

May 8, 2020

**BY EMAIL**

Salisbury Planning Board  
Salisbury Town Hall  
5 Beach Road  
Salisbury, MA 01952

RE:   Applicant:   Alternative Therapies Group, Inc. ("ATG")  
      Properties:   107 and 111 Elm Street, Salisbury, MA  
      Subject:     **PROSPECTIVE CHANGE OF ENTITY – REQUEST FOR  
APPROVAL TO TRANSFER ATG's SPECIAL PERMITS  
TO "ATG II":**  
                  **(1) Special Permit for Registered Marijuana Dispensary  
                      (4/26/2018, as recently renewed and modified), and  
                      (2) Special Permit and Site Plan Approval for Recreational  
                      Marijuana Facility (8/29/2018).**

Dear Planning Board Members:

I write on behalf of Alternative Therapies Group, Inc. ("ATG") to request the Planning Board's approval of the pending transfer of the two above-referenced special permits to Alternative Therapies Group II, Inc. ("ATG II") – part of a transaction that is subject to approval by the Massachusetts Cannabis Control Commission (the "CCC") and the Salisbury Board of Selectmen (pursuant to the Host Community Agreements). Those approvals have been requested and are expected to be issued imminently.

Both special permits require the Planning Board's prior approval of a transfer of the special permit from the original applicant to a new entity. See Condition 18 of the Registered Marijuana Dispensary ("RMD") Special Permit and Condition 15 of the Recreational Marijuana Facility Special Permit and Site Plan Approval (copies enclosed as Exhibits A and B).

Daniel Talbot, who Town officials have been working with recently in connection with the Elm Street retail operations, is the owner and President of ATG II. ATG II will continue to do business under the name "Alternative Therapies Group." So, the pending corporate transaction will not result in any significant change in the actual operations or appearance of the facility. See a summary of ATG II's corporate information as provided by the Massachusetts Corporations Division (Exhibit C hereto).

The findings made by the Board in support of the two 2018 special permits, and also in support of the renewal and modification that the Board approved at its April 22 hearing

(renewing the RMD Special Permit and authorizing a small cultivation operation), remain valid and applicable to ATG II.

Accordingly, ATG respectfully requests that the Planning Board approve the requested transfer of both special permits to ATG II. To be clear, the transfer will not occur until the transaction is approved by the CCC and also by the Board of Selectmen. Thank you.

Sincerely,

A handwritten signature in blue ink, appearing to read 'J. Roelofs', is centered below the word 'Sincerely,'.

Jeffrey L. Roelofs

cc: Daniel Talbot, ATG (by email)

# EX. A

April 2018 Registered  
Marijuana Dispensary  
Special Permit

**Lisa Pearson**

Director of Planning and Development  
lpearson@salisburyma.gov

**Bart McDonough**

Assistant Planner  
bmcdonough@salisburyma.gov

**Sue Johnson**

Planning Board Secretary  
planningdept@salisburyma.gov

Phone: 978-463-2266

Fax: 978-462-3915



## Planning Board

Town of Salisbury  
5 Beach Road  
Salisbury, MA 01952

Planning Board:

Helen "Trudi" Holder, *Chair*

Gina Park V. *Chair*

Don Egan, *Clerk*

Lou Masiello

John "Marty" Doggett

Gil Medeiros, *Alternate*

A TRUE COPY ATTEST

*Melinda J. Monison*

TOWN CLERK  
TOWN OF SALISBURY

## SPECIAL PERMIT APPROVAL

April 26, 2018

Town Clerk  
Town of Salisbury  
Salisbury, MA 01952

**RE: Special Permit Approval**

Applicant: **Alternative Therapies Group**  
Address of Applicant: **24R Pleasant Street, Unit 2, Newburyport, MA 01952**  
Address of Project: **107 Elm Street Salisbury, MA 01952**

*To the Town Clerk:*

*This is to certify, at a duly noticed public hearing of the Salisbury Planning Board as regards a special permit, opening on April 11, 2018 and continued to and closed on April 25, 2018, by a motion duly made and seconded, it was voted:*

"We, the Salisbury Planning Board, as requested by Alternative Therapies Group, Inc. under the provisions of Articles XXIII of Zoning By-Laws of the Town of Salisbury, to consider a special permit approval upon the contemplated registered marijuana dispensary for property addressed at 107 Elm Street (Assessors Map 9 Lot 24), as shown on plans ("The Plans") entitled:

"Plan of Land in Salisbury, MA, Showing Proposed Site Use and Improvements at 107 Elm Street Map 9 Lot 24, prepared Alternative Therapies Group and prepared and stamped by Millennium Engineering Inc., dated March 12, 2018 do hereby vote:

**This is to certify that twenty (20) days  
have elapsed from date of decision filed  
without filing of an appeal.**

Town Clerk

*Dynne R. Karpenko*

Date

*May 22, 2018*

Town of Salisbury, Massachusetts 107 Elm Special Permit Decision



## II. SPECIAL PERMIT APPROVAL

---

To grant the proposed special permit pursuant to §300-35 of the Zoning By-Laws of the Town of Salisbury, the Planning Board must find that all of the following conditions are fulfilled:

1. The use requested is listed in the Table of Use Regulations as a special permit in the district for which application is made or is similar in character to permitted uses in a particular district but is not specifically mentioned.
2. The requested use is essential and/or desirable to the public convenience or welfare.
3. The requested use will not create undue traffic congestion or unduly impair pedestrian safety.
4. The requested use will not overload any public water, drainage, or sewer system or any other municipal system to such an extent that the requested use or any developed use in the immediate area or in any other area of the Town will be unduly subjected to hazards affecting health, safety, or the general welfare.
5. Any special regulations for the use set forth in the Special Permit Table are fulfilled.
6. The requested use will not impair the integrity or character of the district or adjoining districts, nor be detrimental to the health or welfare of the neighborhood.
7. The requested use will not, by its addition to a neighborhood, cause an excess of that particular use that could be detrimental to the character of said neighborhood.

Lou Masiello **motioned** to approve the proposed special permit;

Marty Doggett **seconded**

Vote on Special Permit:

Gina Park: Yes Don Egan: Yes Lou Masiello: Yes Marty Doggett: Yes Gil Medeiros: Yes

Special Permit: **Granted**



### III. MATERIALS

---

Hereinbelow but not limited to are the materials submitted to the Planning Board during the public hearing:

1. The Plan Sheet: Site Plan Sheet 1 of 1, dated March 12, 2018
2. Construction Floor Plan, dated March 7, 2018
3. Special Permit Application, dated March 21, 2018
4. Town of Salisbury Review Letters from the:
  - a. Department of Public Works, dated April 18, 2018
  - b. Assessor, dated April 19, 2018
  - c. Fire Department, dated April 19, 2018
  - d. Police Department, dated April 6, 2018 & April 20, 2018
  - e. Building Department, dated April 19, 2018
  - f. Health Department, dated March 27, 2018
  - g. Conservation, dated April 12, 2018
4. Zoning Board of Appeals decision, dated February 23, 2018

### IV. FINDINGS

---

1. The site plan contains a design that has provided the foundation for Planning Board to determine that the requirements, standards and guidelines of the Salisbury Planning Board Rules and Regulations and the general requirements and design and performance standards of Article XXIII of the Zoning By-Laws of the Town of Salisbury have been completed in a satisfactory manner.
2. Currently, 107 Elm Street, the proposed site, is a 1.12-acre lot that is located on the southern side of Elm Street in the Commercial Zone, Wireless Communication District B and Medical Marijuana Overlay Zone. Currently, the primary uses of the lot are commercial.
3. The site's natural features comprise limited vegetated wetlands and wooded areas in the southern portions of the lot. The remaining sections consist of impervious materials with corresponding stormwater fixtures to accommodate stormwater run-off.
4. The application proposes to use a pre-existing 4,970 square foot building to operate a register marijuana dispensary. To accommodate the proposed use of a registered marijuana dispensary, the application proposes to renovate the interior of the building to the required state standards. The

*Melinda J. Morrison*TOWN CLERK  
TOWN OF SALISBURY

application does not propose any site work with the exception of the installation of a new sign, ballads in front of the building, new landscape long Elm Street and the re-delineation of existing parking spaces and traffic flow signs.

5. The application's site plan demonstrates the site will be able to reduce traffic congestion and accommodate customer and employee parking by providing both signage to direct traffic flow and 23 parking spaces.
6. The application demonstrates that it will not impair the integrity of the land nor the land and natural resources of the abutting properties.
7. The Planning Board has been advised through town staff that the utilities and public works as existing are adequate to serve the project.
8. The Planning Board has determined that the application satisfies all the special permit conditions enumerated in §300-35 of the Zoning By-Laws of the Town of Salisbury. Specifically, the Planning Board found:
  - a. The requested use is listed in Article XXIII, "Medical Marijuana Overlay District" of the Zoning By-Laws of the Town of Salisbury as requiring a special permit from the Planning Board.
  - b. The requested use is desirable to the public convenience and welfare.
  - c. The requested use will not create undue traffic congestion or unduly impair pedestrian safety.
  - d. The requested use will not overload any public water, drainage, or sewer system or any other municipal system to such an extent that the requested use or any developed use in the immediate area or in any other area of the Town will be unduly subjected to hazards affecting health, safety, or the general welfare.
  - e. The special regulations found in XXIII, "Medical Marijuana Overlay District" of the Zoning By-Laws of the Town of Salisbury have been fulfilled.
  - f. The requested use will not impair the integrity or character of the district or adjoining districts, nor is the requested use detrimental to the health or welfare of the neighborhood.
  - g. The requested use will not, by its addition to the neighborhood, cause an excess of that particular use that is detrimental to the character of the neighborhood.



V.

## **SPECIAL PERMIT CONDITIONS**

---

The following Conditions shall be required at the Applicant's sole expense, unless otherwise noted:

1. This approval shall apply to any successor in interest or successor in control of the property subject to this approval and to any contractor or other person performing work.
2. This approval is not final until all administrative appeal periods from this approval have elapsed, or if such an appeal has been taken, until all proceedings have been completed.
3. After the administrative appeal period, this decision and the easements shall be recorded in the registry of deeds before the pre-construction meeting.
4. The work shall conform to the plans and conditions referenced in this approval.
5. All utilities on the site will be underground. If the plan is amended to install above-ground utilities, the applicant must submit a modification request to the Planning Board.
6. All signs will conform with Chapter 214, Signs, of the Town Code.
7. All lighting must be dark-sky compliant.
8. All parking spaces depicted on the site plan must be newly painted.
9. All parking space blocks must be securely fastened into the pavement so as to prevent them from dislodging from their designated locations.
10. Prior to the issuance of a building permit, the Applicant shall submit to the Planning Department for approval a revised landscaping and accompanying management plan.
11. Prior to the issuance of a building permit, the Applicant must submit to the Planning Department for approval a revised site plan showing the installation of bollards in front of the building and a revised on-site traffic flow pattern.
12. Prior to the issuance of a building permit, the Applicant must submit to the Planning Board for approval a revised sign design.
13. The Applicant must provide the hours of operation, including dispatch of home deliveries.
14. The permit holder shall file a copy of any incident report required under 105 CMR 725.110(F) with the Zoning Enforcement Officer and the SPGA within 24 hours of creation by the RMD. Such



reports may be redacted as necessary to comply with any applicable state or federal laws and regulations.

15. The permit holder shall file a copy of any summary cease and desist order, cease and desist order, quarantine order, summary suspension order, order limiting sales, notice of a hearing, or final action issued by DPH or the Division of Administrative Law Appeals, as applicable, regarding the RMD with the Zoning Enforcement Officer and SPGA within 48 hours of receipt by the RMD.
16. The permit holder shall provide to the Zoning Enforcement Officer and Chief of the Police Department the name, telephone number and electronic mail address of a contact person in the event that such person needs to be contacted after regular business hours to address an urgent issue. Such contact information shall be kept updated by the permit holder.
17. The special permit shall expire within two years of its issuance. If the permit holder wishes to renew the special permit, an application to renew the special permit must be submitted at least 120 days prior to the expiration of the special permit.
18. The special permit shall be limited to the current applicant and shall lapse if the permit holder ceases operating the RMD.
19. The special permit shall lapse upon the expiration or termination of the applicant's registration by DPH.
20. The permit holder shall notify the Zoning Enforcement Officer and SPGA in writing within 48 hours of the cessation of operation of the RMD or the expiration or termination of the permit holder's registration with DPH.

## **PRIOR TO ANY SITE WORK**

---

21. The lastly revised plans dated March 12, 2018 shall be updated as conditioned in this Decision and five (5) complete sets shall be provided to the Planning Department, properly stamped, dated and indexed. These plans shall indicate compliance with all applicable Zoning By-Laws, except where relief has been expressly given by the proper authority.
22. The Applicant shall coordinate with the Planning Department a pre-construction meeting with the Town staff prior to the start of any construction to review these conditions and any final construction sequencing, details, and plans for this Project. Commencement of construction includes any site clearing or grading. The limit of work line for the particular area or phase being developed shall be demarcated at this time through the placement of temporary snow fence material and erosion control barriers. Periodic status reports (agreed upon at said pre-construction meeting) shall be submitted to the Town outlining the general status of the construction and major milestones completed.

*Melinda J. Morrison*

TOWN CLERK  
TOWN OF SALISBURY

23. The Applicant shall provide an updated Construction Sequencing Plan, subject to the approval of the Town Engineering Consultant or designee.
24. The Applicant is to meet with the Town of Salisbury Department of Public Works to ensure compliance with any requirements, including bonding.

## PRIOR TO THE ISSUANCE OF A BUILDING PERMIT

---

25. No building permit shall be issued until all required bonds are posted, finalized plans are submitted to the Planning Department and a pre-construction meeting has occurred.
26. All other requirements and permits shall be sought and received, including, but not limited to, utility connections. The Applicant shall bear the burden of ensuring all federal, state and local permitting has been sought and received. The "Applicant" refers to the person or entity holding the fee interest to the title to the site from time to time, which can include but is not limited to the Applicant, Developer and Owner.
27. The Applicant shall provide to the Planning Board the name, address and telephone number of the person immediately responsible for supervision of all work and maintaining compliance with the approval. This person shall serve as project manager until a Certificate of Completion is issued, or until another project manager is designated. Should the project manager change during the course of the project, the Planning Board shall be notified as soon as practical of this change.
28. Inform all contractors and subcontractors of the conditions and provisions of this approval. This approval shall be included in all construction contracts and subcontracts dealing with the work.
29. The Applicant shall coordinate with the DPW Director all Town and public easements for water, drainage and sewer, if applicable.

## DURING CONSTRUCTION

---

30. Hours of Construction shall be adhered to and said hours shall be posted in a conspicuous place at the entrance prior to any work on the site. These Hours are:

### Hours of Construction Operations:

- I. Construction activity shall not take place on-site or in any building contained therein except during the following hours:

Mondays through Fridays: 7:00 AM to 7:00 PM,



A TRUE COPY ATTEST  
*Melinda J. Mansion*  
TOWN CLERK  
TOWN OF SALISBURY

Saturdays: 8:00 AM to 5:00 PM,  
Sundays and Legal Holidays: none

31. Town staff or their designee shall have reasonable access to inspect the site to determine compliance with this Decision. All water, sewer and drainage facilities shall be subject to inspection by the Town, and all water and sewer facilities shall be constructed in accordance with Town specifications.
32. Construction activities shall be conducted in a workmanlike manner at all times. Blowing dust or debris shall be controlled by the Applicant through stabilization, wetting down, and proper storage and disposal methods.
33. Erosion and sedimentation control measures presented in the plan shall be adequate to retain all sediment within the site and away from wetlands, constructed wetlands, watercourses, and water bodies, both during and after construction.

### **PRIOR TO THE ISSUANCE OF ANY CERTIFICATE OF OCCUPANCY**

---

34. Applicant shall apply for a Certificate of Completion, per §300-112.H of the Salisbury Zoning Bylaws.
35. Upon completion of the work described herein, the applicant shall submit a Request for a Certificate of Completion to the Planning Board, upon which time the Inspector for the Planning Board has 10 days to inspect the project. This must be done and the Certificate of Completion must be granted in order to receive a Certificate of Occupancy.
36. The Applicant shall schedule a meeting with the Building Inspector and Town Planner at least 30 days before the request for a Certificate of Occupancy to review compliance with this Decision.

### **AFTER OCCUPANCY**

---

37. The Applicant or future owner shall have the responsibility of maintaining or replacing the roadway and access, parking area, utilities, landscaping, stormwater and septic systems, signage and lighting as indicated in the plans.

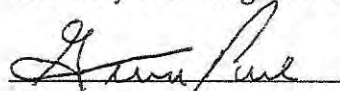
### **MODIFICATION OF SPECIAL PERMIT**

---

38. In the event that the Applicant intends to modify the approved special permit, the Applicant must reapply for a special permit in accordance with MGL Chapter 40A



Gina Park,  
Salisbury Planning Board

, Chair  
Date: 4-27-2018

cc: Applicant,  
Building Inspector,  
DPW Director  
File

A TRUE COPY ATTEST  
Melinda J. Morrison  
TOWN CLERK  
TOWN OF SALISBURY

# EX. B

August 2018 Recreational  
Marijuana Facility Special  
Permit and Site Plan Approval

Lisa Pearson  
Director of Planning and Development  
lpearson@salisburyma.gov  
Bart McDonough  
Assistant Planner  
bmcdonough@salisburyma.gov  
Sue Johnson  
Planning Board Secretary  
planningdept@salisburyma.gov

Phone: 978-463-2266  
Fax: 978-462-3915



**Planning Board**  
Town of Salisbury  
5 Beach Road  
Salisbury, MA 01952

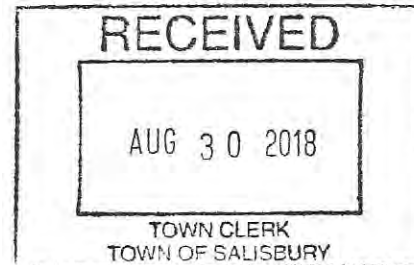
Planning Board:  
Don Egan, *Chair*  
Gina Park V. *Chair*  
John "Marty" Doggett, *Clerk*  
Lou Masiello  
Gil Medeiros  
Deborah Rider, *Alternate*

A TRUE COPY ATTEST  
*Melinda J. Morrison*  
TOWN CLERK  
TOWN OF SALISBURY

## SPECIAL PERMIT AND SITE PLAN APPROVAL

August 29, 2018

Town Clerk  
Town of Salisbury  
Salisbury, MA 01952



RE: Special Permit and Site Plan Approval

Applicant: Alternative Therapies Group  
Address of Applicant: 24R Pleasant Street, Unit 2, Newburyport, MA 01952  
Address of Project: 107 Elm Street Salisbury, MA 01952

*To the Town Clerk:*

*This is to certify, at a duly noticed public hearing of the Salisbury Planning Board as regards a special permit and site plan review, opening on August 22, 2018 and closed on August 22, 2018, by a motion duly made and seconded, it was voted:*

"We, the Salisbury Planning Board, as requested by Alternative Therapies Group, Inc. under the provisions of General Laws Chapter 40A and the Recreational Marijuana Overlay District Bylaw and Article XVIII of the Zoning By-Laws of the Town of Salisbury, to consider a special permit and site plan approval upon the contemplated recreational marijuana facility and the construction of a new 30 space parking lot for property addressed at 107 Elm Street (Assessors Map 9 Lot 24) and 111 Elm Street (Assessors Map 9 Lot 14) as shown on plans ("The Plans") entitled:

"Plan of Land in Salisbury, MA, Showing Proposed Parking Lot at 107 & 111 Elm Street, prepared for Alternative Therapies Group and prepared and stamped by Millennium Engineering Inc., dated August 8, 2018 and revised on August 22, 2018 do hereby vote:

**This is to certify that twenty (20) days  
have elapsed from date of decision filed  
without filing of an appeal.**

Town of Salisbury, Massachusetts: 107-111 Elm Special Permit and Site Plan Decision

Town Clerk

Date September 20, 2018



I.

## SPECIAL PERMIT APPROVAL

---

To grant the proposed special permit pursuant to the Recreational Marijuana Overlay District of the Zoning By-Laws of the Town of Salisbury, the Planning Board must find that all of the following conditions are fulfilled:

1. The use requested is listed in the Table of Use Regulations as a special permit in the district for which application is made or is similar in character to permitted uses in a particular district but is not specifically mentioned.
2. The requested use is essential and / or desirable to the public convenience or welfare.
3. The requested use will not create undue traffic congestion or unduly impair pedestrian safety.
4. The requested use will not overload any public water, drainage, or sewer system or any other municipal system to such an extent that the requested use or any developed use in the immediate area or in any other area of the Town will be unduly subjected to hazards affecting health, safety, or the general welfare.
5. Any special regulations for the use set forth in the Special Permit Table are fulfilled.
6. The requested use will not impair the integrity or character of the district or adjoining districts, nor be detrimental to the health or welfare of the neighborhood.
7. The requested use will not, by its addition to a neighborhood, cause an excess of that particular use that could be detrimental to the character of said neighborhood.

L. Masiello motioned to approve the special permit application for property located on 107 (Map 9 Lot24) & 111 (Map 9 Lot 14) Elm Street Salisbury, MA that requests approval for a Recreational Marijuana Dispensary and creation of a new 30 space parking lot because

1. The requested use is listed in the Recreational Marijuana Overlay District as a use permitted by special permit by the Planning Department;
2. The requested use has demonstrated to be desirable to the public convenience or welfare;
3. The requested use has demonstrated it will not create undue traffic congestion or unduly impair pedestrian safety;

4. The requested use has demonstrated it will not overload any public water, drainage, or sewer system or any other municipal system to such an extent that the requested use or any developed use in the immediate area or in any other area of the Town will be unduly subjected to hazards affecting health, safety, or the general welfare;
5. Regulations that are set forth in the Recreational Marijuana Overlay District have been satisfied;
6. The requested use has demonstrated it will not impair the integrity or character of the district or adjoining districts, nor be detrimental to the health or welfare of the neighborhood; and
7. The requested use has demonstrated it will not, by its addition to a neighborhood, cause an excess of that particular use that could be detrimental to the character of said neighborhood.

In addition, signage related to the prohibition of snow storage at the southern end of the proposed parking lot located on 111 Elm Street along with an appropriate low, wooden guardrail will be installed and prior to the issuance of a building permit, the Applicant shall submit a revised stormwater and grading plan to the Town Engineer to determine compliance.

G. Medeiros seconded

Vote on Special Permit:

Don Egan: Yes Gina Park: Yes Lou Masiello: Yes Marty Doggett: Yes Gil Medeiros: Yes

Special Permit: Granted

ATRUE COPY ATTEST  
*Melinda J. Manison*  
TOWN CLERK  
TOWN OF SALISBURY

## II.

# SITE PLAN APPROVAL

---

To approve the proposed site plan pursuant to the Recreational Marijuana Overlay District and Article XVIII of the Zoning By-Laws of the Town of Salisbury:

L. Masiello motioned to approve the proposed approve the site plan application for property located on 107 (Map 9 Lot24) & 111 (Map 9 Lot 14) Elm Street Salisbury, MA that requests approval for a Recreational Marijuana Dispensary and creation of a new 30 space parking, subject to the conditions stipulated in the special permit approval.

M. Doggett seconded

Vote on Site plan: 5-0

Motion: Passed

A TRUE COPY ATTEST  
*Melinda J. Morrison*  
TOWN CLERK  
TOWN OF SALISBURY

## III.

# MATERIALS

---

Hereinbelow but not limited to are the materials submitted to the Planning Board during the public hearing:

1. The Plan Sheet: Millennium Engineering Inc., Site Plan Sheet 1 of 5, dated August 8, 2018 and revised on August 22, 2018
2. Fire Truck Turning Templet: Millennium Engineering Inc., submitted August 22, 2018
3. Construction Floor Plan: med architecture + design, dated October 25, 2017
4. Special Permit Application, dated July 31, 2018
5. Site Plan Application, dated August 3, 2018
6. Stormwater Report, dated August 8, 2018
7. Draft Parking Lease between ATG and Waldot Realty, LLC, submitted August 20, 2018
8. ATG Letter Regarding Host Community Agreement, dated August 15, 2018
9. Response Letter from Millennium Engineering, Inc., dated August 22, 2018
10. Town of Salisbury Review Letters from the:
  - a. Department of Public Works, dated August 14, 2018
  - b. Planning Department, dated August 14, 2018
  - c. Assessor, dated August 3, 2018
  - d. Fire Department, dated July 31, 2018
  - e. Police Department, dated August 7, 2018
  - f. Building Department, dated August 8, 2018



- g. Health Department, dated July 31, 2018
- h. Conservation, dated August 9, 2018
- i. Joseph Serwatka, dated August 15, 2018

A TRUE COPY ATTEST  
*Melinda J. Manison*  
TOWN CLERK  
TOWN OF SALISBURY

## IV. FINDINGS

---

1. The site plan contains a design that has provided the foundation for Planning Board to determine that the requirements, standards and guidelines of the Salisbury Planning Board Rules and Regulations and the general requirements and design and performance standards of Article XXIII of the Zoning By-Laws of the Town of Salisbury have been completed in a satisfactory manner.
2. Currently, 107 Elm Street, the proposed site, is a 1.12-acre lot that is located on the south side of Elm Street in the Commercial District, Recreational Marijuana Overlay District and Medical Marijuana Overlay District. 111 Elm street is approximately 2.75-acre lot that abuts 107 Elms street to the west and is within the Commercial District, Recreational Marijuana Overlay District and Medical Marijuana Overlay District Currently.
3. 107 Elm Street's natural features comprise limited vegetated wetlands and wooded areas in the southern portions of the lot. The remaining sections consist of impervious materials with corresponding stormwater fixtures to accommodate stormwater run-off. 111 Elm Street's natural features also consist of limited vegetated wetlands and wooded areas in the southern portions of the lot and grassy landscape throughout the site. In addition, there is located within the property a house and barn which is currently unoccupied.
4. The application proposes is to use a pre-existing 4,970 square foot building to operate a marijuana retail establishment in conjunction with a register marijuana dispensary. To accommodate the proposed marijuana retail establishment, the application proposes to renovate the interior of the building to the required state standards. The site work proposed on 107 Elm Street includes a new sign, bollards in front of the building, landscaping along Elm Street and the re-delineation of existing parking spaces, traffic flow signs, water utilities. The site work proposed on 111 Elm Street comprises a 25,000-sf. parking lot with 30 parking spaces, landscaping and a sidewalk leading into 107 Elm Street.
5. The application's site plan demonstrates that it will be able to reduce traffic congestion and accommodate customer and employee parking by providing both signage to direct traffic flow and 49 parking spaces (30 located on 111 Elm Street and 19 on 107 Elm Street).
6. The Applicant has submitted a copy of the lease between 107 Elm Street (Lessee) and 111 Elm Street (Lessor) that demonstrates that the parking lots located on 111 Elm Street will benefit 107 Elm Street and its patrons.

7. Due to the circumstances of this project, the Planning Board has determined that 107 Elm Street is dependent on the proposed parking spaces located on 111 Elm Street and the discontinuance of their usage without a viable alternative will have a detrimental effect on 107 Elm Street and the surrounding neighborhood.
8. The application demonstrates that it will not impair the integrity of the land nor the land and natural resources of the abutting properties.
9. The Planning Board has been advised through town staff that the utilities and public works as existing are adequate to serve the project.
10. Pursuant to §300-156.6(b) of the Zoning By-Laws of the Town of Salisbury, all Town Departments and Boards have submitted their written comments and recommendations regarding this special permit application and site plan to the Planning Board for their consideration.
11. The Planning Board has determined that the application satisfies all the special permit conditions enumerated in §300-35 of the Zoning By-Laws of the Town of Salisbury. Specifically, the Planning Board found:
  - a. The requested use was listed in the "Recreational Marijuana Overlay District" of the Zoning By-Laws of the Town of Salisbury as requiring a special permit from the Planning Board.
  - b. The requested use was determined to be desirable to the public convenience and welfare.
  - c. The requested use demonstrated that it will not create undue traffic congestion or unduly impair pedestrian safety.
  - d. The requested use demonstrated that it will not overload any public water, drainage, or sewer system or any other municipal system to such an extent that the requested use or any developed use in the immediate area or in any other area of the Town will be unduly subjected to hazards affecting health, safety, or the general welfare.
  - e. The special regulations found in the "Recreational Marijuana Overlay District" of the Zoning By-Laws of the Town of Salisbury were fulfilled.
  - f. The requested use demonstrated that it will not impair the integrity or character of the district or adjoining districts, nor is the requested use detrimental to the health or welfare of the neighborhood.
  - g. The requested use demonstrated that it will not, by its addition to the neighborhood, cause an excess of that particular use that is detrimental to the character of the neighborhood.

A TRUE COPY ATTEST

*Melinda J. Morrison*

TOWN CLERK  
TOWN OF SALISBURY

Town of Salisbury, Massachusetts: 107-111 Elm Special Permit and Site Plan Decision

A TRUE COPY ATTEST  
*Melinda J. Monison*  
TOWN CLERK  
TOWN OF SALISBURY

V.

## SPECIAL PERMIT CONDITIONS

---

The following Conditions shall be required at the Applicant's sole expense, unless otherwise noted:

1. This approval shall apply to any successor in interest or successor in control of the property subject to this approval and to any contractor or other person performing work.
2. This approval is not final until all administrative appeal periods from this approval have elapsed, or if such an appeal has been taken, until all proceedings have been completed.
3. After the administrative appeal period, this decision shall be recorded in the registry of deeds before the pre-construction meeting.
4. The work shall conform to the plans and conditions referenced in this approval.
5. All utilities on the site will be underground. If the plan is amended to install above-ground utilities, the applicant must submit a modification request to the Planning Board.
6. All signs will conform with Chapter 214, Signs, of the Town Code.
7. All lighting must be dark-sky compliant.
8. All parking spaces depicted on the site plan must be newly painted.
9. All parking space blocks must be securely fastened into the pavement so as to prevent them from dislodging from their designated locations.
10. The Applicant shall submit annually a letter to the Planning Board that is signed by both the Lessor and Lessee that attests the 30 parking spaces located on 111 Elm Street is still in effect.
11. In the event that the parking lease between 107 and 111 Elm Street is terminated or not renewed, the Applicant must notify the Building Inspector and Planning Board 90 days in advance. Subsequent to notification, the Applicant must submit a new special permit and site plan application for approval.
12. The Applicant must provide the hours of operation, including dispatch of home deliveries.
13. The Applicant shall provide to the Building Inspector and Chief of the Police Department, the name, telephone number and electronic mail address of a contact person in the event that such person needs to be contacted after regular business hours to address an urgent issue. Such contact information shall be kept updated by the permit holder.



14. Recreational Marijuana Establishments may not operate, and the special permit will not be valid, until the applicant has entered into a Host Community Agreement with the Town relative to any facility permitted under this Bylaw and a Host Community Agreement remains valid and in effect, whether in the original form or a re-negotiated form.
15. The special permit is limited to the duration of the applicant's ownership or lease and use of the premises as a Recreational Marijuana Establishment. The special permit may be transferred only with the approval of the Planning Board in the form of an amendment to the special permit.
16. Prior to the issuance of an occupancy permit, the Applicant must submit to the Planning Board documentation that shows the Cannabis Control Commission issuing a license to Applicant to operate a recreational marijuana facility.
17. The special permit shall lapse upon the expiration or termination of the applicant's license by the Cannabis Control Commission.
18. The Applicant shall notify the Zoning Enforcement Officer and Planning Board in writing within 48 hours of the cessation of operation of the Recreational Marijuana Establishment's expiration or termination of the permit holder's license with the Cannabis Control Commission
19. The use shall not generate outside odors from the cultivation or processing of marijuana and marijuana products.
20. The Applicant shall file a copy of any summary cease and desist order, cease and desist order, quarantine order, summary suspension order, order limiting sales, notice of a hearing, or final action issued by Cannabis Control Commission or the Division of Administrative Law Appeals, as applicable, regarding the Recreational Marijuana Establishment with the Zoning Enforcement Officer and Planning Board within 48 hours of receipt by the Recreational Marijuana Establishment.

## **PRIOR TO ANY SITE WORK**

---

21. The lastly revised plans dated August 22, 2018 shall be updated as conditioned in this Decision and five (5) complete sets shall be provided to the Planning Department, properly stamped, dated and indexed. These plans shall indicate compliance with all applicable Zoning By-Laws, except where relief has been expressly given by the proper authority.
22. The Applicant shall coordinate with the Planning Department a pre-construction meeting with the Town staff prior to the start of any construction to review these conditions and any final construction sequencing, details, and plans for this Project. Commencement of construction includes any site clearing or grading. The limit of work line for the particular area or phase being developed shall be demarcated at this time through the placement of temporary snow fence material and erosion control barriers. Periodic status reports (agreed upon at said pre-construction

meeting) shall be submitted to the Town outlining the general status of the construction and major milestones completed.

23. The Applicant shall provide an updated Construction Sequencing Plan, subject to the approval of the Town Engineering Consultant or designee.
24. The Applicant is to meet with the Town of Salisbury Department of Public Works to ensure compliance with any requirements, including bonding.

## PRIOR TO THE ISSUANCE OF A BUILDING PERMIT

---

25. No building permit shall be issued until all required bonds are posted, finalized plans are submitted to the Planning Department and a pre-construction meeting has occurred.
26. All other requirements and permits shall be sought and received, including, but not limited to, utility connections. The Applicant shall bear the burden of ensuring all federal, state and local permitting has been sought and received. The "Applicant" refers to the person or entity holding the fee interest to the title to the site from time to time, which can include but is not limited to the Applicant, Developer and Owner.
27. The Applicant shall provide to the Planning Board the name, address and telephone number of the person immediately responsible for supervision of all work and maintaining compliance with the approval. This person shall serve as project manager until a Certificate of Completion is issued, or until another project manager is designated. Should the project manager change during the course of the project, the Planning Board shall be notified as soon as practical of this change.
28. Inform all contractors and subcontractors of the conditions and provisions of this approval. This approval shall be included in all construction contracts and subcontracts dealing with the work.
29. The Applicant shall coordinate with the DPW Director all Town and public easements for water, drainage and sewer, if applicable.

## DURING CONSTRUCTION

---

30. Hours of Construction shall be adhered to and said hours shall be posted in a conspicuous place at the entrance prior to any work on the site. These Hours are:

Hours of Construction Operations:

- I. Construction activity shall not take place on-site or in any building contained therein except during the following hours:

Mondays through Fridays: 7:00 AM to 7:00 PM,  
Saturdays: 8:00 AM to 5:00 PM,  
Sundays and Legal Holidays: none

31. Town staff or their designee shall have reasonable access to inspect the site to determine compliance with this Decision. All water, sewer and drainage facilities shall be subject to inspection by the Town, and all water and sewer facilities shall be constructed in accordance with Town specifications.
32. Construction activities shall be conducted in a workmanlike manner at all times. Blowing dust or debris shall be controlled by the Applicant through stabilization, wetting down, and proper storage and disposal methods.
33. Erosion and sedimentation control measures presented in the plan shall be adequate to retain all sediment within the site and away from wetlands, constructed wetlands, watercourses, and water bodies, both during and after construction.

### PRIOR TO THE ISSUANCE OF ANY CERTIFICATE OF OCCUPANCY

---

34. The Applicant shall schedule a meeting with the Building Inspector and Town Planner at least 30 days before the request for a Certificate of Occupancy to review compliance with this Decision.
35. Applicant shall apply for a Certificate of Completion, per §300-112.H of the Zoning By-Laws of the Town of Salisbury.
36. Upon completion of the work described herein, the applicant shall submit a Request for a Certificate of Completion to the Planning Board, upon which time the Inspector for the Planning Board has 10 days to inspect the project. This must be done and the Certificate of Completion must be granted in order to receive a Certificate of Occupancy.

### AFTER OCCUPANCY

---

37. The Applicant or future owner shall have the responsibility of maintaining or replacing the access to Elm Street, parking areas, utilities, landscaping, stormwater system and appearances, signage and lighting as indicated in the plans.



## MODIFICATION OF SPECIAL PERMIT

---

38. In the event that the Applicant intends to modify the approved special permit, the Applicant must reapply for a special permit in accordance with MGL Chapter 40A.

Don Egan,  
Salisbury Planning Board

Don Egan, Chair  
Date: 8/29/18

cc: Applicant,  
Building Inspector,  
DPW Director  
File

A TRUE COPY ATTEST  
Melinda J. Morrison  
TOWN CLERK  
TOWN OF SALISBURY

This is to certify that twenty (20) days  
have elapsed from date of decision filed  
without filing of an appeal.

Town Clerk

Donna B. Hawenke  
Date September 20, 2018

# EX. C

## ATG II Corporate Information

# Corporations Division

## Business Entity Summary

**ID Number: 001399318**[Request certificate](#)[New search](#)**Summary for: ALTERNATIVE THERAPIES GROUP II, INC.****The exact name of the Domestic Profit Corporation:** ALTERNATIVE THERAPIES GROUP II, INC.**Entity type:** Domestic Profit Corporation**Identification Number:** 001399318**Date of Organization in Massachusetts:**  
08-27-2019**Last date certain:****Current Fiscal Month/Day:** 12/31**Previous Fiscal Month/Day:** 12/31**The location of the Principal Office:**

Address: 24R PLEASANT ST, UNIT 2

City or town, State, Zip code, NEWBURYPORT, MA 01950 USA

Country:

**The name and address of the Registered Agent:**

Name: DANIEL TALBOT

Address: 24R PLEASANT ST, UNIT 2

City or town, State, Zip code, NEWBURYPORT, MA 01950 USA

Country:

**The Officers and Directors of the Corporation:**

Title	Individual Name	Address
PRESIDENT	DANIEL TALBOT	24R PLEASANT ST, UNIT 2 NEWBURYPORT, MA 01950 US
TREASURER	DANIEL TALBOT	24R PLEASANT ST, UNIT 2 NEWBURYPORT, MA 01950 US
SECRETARY	DANIEL TALBOT	24R PLEASANT ST, UNIT 2 NEWBURYPORT, MA 01950 US
DIRECTOR	DANIEL TALBOT	24R PLEASANT ST, UNIT 2 NEWBURYPORT, MA 01950 US

**Business entity stock is publicly traded:** ☐**The total number of shares and the par value, if any, of each class of stock which this business entity is authorized to issue:**

Class of Stock	Par value per share	Total Authorized		Total issued and outstanding
		No. of shares	Total par value	No. of shares
CNP	\$ 0.00	250,000	\$ 0.00	250,000