

**TOWN OF MILLBURY, MASSACHUSETTS**  
**The Planning Board**

**NOTICE OF DECISION**  
**MODIFICATION OF A**  
**RECREATIONAL AND MEDICAL MARIJUANA ESTABLISHMENT SPECIAL PERMIT**  
**SITE PLAN APPROVAL**

**12 Latti Farm Road**

Applicant:  
GreenCare Collective, Inc.  
12 Latti Farm Road  
Millbury, MA 01527

Date Filed: March 11, 2021

2021 MAY -6 AM 11:19  
MILLBURY, MASS

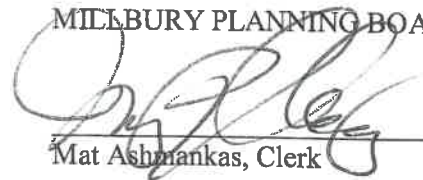
Owner:  
OCS Millbury, LLC  
633 3<sup>rd</sup> Avenue, 17<sup>th</sup> Floor  
New York, NY 10017

On Monday, May 3, 2021, the Millbury Planning Board held a public hearing on the application of GreenCare Collective, Inc. for Modification of a Special Permit for Recreational and Medical Marijuana Establishment (a.k.a. Marijuana Cultivator) under Article 5, Section 52 of the Millbury Zoning Bylaws and Site Plan Approval under Article I, Section 12.4, of the Millbury Zoning Bylaws for property located at 12 Latti Farm Road, Millbury, MA. The public hearing was broadcast live on Millbury Public Access Television, live-streamed on the Millbury Public Access Television website, and live-streamed via ZOOM video and audio conferencing, allowing members of the public to follow the proceedings of the Planning Board while they were occurring and allowing members of the public to participate in the hearing through real-time active participation, in accordance with the Governor's Executive Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, § 20, dated March 12, 2020. The Planning Board at its meeting on May 3, 2021 voted to **GRANT** the Modification of a Special Permit for Recreational and Medical Marijuana Establishment (a.k.a. Marijuana Cultivator) under Article 5, Section 52 and Site Plan Approval under Article I, Section 12.4 of the Millbury Zoning Bylaws subject to conditions, safeguards and limitations on time and use. VOTE: Members present: Richard Gosselin (yes), Mat Ashmankas (yes), Bruce Devault (yes), Terry Burke Dotson (yes), and Paul Piktelis (yes).

The decision of the Board, together with a detailed record of its proceedings stating the reasons for the decision, shall be filed within 14 days after the hearing, in the office of the Town Clerk.

Decision filed with Clerk May 7, 2021.

MILLBURY PLANNING BOARD



Mat Ashmankas, Clerk

**TOWN OF MILLBURY, MASSACHUSETTS  
The Planning Board**

**RECORD OF PROCEEDINGS  
On Application For Modification of Recreational and Medical Marijuana  
Establishment Special Permit and Site Plan Approval**

I, Mat Ashmankas, Clerk of the Planning Board, hereby certify that the following is a detailed record of its proceedings relative to the application of GreenCare Collective, LLC for property located at 12 Latti Farm Road, Millbury, MA, located in the Industrial II District, shown on Millbury Assessors' Map 14 as Parcel 27 (the "Property") for Modification of a Special Permit for Recreational and Medical Marijuana Establishment (a.k.a. Marijuana Cultivator) under Article 5, Section 52 of the Millbury Zoning Bylaws and site plan approval under Article I, Section 12.4 of the Millbury Zoning Bylaw.

A legal ad, a true copy marked as Exhibit A, was published in the *Worcester Telegram & Gazette* on April 16, 2021 and the *Millbury Sutton Chronicle* on April 22, 2021. Both are newspapers of general circulation within the Town of Millbury. The legal ad was posted by the Town Clerk on April 14, 2021. Notice of the hearing was mailed postpaid to the Applicant, abutters of land within 300 feet of the property line, being the same persons named in the Certified List of Abutters, and to the Planning Boards of every abutting community.

On May 3, 2021 the Planning Board opened a public hearing to consider the application and receive comment thereon. The Planning Board relied on the following documents, in addition to the testimony presented at the public hearing, in making its decision:

As amended through May 1-2, 2018	Town of Millbury Zoning Bylaws
As amended through 2018	Millbury Municipal Code
March 8, 2021, last amended April 21, 2021	"Greencare Collective, Inc Special Permit Modification #12 Latti Farm Road, Millbury, MA 01527", prepared by McClure Engineering Inc., 119 Worcester Road, Charlton, MA (the "Site Plan").
April 6, 2017	Plan entitled "372"L x 142"W x 126" Inside Height Generator Enclosure" prepared by Pritchard-Brown, LLC
July 19, 2019	Proposed Floor Plans prepared by BKA Architects
Undated	National Flood Hazard Layer FIRMette
July 22, 2019	"Application for Special Permit Modification" packet prepared by McClure Engineering, Inc.
	Details of diesel generator by Caterpillar, cogeneration modular central plant by Daikin, and evaporative cooler by Evapco, Inc,
	Tecochill Application Note RE: DTx Acoustic Levels
September 29, 2020	Application for Appeal RE: Variance
January 5, 2021	Use Variance for 12 Latti Farm Road

March 3, 2021	“Transportation Impact Assessment, Proposed Marijuana Cultivation Facility and Dispensary – 12 Latti Farm Road, Millbury, Massachusetts” prepared by Vanesse & Associates, Inc.
Undated	“Development Impact Statement: Application to Modify Existing Special Permit and Site Plan Approval” prepared by McClure Engineering, Inc.
March 5, 2021	12 Latti Farm Road Noise Survey prepared by J&A Enterprises, Inc.
	Summary of Retail Dispensary Customer Flow and Management
March 11, 2021	Letter from Mayer, Antonellis, Jachowicz & Haranas, LLP
Undated	Waiver Request Letter prepared by McClure Engineering Inc.
April 1, 2021	Letter from Millbury Police Chief RE: Security Plans
April 7, 2021	Planning Director Questions, Comments and Recommendations
April 8, 2021	McClure Response to Planning Director Comments Dated 4/7/21
April 12, 2021	Email from Tony Russell
April 12, 2021	Email from John Dunne Re: Greencare signage image
April 14, 2021	Planning Director Questions, Comments and Recommendations
April 15, 2021	Email from Planning Director with attachments to John Dunne
April 22, 2021	Letter from McClure Engineering RE: Modification of Special Permit Application – Revised Plans, Greencare Therapeutics, Inc., 12 Latti Farm Road, Millbury, MA 01527

After the hearing was closed, the Planning Board voted to **GRANT** the Modification to the Notice of Decision based upon its review of the projected development impacts, the proposed methods of mitigating such impacts and having found that:

- a. The placement of the Marijuana Retail Component and the Registered Marijuana Dispensary at 12 Latti Farm Road is consistent with the intent of Massachusetts General Laws, Chapter 94G.
- b. That the Site and the improvements located thereon have been designed in a manner to protect the safety and health of the citizens seeking to purchase recreational marijuana and medical marijuana products.
- c. That the Site is properly situated so that the sale of retail marijuana and medical marijuana products will not have any negative impacts on the surrounding properties.
- d. That the unique aspects of the Site provide for a combination of manufacturing of marijuana products and the sale thereof minimizes the possibility of any issues related to the transportation of marijuana products.
- e. That the Site is properly situated and is not within 500 feet of any school or place of assembly.
- f. That all of the essential activity related to the sale of marijuana products takes place within an enclosed structure with proper security.
- g. That no portion of the Site is used for residential purposes.

The Planning Board set forth conditions, safeguards and limitations as follows:

- a. On-street parking associated with 12 Latti Farm Road shall be prohibited. "No Parking" signs shall be installed at appropriate intervals along both sides of Latti Farm Road along the frontage of 12 Latti Farm Road.
- b. A "right turn only" sign shall be installed at the intersection of the driveway and Latti Farm Road.
- c. During the operating hours for the Marijuana Retail Component, all employees shall park to the west of the building so that parking spaces along the east side of the building, closest to the retail entrance, are available for patrons of the retail component.
- d. The Marijuana Retail Component may occupy a maximum of 2,000 square feet of building space at the property.
- e. The Applicant shall modify the security system to accommodate the Marijuana Retailer Component in accordance with the requirements of the Millbury Police Department.
- f. The hours of operation of the Marijuana Retail Component shall be: Monday through Saturday 9:00 am to 8:00 pm and Sunday 9:00 am to 6:00 pm.

Except as specified herein, the provisions of the Notice of Decision of Recreational and Medical Marijuana Establishments (a.k.a. Registered Marijuana Dispensary) Special Permit and Site Plan Approval issued by the Planning Board on September 23, 2021 and filed with the Town Clerk on September 24, 2021, shall remain in full force and effect.

**IMPORTANT:** Pursuant to Article I, Section 12.49(f), of the Millbury Zoning Bylaw, any appeal from this decision of the Planning Board can be made only pursuant to M.G.L. c. 40A, Sec. 17, and must be filed within twenty (20) days after the date of filing of the decision with the Town Clerk.

MILLBURY PLANNING BOARD  
  
Mat Ashmankas, Clerk

Exhibit A



## TOWN OF MILLBURY

DEPARTMENT OF PLANNING & DEVELOPMENT

MUNICIPAL OFFICE BUILDING • 127 ELM STREET • MILLBURY, MA 01527-2632 • TEL. 508/865-4754 • FAX 508/865-0857

### MILLBURY PLANNING BOARD PUBLIC HEARING NOTICE

In accordance with the provisions of Chapter 40A of the Massachusetts General Laws, the Millbury Planning Board will hold a public hearing on Monday, May 3, 2021, at 7:15 p.m., on the application of OCS Millbury, LLC and Greencare Therapeutics, Inc., property located at 12 Latti Farm Road, Millbury, MA, for a Major Modification of a Recreational and Medical Marijuana Establishment Special Permit issued under Article 4, Section 52 of the Millbury Zoning Bylaws to include Marijuana Retailer Use and other changes. The proposed modifications are as depicted on the Plan entitled "Greencare Collective, Inc", Special Permit Modification, 12 Latti Farm Road, Millbury, MA 01527", dated March 8, 2021, last revised April 9, 2021, prepared by McClure Engineering Inc., 119 Worcester Road, Charlton, MA.

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 23, 2020 Order, as amended, imposing strict limitation on the number of people that may gather in one place, this meeting of the Millbury Planning Board will be conducted via remote participation via ZOOM (Meeting ID: 863 1400 4945, call-in number 929-205-6099). This meeting will be recorded and streamed by Millbury Public Access Cable Television. It will be available live on public access channels Charter 191 and Verizon 26. It will also be available through Zoom.us/download. While no in-person attendance will be permitted, every effort will be made to ensure that the public can adequately access the proceedings and provide comment in real time using technological means.

For more information concerning this application, to view application materials, or to submit written comments in advance of the hearing, contact the Department of Planning & Development at 508-865-4754 or [scollins@townofmillbury.net](mailto:scollins@townofmillbury.net). Application materials may be viewed on the municipal webpage at <https://www.millbury-ma.org/planning-board/pages/projects-permitting-phase> or by appointment.

Anyone wishing to be heard on this matter should appear at the time and place specified above.

Richard Gosselin  
Chairman

Please publish in the Worcester Telegram & Gazette on April 16, 2021 and publish in the Millbury Sutton Chronicle on April 22, 2021.