

## Nicole Larson

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**From:** vtsdmailer@vt-s.net on behalf of mpj2202@gmail.com  
**Sent:** Wednesday, March 09, 2016 7:28 AM  
**To:** Planning Department  
**Subject:** [Town of Grafton MA] Joint workshop meeting on 08MAR16

**RECEIVED**

Hello Planning Department,

MAR 9 2016

Mark Johnson ([mpj2202@gmail.com](mailto:mpj2202@gmail.com)) has sent you a message via your contact form (<http://www.grafton-ma.gov/user/14766/contact>) at Town of Grafton MA.

**PLANNING BOARD  
GRAFTON, MA**

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Message:

Board of Selectment and Planning Board members,

I believe my thoughts may have been misinterpreted during last night's joint workshop meeting.

First of all, I believe that the proposed amendments, as they are currently written, offer very little regulation and quite possibly may limit future regulation. The perception from a resident's view is that this warrant article, as written, only serves as an acknowledgement that both boards dropped the ball by previously not recognizing the need for proper regulation for the medical marijuana industry. The Planning Board has now rushed this through on January 11. All this proposed article does is define RMD and OMMD (which is certainly needed) and stuffed them into CB, I, and OLI districts.

Perhaps that decision may be influenced due to the fact that an RMD has already secured a location in CB so, why not open all CB.

I am primarily focused on CB as I and OLI (for the most part) are the proper areas for RMDs. The retail side will generally be OMMDs and, will be seeking a more retail district. What residents are looking for are regulations that protect their own residential properties by adopting some buffers. If the current proposed were to pass, how can set backs or buffers be added? As discussed during the meeting, the CB in Grafton is very shallow and limiting as is. No buffer could be added as it would effectively ban such businesses and would not hold up at the AG office.

I did bring up other surrounding towns to Grafton. I mentioned Westborough and Northbridge. Westborough residents voted on and did pass (approved by the AG office) very strict regulations allowing for RMD and OMMD in the town's "adult entertainment" district only. Northbridge (seeking outside guidance) passed zoning bylaws that offer protections to residents in a bit more comprehensive method. Judging from how they accomplished this would reflect that Northbridge may have been dealing with a similar problem Grafton is facing – no room to adopt buffers. Northbridge addressed this by adopting minimum lot sizes along with minimum building set backs when abutted to residential properties.

I did question why other districts were not considered for locating OMMD's.

Districts NB and VMU are proposed as a no. Why? Mr. Hassinger described OMMD's as "a quiet little store". Yet, when I asked why not in NB or VMU, the reason was that this type of business did not fit into the definitions as written in the zoning bylaws. I would ask that you all review the definitions set forth in the zoning bylaws. Using Mr. Hassinger's description of an OMMD, it seems that it fits perfectly into NB and VMU. As I pointed out, there are 3 Cumberland Farms, all selling the same goods, offering gasoline, all very congested as compared to other surrounding businesses, yet each are approved in all 3 different districts. With that amount of traffic, parking, etc.; How does that fit into NB?

Something that Selectman Flynn was questioning was the differences between the "P" and "S" within the use table. He was being told that the "P" required for a site plan review by the Planning Board and an "S" was a "Special Permit" that would make it more difficult to obtain a permit. He questioned why on line 23, there was not an "S". Also requested was specific differences between the two. I also questioned the same. No specifics were given. Just the generalization that more would be required. What is this more?

This leads me to my other request that the Town should consider outside guidance on this. If nobody from either Board (or others present) could answer the simple question outlined above, how can they be tasked with creating legislation to regulate this? The residents would be better served by addressing this in a proactive and comprehensive manner rather than throwing bits and pieces together in a reactionary manner, only to revisit again. There was also information discussed with the upcoming possibility of recreational use. Some preliminary information reflected that existing OMMD's would likely be allowed to convert to recreational and, may quite possible be afforded that protection under the state proposal. Once again, I urge you to consider seeking input from professionals that specialize in regulating this industry.

So, to sum all of this up. Scrap the proposed simplistic changes to the use table and consider regulating this in a comprehensive manner so we do not need to visit this again in the immediate future.

Regards,  
Mark Johnson