



# **Town of Truro Zoning Board of Appeals**

P.O. Box 2030, Truro, MA 02666

## **PROCEDURE FOR SUBMITTING APPLICATION FOR SPECIAL PERMIT**

### **ADULT USE RECREATIONAL MARIJUANA ESTABLISHMENTS (RME) AND MEDICAL MARIJUANA TREATMENTS CENTERS (MMTC)**

A completed application consisting of each of the requirements of §30.8 and §100 will be filed as follows:

- ten (10) packets to be filed with the Town Clerk; AND
- a complete copy, including all plans and attachments, submitted electronically to the Planning Department Assistant at [esturdy@truro-ma.gov](mailto:esturdy@truro-ma.gov).

Additional material, *electronic and paper*, for a hearing shall be received no less than **ten (10) days** prior to the scheduled public hearing or the continuation of the public hearing.

The following information and requirements must be filed with all applications for Special Permit consistent with the Rules, Regulations and Fee Schedule of the Truro Zoning Board of Appeals.

☐ **1 – Official Application Form – Original and Nine (9) 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 (Ten (10) Copies)**

Every application and petition to the Board shall be accompanied by all the plans and other information required in the Zoning Bylaw for the type of Special Permit requested (including but not limited to §40.4 Wind Generators, and §40.5 Communication Structures, Buildings and Appurtenances). The application shall include each of the requirements of §30.8 and §100 as listed in the attached Checklist which is to be submitted as part of the official application. These items include:

- Copy of Provisional License or Provisional Certificate of Registration from the State of Massachusetts
- Executed Host Community Agreement
- Site Plan(s) as appropriate
- Elevations of any proposed new construction for indoor growing and/or processing
- Plan of any new signage

- Narrative describing management and general operation of the facility
- Security Plan
- Fire Protection Plan (if applicable)
- Table showing use and square footage of all proposed buildings

☐ **3 – Certified Abutters List – Original and Nine (9) 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.

☐ **4 – 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 **\$200.00**. 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**

- Planning Department will determine if an application is complete. Upon determination an Application is complete, the Planning Department Assistant will notify the applicant of the next Planning Board meeting date and will 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 ten (10) paper copies **AND** an electronic copy to the Planning Department Assistant at [esturdy@truro-ma.gov](mailto:esturdy@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 Zoning Board of Appeals

P.O. Box 2030, Truro, MA 02666

## APPLICATION FOR SPECIAL PERMIT

To the Town Clerk and the Zoning Board of Appeals of the Town of Truro, MA Date \_\_\_\_\_

The undersigned hereby files with specific grounds for this application:

### 1. General Information

Applicant seeks approval and authorization of uses under Section \_\_\_\_\_ of the Truro Zoning Bylaw concerning (describe): \_\_\_\_\_

Business Type: RME or MMTC \_\_\_\_\_

Is applicant a Marijuana Craft Cooperative (MCC)? \_\_\_\_\_ If yes, a separate Site Plan Review must be submitted for each parcel prior to appearing before the ZBA

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 ☐ Prospective Buyer\* ☐ Other\*

Owner's Name \_\_\_\_\_

Owner's Address \_\_\_\_\_

Owner's Phone(s), Fax and Email \_\_\_\_\_

Representative's Name \_\_\_\_\_

Representative's Address \_\_\_\_\_

Representative's Phone(s), Fax and Email \_\_\_\_\_

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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.

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

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

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

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

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

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

# 100 - MARIJUANA SPECIAL PERMIT CHECKLIST

Applicant Name: _____		Date: _____	
No.	Requirement	Agree	Not Agree
Explanation, if needed			
<b>30.8 Zoning Board of Appeals Special Permits</b>			
A	Construction or operation under a building or special permit shall conform to any subsequent amendment of this bylaw unless the use or construction is commenced within a period of six months after the issuance of the permit and in cases involving construction, unless such construction is continued through to completion as continuously and expeditiously as is reasonable.		
B	A special permit shall lapse after one year if a substantial use thereof has not sooner commenced except for good cause or, in the case of permit for construction, if construction has not begun by such date except for good cause.		
C	Special permits may be approved only after a finding by the Board of Appeals or Planning Board (as applicable, see use table) that the proposed use is in the opinion of the Board in harmony with the general public good and intent of this bylaw. The approval shall be subject to any other applicable provision of this bylaw and the Board may impose conditions, safeguards, and limitations on time and use, which in the Board's opinion are necessary to comply with the intent and purpose of this bylaw.		
D	The Board of Appeals or Planning Board (as applicable) shall adopt and from time to time amend rules relative to the issuance of such permits and shall file a copy of those rules in the office of the Town Clerk. Said rules shall describe the size, form, contents, style and number of copies of plans and specifications and the procedure for submission and approval of the permits.		
E	Special permits may only be acted upon following public hearings conducted in accordance with the provisions of Massachusetts General Law, Chapter 40A or amendments thereto, within 65 days after filing with the Board the application for the permit. The Board shall act on the application for special permits within 90 days following the public hearing.		

## 100 - MARIJUANA SPECIAL PERMIT CHECKLIST

Applicant Name: _____		Date: _____		
No.	Requirement	Agree	Not Agree	Explanation, if needed
<b>100.9 Site Plan Review and Special Permit Criteria</b>				
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; and			
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, and			
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

### REQUEST FORM

#### APPLICATION FOR ADULT USE

#### RECREATIONAL MARIJUANA ESTABLISHMENTS (RME) AND

#### MEDICAL MARIJUANA TREATMENT CENTERS (MMTC)

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)

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#### ABUTTERS LIST NEEDED FOR:

\_\_\_\_\_ Planning Board Site Plan Review \_\_\_\_\_ Zoning Board of Appeals Special Permit

**FEE: \$15.00 per checked item** (Fee must accompany the application unless other arrangements are made)

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

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#### THIS SECTION FOR ASSESSORS OFFICE USE ONLY

Date request received by Assessors: \_\_\_\_\_ Date completed: \_\_\_\_\_

List completed by: \_\_\_\_\_ Date paid: \_\_\_\_\_ Cash/Check \_\_\_\_\_

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Abutters List for: Abutters, 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 as well as any other property owners within 300 feet of the property line.