/files/vyhlf3936/f/uploads/zz_trurocharter_may_2017.pdf

Having written comments ahead of time helps the Board, especially on such a complicated topic. Your comments and others recently submitted are being distributed to board members before the meeting. I'm not sure whether we will be inviting public discussion or not on Wednesday, it will depend on how our work on the application packet goes. There is always the opportunity to provide additional written comment. Thanks again for your input

Anne Greenbaum
Chair, Truro Planning Board

From: Carol Zablocki <czablocki@tds.net>
Sent: Monday, October 26, 2020 2:56 PM
To: Anne Greenbaum <agreenbaum@truro-ma.gov>
Cc: 'Barbara Huggins Carboni' <BHugginsCarboni@k-plaw.com>; Elizabeth Sturdy <ESTurdy@truro-ma.gov>
Subject: RE: PB Work Session October 28, 2020

Thank you Anne for your e-mail. I guess I misunderstood at the last planning board work session, as questions were asked of none board attendees and the suggestion was made to submit comments, questions and concerns in advance of the next work session.

I can only hope that amendments will be proposed that are fair to all taxpayers in Truro that reside in residential/agricultural areas. Is there a link or other information you can share for the citizen's petition you mentioned?

At this point, it sounds as though attending the work session on Wednesday would not allow input but would allow one to listen to comments on the attachment I sent along?

Thank you for getting back to me so promptly.

Carol Zablocki

From: Anne Greenbaum <agreenbaum@truro-ma.gov>
Sent: Monday, October 26, 2020 12:17 PM
To: Carol Zablocki <czablocki@tds.net>
Cc: Barbara Huggins Carboni <BHugginsCarboni@k-plaw.com>; Elizabeth Sturdy <ESTurdy@truro-ma.gov>
Subject: Re: PB Work Session October 28, 2020

Hi Carol

Thanks for your interest in the Marijuana Application discussion and your thoughtful comments. I wanted to reach out before Wednesday's work session to explain what the work at the meeting is & is not. We are simply putting together the paperwork that applicants will submit. The checklists are & must be directly from the existing Truro Bylaw. This is not a policy conversation, nor can we change any parts of the existing Truro bylaw in this conversation.

The bylaw can only be changed by a vote at Town Meeting. Given that this is a new bylaw it would not be surprising to have amendments proposed. Amendments to bylaws can be proposed by town boards or by Citizen's Petitions.

In terms of addressing concerns about a specific proposal, that opportunity to speak is built into the process. Once an applicant has submitted their application there will be a Public Hearing. This is the opportunity for the public, including but not limited to abutters, to speak about concerns on the specific project.

I hope this is helpful. I wanted to make sure that, if you choose to attend Wednesday's work session, you know what we are/are not doing and don't get surprised at the meeting.

Thank you

Anne Greenbaum
Chair, Truro Planning Board

From: Elizabeth Sturdy <ESTurdy@truro-ma.gov>
Sent: Monday, October 26, 2020 8:53 AM
To: Carol Zablocki <czablocki@tds.net>
Cc: Barbara Huggins Carboni <BHugginsCarboni@k-plaw.com>; Anne Greenbaum <agreenbaum@truro-ma.gov>; ANNE GREENBAUM <annetruro@comcast.net>
Subject: RE: PB Work Session October 28, 2020

Carol,

This work session is not a joint meeting, so the entire work session is Planning Board only. Of course, cannot determine how long each section will take so my advice is to tune in at the beginning so you do not miss anything.

Thanks,

Liz

From: Carol Zablocki <czablocki@tds.net>
Sent: Saturday, October 24, 2020 10:03 AM
To: Elizabeth Sturdy <ESTurdy@truro-ma.gov>
Subject: PB Work Session October 28, 2020

Hi Liz, thanks for sending me all the links. According to the agenda, the marijuana application packet is the 5th item to be discussed. At the last work session, we were told that that discussion would be between 2:30-3:30PM. Is there a similar time slot or should we all log on at 1PM as advertised.

Thank you,
Carol Zablocki

Elizabeth Sturdy

From: Carol Zablocki <czablocki@tds.net>
Sent: Thursday, October 22, 2020 12:03 PM
To: 'Barbara Huggins Carboni'; Elizabeth Sturdy
Cc: 'Jim Zablocki'
Subject: Marijuana Application Packet Inquiries
Attachments: Truro Planing Board Questions Marijuana Application Packet 10-22-20.docx

Good afternoon, I am submitting the attached comments and questions regarding the proposed Marijuana Application packet for the review of the Truro Planning Board.

Our concerns in reading the application packet is that many of the items on the checklist are taken from the Cannabis Control Commission of the state of Massachusetts. If you have any questions for me, please reach me below by phone or e-mail.

We feel that the Truro Marijuana Application packet checklist should be more specific to the rural, residential and agricultural nature of Truro, MA and the checklist should be amended to reflect all three aspects of Truro. Many of the CCC guidelines are vague as they have created guidelines that encompass the state of Massachusetts, while the planning board of Truro has the opportunity to focus in on our town itself.

Carol & Jim Zablocki
10 Morris Ave Truro, MA 02666 (not a mailing address)
430 Pumpkin Hill Road Warner, NH 03278 (mailing address)
603-456-3534
czablocki@tds.net

Truro Planning Board Questions for Marijuana Application Packet

1. Please provide the Truro and Massachusetts individual name or office, e-mail and phone of individual or office involved in oversight and to whom complaints, comments or questions would be sent per HCA 6. Community Impact Concerns
 - a. Why does the HCA say that the town has the discretion to investigate complaints if the individual or office receives 6 written complaints with respect to the same negative impact? Shouldn't it be investigated based on the fact that there is a minimum of 6 written complaints?
2. Lighting
 - a. Type?
 - b. Location?
 - c. What will be the hours of operation?
3. Fencing
 - a. 100.8B Type security fencing for outdoor growing operations?
 - b. Define "inconspicuous and compatible with the surrounding neighborhood"
 - c. Location
 - i. Residential Boundary line?
 - ii. Perimeter of outside growing operation?
 - iii. Or both areas?
 - d. Proximity to property line, is there a set back requirement to a residential property?
 - e. Visible from Morris Avenue?
4. Cannabis Farm Buildings
 - a. Size?
 - b. Location?
 - c. Proximity to residential property line-set back requirement?
 - d. Natural or approved screening plan
 - i. 100.6 H MC shall be allowed to utilize movable structures, except natural screening or other approved screening...to render such structures less visible from public or private ways or abutting properties.
 - ii. What are we talking about here to render less visibility to a residential area or residence?
 - e. Visible from Morris Avenue
5. Odor Control
 - a. 100.6E Proposal to reduce or eliminate noxious odors or cause a nuisance or danger to public health or impair public comfort and convenience.
 - b. What plans will be implemented for an outdoor growing operation?

6. Security
 - a. Plan?
 - b. 100.7A2 Will abutters be notified if the security plan has changed after the annual review?
7. Is the Application Packet considered a Site Plan?
8. Will abutters be able to see all plans and documents submitted with the Application Packet?
9. Resource Plan
 - a. 100.7B2 what criteria will be used “to determine that the scale and scope of uses does not require such a review”?
 - b. As we are all on wells and cannabis takes as much or more water than tomato plants, how will this impact the wells of Morris Ave and surrounding neighborhoods?
10. Traffic Study and Circulation Plan
 - a. 100.7C What rights and protections will residential areas (Morris Ave for example) have to ensure that Morris Ave is not impacted by CMC traffic.
11. Site Plan
 - a. 100.7D3 Will abutters be able to see the site plan in enough time showing existing conditions on the site and the boundaries of any proposed growing operations prior to any CMC in Truro beginning operation?
 - b. Will abutters have an opportunity to review and discuss in an open forum?
 - c. 70.4C 3a.2 Will abutters be able to review the site plan as they pertain to applicable Zoning bylaw information and will this apply to outdoor growing operations?
12. Additional Provisions Regarding Cultivation
 - a. My understanding that most if not all the parcels in Truro are in residential neighborhoods and that the CMC has plans for 60,000 sq ft of canopy the first year with capacity to increase to 100,000 sq ft.
 - b. 100.8C Why is a Residential District excluded when specifying the amount of canopy proposed to be cultivated on each parcel?

Respectfully submitted October 22, 2020 by:

Carol & Jim Zablocki
10 Morris Avenue Truro, MA 02666
430 Pumpkin Hill Rd Warner, NH 03278
603-456-3534 Home #
czablocki@tds.net

Elizabeth Sturdy

From: Lisa Peets <peetslm@yahoo.com>
Sent: Monday, October 26, 2020 5:15 PM
To: Elizabeth Sturdy; Barbara Carboni
Cc: david leviatin
Subject: Marijuana Cultivation Application Packet

Barbara, Liz,

Hope you're both well. As suggested at the Truro Planning Board meeting earlier this month, we have laid out below some of our initial questions in relation to the draft Marijuana Cultivation application and the process around it.

Apologies in advance for the length of this list. This is our first time living next door to a marijuana grow, so we have a number of questions. We of course recognize that the Planning Board does not intend to revisit the policy here — and to be clear, we're not looking to re-open that issue either. Instead, we want to focus on how the policy is implemented, and the process around that implementation. We also don't want to get in the way of the Planning Board's momentum here—but we are conscious that this isn't business as usual for any of us, and for that reason, we think it makes sense to proceed thoughtfully.

We'd be happy to discuss the questions below. You can reach us at the emails above. Many thanks.

All the best,
Lisa Peets & David Leviatin

- On process, we understand that the Bylaws contemplate a public consultation by the Planning Board (and a separate one in the context of the Zoning Board consultation on the Special Permit) — and at the meeting, you helpfully pointed to those planned public consultations as opportunities to provide input. But for those of us who are abutters, and thus more directly impacted than the general public will be, the standard consultations, with a couple of weeks' notice etc., may not suffice. Has the Planning Board considered developing a process for abutters, addressing things such as how far in advance will we receive the materials, what materials will we receive etc.? Having sufficient time to review materials in advance is particularly important here, as many of those most affected are not full-time residents—and also, as discussed, as we may need to get third-party input since we lack prior experience. Ideally, there would be a pre-defined process with clear timetables for review and input. In this regard, we note that Section 100.6.K allows the Planning Board to adopt administrative regulations governing Site Plan review.
- The Bylaws also allow the Planning Board to retain an outside consultant, at the Cooperative's cost (Section 100.6.K). Given that the Planning Board does not have particular expertise in this area — and given the newness not just in Truro, but in Massachusetts (and, in fact, in the entire country) of cultivation in residential areas — third-party expertise may be helpful. Is the Planning Board planning to use a third-party expert? If so, how will s/he be chosen?
- Also, process-wise, how will the other plans required by the Bylaws (e.g., Security Plan, Resource Plan etc.) be reviewed and assessed by the Board in the context of the Site Plan Review? For example, the Security Plan will necessarily need to include measures on fencing, surveillance, lighting — matters that are also subject to other provisions in the Bylaws. If there's a conflict between the two (e.g., the fencing required by the Security Plan is not compatible with the requirement in Section 100.8.B that it be "as conspicuous as possible", or the surveillance lighting required by the Security Plan sheds light onto adjacent properties, in violation of Section

100.8.C), how will that conflict be resolved? Also, will abutters have the opportunity to see all of those plans (per our first question)?

- Given proximity of the proposed cultivation to National Seashore properties, how will those interests be protected, in particular given that it seems (based on what was said at the Planning Board meeting) that the NS itself may not be engaging?
- In terms of the application itself, we understand that its provisions, in effect, largely copy what's in the Bylaws verbatim. Has the Board given thought to what further questions should be included in the application, given the very specific and unique issues raised by cannabis grows in residential areas (and in Truro, more generally, given its unique character)?
- Various aspects of the application itself aren't clear. For example, the Bylaws include rules on limiting noxious / nuisance odors or odors that impair "public comfort and convenience" (Section 100.6.E)— but that's not in the Review Criteria document. Given that one of the most common concerns / problems with cannabis grows is smell, is there a reason that has been excluded from the Review Criteria? And also how will the Planning Board make any assessments in that regard?
- Also on the Review Criteria, the standard for lighting in the Criteria seems lower than that in the Bylaws. The Bylaws indicate that cultivators can't shed light on adjacent property (Section 100.8.C), but that's not reflected in the Review Criteria, which uses a lower threshold.
- The Bylaws also require that abutting properties be protected from "detrimental site characteristics" (Section 100.9.B.1) How does the Planning Board interpret that requirement / how will it be assessed in the application process?
- In terms of setbacks, referenced in the application materials, what requirements does the Planning Board intend to apply? Section 100.9.A.2 indicates that "the site location (including proximity of abutters . . .)" is part of the Planning Board's consideration — but what does the Planning Board consider to be appropriate proximity?
- It's also not clear to us how much acreage can be covered by a grow in a residential area. The Bylaws are confusing on this point — an explanation of how the calculations will be done would be helpful.
- Has the Board given any thought to the intrusiveness of the surveillance measures that are required by Massachusetts State law? How can we be sure any surveillance does not invade the privacy of those in abutting properties, and how will that be reflected in the application package?

**APPLICATION PROCESS FLOW CHART FOR ADULT USE
RECREATIONAL MARIJUANA ESTABLISHMENTS (RME) &
MEDICAL MARIJUANA TREATMENTS CENTERS
(MMTC)**





Town of Truro ~~Planning Board~~

P.O. Box 2030, Truro, MA 02666

APPLICATION PACKET FOR ADULT USE RECREATIONAL MARIJUANA ESTABLISHMENTS (RME) & MEDICAL MARIJUANA TREATMENTS CENTERS (MMTC)

A. OVERVIEW OF STEPS IN THE STATE & TRURO APPLICATION PROCESS

- 1. Signed Host Community Agreement with Town of Truro, then*
- 2. Provisional License or Provisional Certificate of Registration from the State of Massachusetts, then*

BOTH HOST COMMUNITY AGREEMENT & PROVISIONAL LICENSE OR PROVISIONAL CERTIFICATE ARE REQUIRED BEFORE SUBMITTING THIS APPLICATION PACKET TO THE TOWN OF TRURO

- 3. Application for Adult Use Marijuana Establishments (RME) & Medical Marijuana Treatment Centers (MMTC) to the Town of Truro – Application Packet contains 3 sections:*

- a. General Application*
 - i. Application Form*
 - ii. General Checklist*
- b. Application for Site Plan Review from the Planning Board*
 - i. Site Plan Review Application Form*
 - ii. Required Plans & Other Information including Checklist*
 - iii. Criteria Review*
 - iv. Certified Abutters List*
 - v. Filing Fee*

Once Site Plan Review has been approved

- c. Application for Special Permit from the Zoning Board of Appeals (ZBA)*
 - i. Special Permit Application Form*
 - ii. ?*

B. *TRURO PROCESS AFTER RECEIVING PROVISIONAL LICENSE/CERTIFICATE.*

This process requires applicants receive approvals from both the Planning Board and the Zoning Board of Appeals (ZBA). The order is Planning Board first for Commercial Site Plan Review and then ZBA for a Special Permit. This packet includes information and forms for both processes.

1. If the applicant is a Craft Marijuana Cooperative (CMC) the requirements are:
 - a. An approved parcel specific Site Plan for each parcel
 - i. *§100.3 ELIGIBILITY - The total number of parcels allowed to be utilized per Craft Marijuana Cultivator Cooperative licensee for Marijuana and*
 - b. One (1) Special Permit for the CMC.
2. The following marijuana establishment specific items specified in 100.7 **A, B, C & D** must be included with this application in addition to the material required for Site Plan Review and Special Permit Applications
 - a. Security Plan
 - b. *Resource Plan (Marijuana Cultivators & Marijuana Product Manufacturers)*
 - c. *Traffic Study & Circulation Plan*
 - d. Copy of Provisional License or Provisional Certificate of Registration from the State of Massachusetts
 - e. *Executed Host Community Agreement*
 - f. *Site Plan*
 - g. *Elevations of any proposed new construction for indoor growing &/or processing*
 - h. *Plan of any new signage*
 - i. *Narrative describing management & general operation of the facility*
 - j. *Fire Protection Plan (if applicable)*
 - k. *Table showing use & square footage of all proposed buildings*



Town of Truro **Planning Board**

P.O. Box 2030, Truro, MA 02666

APPLICATION FOR MARIJUANA ESTABLISHMENT APPROVAL

To the Town Clerk, the Planning Board and the Zoning Board of Appeals of the Town of Truro, MA

Date _____

The undersigned hereby files an application for a:

☐ Recreational Marijuana Establishment (RME)

☐ Medical Marijuana Treatment Center (MMTC)

Is the applicant either a Marijuana Craft Cooperative (MCC) or member of an MCC? _____

1. General Information

Applicant's Name _____

Applicant's Legal Mailing Address _____

Applicant's Phone(s), Fax and Email _____

Applicant is one of the following: *(please check appropriate box)*

*Written Permission of the owner is
required for submittal of this application.

☐ Owner

☐ **Operator***

☐ **Lessee** Other*

Owner's Name and Address _____

2. Marijuana Craft Cooperative (MCC) Information (if applicable)

Name of MCC _____

MCC Member Information –

Name: _____

Mailing Address _____

Physical Address of Marijuana Establishment _____

Name: _____

Mailing Address _____

Physical Address of Marijuana Establishment _____

Name: _____

Mailing Address _____

Physical Address of Marijuana Establishment _____

Name: _____

Mailing Address _____

Physical Address of Marijuana Establishment _____

Name: _____

Mailing Address _____

Physical Address of Marijuana Establishment _____

Signature(s)

Applicant(s)/Representative *Printed* Name(s)

Owner(s) *Printed* Name(s) or written permission

Applicant(s)/Representative *Signature(s)*

Owner(s) *Signature(s)* or written permission

Marijuana General Application – September 2020

INSERT GENERAL CHECKLIST HERE



Town of Truro Planning Board

P.O. Box 2030, Truro, MA 02666

PROCEDURE FOR SUBMITTING **SITE PLAN REVIEW** APPLICATION FOR ADULT USE RECREATIONAL MARIJUANA ESTABLISHMENTS (RME) & MEDICAL MARIJUANA TREATMENTS CENTERS (MMTC)

A completed application consisting of each of the requirements of §70 and §100 will be filed as follows:

- fifteen (15) packets to be filed with the Town Clerk; AND
- a complete copy, including all plans and attachments, submitted electronically to the Town Planner at planner1@truro-ma.gov.

The following information and requirements must be filed with all applications for Site Plan Review consistent with the Rules, Regulations and Fee Schedule of the Truro Planning Board.

☐ **1 – Official Application Form – Original and Fourteen (14) Copies**

Every application for action by the Board shall be made on an official form. Any communications purporting to be an application shall be treated as mere notice of intention until such time as it is made on an official application form accompanied by all requisite supporting data.

☐ **2 – Required Plan(s) and Other Information including Checklist (Fifteen (15) Copies)**

Every application and petition to the Board shall be accompanied by all the plans and other information required in the Zoning Bylaw. The application shall include each of the requirements of §70 and §100 as listed in the attached Checklist which is to be submitted as part of the official application. **This items include:**

- Copy of Provisional License or Provisional Certificate of Registration from the State of Massachusetts
- *Executed Host Community Agreement*
- *Site Plan*
- *Elevations of any proposed new construction for indoor growing &/or processing*
- *Plan of any new signage*
- *Narrative describing management & general operation of the facility*
- *Security Plan*
- *Fire Protection Plan (if applicable)*
- *Table showing use & square footage of all proposed buildings*

☐ **3 – Criteria Review**

Applicant will briefly state how they meet each of the review criteria in §70 and §100 using the format provided in this packet.

☐ **4 – Certified Abutters List – Original and Fourteen (14) Copies**

A Certified Abutters List shall be obtained by the Applicant from the Truro Assessors Office and filed as part of the complete application. A copy of the “Certified Abutters List Request Form” is included in this packet.

☐ **5 – Filing Fee**

All applications shall be filed with the Town Clerk and shall be accompanied by a check payable to the Town of Truro in the amount of **\$250.00 for Site Plan Review. and \$125.00 for Waiver of Site Plan Review**. The filing fee is non-refundable.

Note: *Please familiarize yourself with Truro Zoning Bylaws including bylaws specifically addressing property in your Truro Zoning District. It may also be helpful to review other potentially applicable Town regulations such as Board of Health and Conservation Commission regulations and regulations of other jurisdictions as applicable such as The Cape Cod National Seashore or a homeowner’s association.*

ONCE A COMPLETED APPLICATION HAS BEEN RECEIVED

- Town Planner will determine if an Application is complete. Upon determination an Application is complete, the Planning Board will then proceed to post notice of a public hearing in accordance with **Section 11 of Chapter 40A** of the General Laws of Massachusetts.
- Either you or your agent/representative shall appear before the Board at the scheduled hearing. If you need to reschedule, you must submit a request in writing for a continuance, using Town of Truro Continuance Request Form.
- Additional information may be submitted prior to the scheduled public hearing provided it is received no less than **ten (10) days** prior to the hearing so that it can be included in the packet for Board Members to read and review. Submit fifteen (15) paper copies **AND** an electronic copy to the Town Planner (at planner1@truro-ma.gov). Plans must be submitted to the Town Clerk for filing. Information received less than **ten (10) days** before the scheduled hearing may result in a continuance of the hearing. New material brought to the meeting, that has not previously been filed/submitted, will not be reviewed at that meeting.

Please do not include a copy of these instructions with the application



Town of Truro Planning Board

P.O. Box 2030, Truro, MA 02666

APPLICATION FOR MARIJUANA SITE PLAN REVIEW

To the Town Clerk and the Planning Board of the Town of Truro, MA Date _____

The undersigned hereby files an application with the Truro Planning Board for the following:

☐ **Site Plan Review** pursuant to §70 and §100 of the Truro Zoning Bylaw ~~no waivers & not~~
~~allowed in Seashore!~~

2. General Information

Business Type RME or MMTTC _____

Is applicant a Marijuana Craft Cooperative? _____ **If yes, a separate Site Plan Review packet must be submitted for each parcel.**

Description of Property and Proposed Project _____

Property Address _____ Map(s) and Parcel(s) _____

Registry of Deeds title reference: Book _____, Page _____, or Certificate of Title
Number _____ and Land Ct. Lot # _____ and Plan # _____

Applicant's Name _____

Applicant's Legal Mailing Address _____

Applicant's Phone(s), Fax and Email _____

Applicant is one of the following: (please check appropriate box)

*Written Permission of the owner is
required for submittal of this application.

☐ Owner ☐ Operator* ☐ Lessee Other*

Owner's Name and Address _____

Representative's Name and Address _____

Representative's Phone(s), Fax and Email _____

- The applicant is **advised** to consult with the Building Commissioner, Planning Department, Conservation Department, and/or Health Department prior to submitting this application.

Signature(s)

Applicant(s)/Representative Printed Name(s)

Owner(s) Printed Name(s) or written permission

Applicant(s)/Representative Signature(s)

Owner(s) Signature(s) or written permission

Your signature on this application authorizes the Members of the Planning Board and town staff to visit and enter upon the subject property.

INSERT SITE PLAN REVIEW CHECKLIST HERE

ADDRESSING THE REVIEW CRITERIA

§100.1 PURPOSE

The purpose of the marijuana bylaw is to provide for the regulation of Adult Use Recreational Marijuana Establishments (“RME”) and Medical Marijuana Treatment Centers (“MMTC”) in accordance with An Act To Ensure Safe Access to Marijuana, Chapter 55 of the Acts of 2017 (the “Act”), and all regulations which have or may be issued by the Cannabis Control Commission, including, but not limited to 935 CMR 500.00 and 935 CMR 501.00, in locations suitable for such uses, which will minimize adverse impacts of RMEs and MMTCs on adjacent properties, residential neighborhoods, schools and other sensitive locations by regulating the siting, design, placement and security of such uses.

Instructions: Please provide the Planning Board with a short explanation of how your application meets each of the review criteria of §70.4D and §100.9 of the Truro Zoning Bylaw. If you require extra space for your answers, please attach the additional information to your application in no more than ~~two~~ **four** pages. This is to provide the Planning Board with an overview of your rationale prior to the meeting.

§70.4D – REVIEW CRITERIA

The Planning Board shall review ~~Residential~~ Site Plans and their supporting information. It is the intent of ~~Residential~~ Site Plan Review that all new construction shall be sited and implemented in a manner that is in keeping with the scale of other buildings and structures in its immediate vicinity in order to preserve the characteristics of existing neighborhoods. Such an evaluation shall be based on the following standards and criteria:

1. Relation of Buildings and Structures to the Environment. Proposed development relates to the existing terrain and lot and provides for solar and wind orientation which encourages energy conservation because:

2. Building Design and Landscaping. Proposed development is consistent with the prevailing character and scale of the buildings and structures in the neighborhood through the use of appropriate scale, massing, building materials, screening, lighting and other architectural techniques because:

3. Preservation of Landscape. The landscape will be preserved in its natural state insofar as practicable by minimizing any grade changes and removal of vegetation and soil because:

4. Circulation. Curb cuts and driveways will be safe and convenient and will be consistent with Chapter I, Section 9 of the General Bylaws of the Town of Truro because:

5. Lighting. Lighting will be consistent with Chapter IV, Section 6 of the General Bylaws of the Town of Truro. There will be protection of adjacent properties and the night sky from intrusive lighting because:

§100.9 – SITE PLAN REVIEW AND SPECIAL PERMIT CRITERIA

- A. In addition to the Site Plan Review under §70 et. seq., and the Special Permit criteria under §30.8 the Planning Board and Zoning Board of Appeals, respectively, shall conduct all Site Plan Review and Special Permit determinations on a case-by-case basis, taking into consideration:

1. The particular form of Marijuana activity proposed:

2. The site location (including proximity of abutters, schools, or sensitive natural habitat) or historic properties identified in the Town's inventory of historic resources:

3. The traditional uses of the site and their similarity to or difference from the proposed activities:

4. The intensity of the proposed activities, including impacts on neighbors and the environment:

- B. In addition to the Site Plan review criteria set forth in §70.4(D), the following shall additionally apply to the Planning Board's review of any RME and MMTC:

1. The proposal shall provide for the protection of abutting properties and the surrounding area from detrimental site characteristics and from adverse impact from excess noise, dust, smoke, or vibration higher than levels previously experienced from permitted uses:

2. The proposal shall provide for structural and/or landscaped screening or buffers for storage areas, loading docks, dumpsters, rooftop or other exposed equipment, parking areas, utility buildings and similar features viewed from street frontages and residentially used or zoned premises:



TOWN OF TRURO

Assessors Office

Certified Abutters List-----**Specific for Marijuana?** Request Form

DATE: _____

NAME OF APPLICANT: _____

NAME OF AGENT (if any): _____

MAILING ADDRESS: _____

CONTACT: HOME/CELL _____ EMAIL _____

PROPERTY LOCATION: _____
(street address)

PROPERTY IDENTIFICATION NUMBER: MAP _____ PARCEL _____ EXT. _____
(if condominium)

ABUTTERS LIST NEEDED FOR:

(please check all applicable)

FEE: \$15.00 per checked item

(Fee must accompany the application unless other arrangements are made)

___ Board of Health ⁵	Planning Board (PB)	Zoning Board of Appeals (ZBA)
___ Cape Cod Commission	___ Special Permit ¹	___ Special Permit ¹
___ Conservation Commission ⁴	___ Site Plan ²	___ Variance ¹
___ Licensing	___ Preliminary Subdivision ³	
Type: _____	___ Definitive Subdivision ³	
	___ Accessory Dwelling Unit (ADU) ²	

___ Other _____ (Fee: Inquire with Assessors)
(Please Specify)

Note: Per M.G.L., processing may take up to 10 calendar days. Please plan accordingly.

THIS SECTION FOR ASSESSORS OFFICE USE ONLY

Date request received by Assessors: _____ Date completed: _____

List completed by: _____ Date paid: _____ Cash/Check _____

¹Abutters, owners of land directly opposite on any public or private street or way, and abutters to the abutters within 300 feet of the property line.

²Abutters to the subject property, abutters to the abutters, and owners of properties across the street from the subject property.

³Landowners immediately bordering the proposed subdivision, landowners immediately bordering the immediate abutters, and landowners located across the streets and ways bordering the proposed subdivision. Note: For Definitive Subdivision only, responsibility of applicant to notify abutters and produce evidence as required.

⁴All abutters within 300 feet of parcel, except Beach Point between Knowles Heights Road and Provincetown border, in which case it is all abutters within 100 feet. Note: Responsibility of applicant to notify abutters and produce evidence as required.

⁵Abutters sharing any boundary or corner in any direction – including land across a street, river or stream. Note: Responsibility of applicant to notify abutters and produce evidence as required.

MARIJUANA SPECIAL PERMIT APPLICATION PACKET

On Special Permit Application include info on canopy size

~~§100.3 ELIGIBILITY~~

- ~~1. The total number of parcels allowed to be utilized per Craft Marijuana Cultivator Cooperative licensee for Marijuana cultivation in the Residential District shall be limited to six (6).~~
2. The initial special permit shall limit the amount of total canopy to a Tier 3 production level under 935 CMR 500.05 (20,000 sq. ft. or less) in the Residential District. Every year thereafter, the Craft Marijuana Cultivator Cooperative, MMTCCP or Marijuana Cultivator may apply to the Zoning Board of Appeals to modify the special permit to increase production levels one Tier per year to a maximum of Tier 8 production levels as established under 935 CMR 500.05 (70,000 sq. ft. or less) provided however (i) each licensee seeking to increase production levels must undergo additional Site Plan Review; and (ii) in no instance shall the Craft Marijuana Cultivator Cooperative, MMTCCP, or Marijuana Cultivator exceed the lot coverage and canopy limitations set forth elsewhere in this Bylaw. Cultivation in the Residential District is limited to parcels of 1.5 acres or more.