

# Application

TOWN OF WAREHAM  
ZONING BOARD OF APPEALS

**APPLICATION FOR A PUBLIC HEARING FOR A VARIANCE/SPECIAL PERMIT**

Certain uses are allowed in several zoning districts only by means of a Variance and/or Special Permit from the Zoning Board of Appeals. Those uses are indicated in the Wareham Zoning By-Laws. To apply for a Variance/Special Permit from the Zoning Board of Appeals, please do the following:

- o Complete this form.
- o Complete information packets. (Directions attached)
- o Submit application form and packet to Town Clerk for signature.
- o Submit application form and packet to Town Collector for signature.
- o Submit completed form, packets, and appropriate fees\*\* to the Zoning Board of Appeals secretary.

\*\*Permits may be issued only after a public hearing. There is a filing fee of \$300.00 per lot, per application for all non-conforming residential lots, whether built upon or not. There is a filing fee of \$750.00 per lot, per application for all commercial applications. In the case of a multi-family development, the fee is \$300.00 plus an additional \$50.00 for every unit over two (2). Please make check payable to the Town of Wareham.

\*\*A check to cover two (2) legal advertisements for the public hearing should be made payable to Wareham Week in the amount of \$100.00.

\*\*The applicant will also be responsible for the costs of sending out abutter notifications by Certified Mail. The cost is \$6.90 per certified letter to each abutter. Please see Zoning Board secretary for cost of mailings. Please make check payable to the Town of Wareham.

I hereby apply for a Variance/Special Permit for a use to be made of the following described place:

STREET & NUMBER: 3103 CLAMBERY Hwy LOT: 1003 MAP: 10  
ZONING DISTRICT: COMMERCIAL STRIP  
USE REQUESTED: MARIJUANA PRODUCT MANUFACTURER  
OWNER OF LAND & BUILDING: THE FINE BROTHERS TEL.# 508 958 8271  
ADDRESS OF OWNER: P.O. Box 535, NORTH EASTON, MA 02356  
PERSON(S) WHO WILL UTILIZE PERMIT: BEACHGRASS TOPICALS, LLC  
ADDRESS: 3103 CLAMBERY Hwy, EAST WAREHAM, MA 02538  
DATE: 3/21/21 SIGNATURE: [Signature]  
This application was received on the date stamped here:

Town Clerk: \_\_\_\_\_ Date: \_\_\_\_\_  
Tax Collector: \_\_\_\_\_ Date: \_\_\_\_\_  
Planning/Zoning Dept.: \_\_\_\_\_ Date: \_\_\_\_\_  
Application fee paid: \_\_\_\_\_ Check #: \_\_\_\_\_ Receipt: \_\_\_\_\_  
Advertising fee paid: \_\_\_\_\_ Check # \_\_\_\_\_ Receipt: \_\_\_\_\_  
Abutters fee paid: \_\_\_\_\_ Check # \_\_\_\_\_ Receipt: \_\_\_\_\_

TOWN OF WAREHAM

APPLICANT/CONTRACTOR/REPRESENTATIVE INFORMATION SHEET

Check One:  Variance  Special Permit  Site Plan  Appeal

Date stamped in: \_\_\_\_\_ Date decision is due \_\_\_\_\_

Applicant's Name: BEACHGRASS TOPICALS / JEANINE MACKENZIE

Applicant's Address: 35 BAYHEAD SHORES RD, BUZZARDS BAY, MA 02532

Telephone Number: 774-269-2343

Cell Phone Number: 774-269-2343

Email Address: JEANINE@BEACHGRASSTOPICALS.COM

Address of Property/Project: 3103 CLANDERLY HWY., EAST WAREHAM

Landowner's Name: THE FINE BROTHERS

Owner's Address: P.O. BOX 535, NORTH EASTON, MA 02354

Telephone Number: 508-958-8271

Contact Person: JIM FINE Telephone Number: 508-958-8271

Map 10 Lot 1003 Zone COMMERCIAL STRIP

Date Approved \_\_\_\_\_ Date Denied \_\_\_\_\_

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Deed

Received & Recorded  
PLYMOUTH COUNTY  
REGISTRY OF DEEDS  
26 MAR 2003 11:44AM  
JOHN R. BUCKLEY, JR  
REGISTER  
Bk 24595 Pg 3-7

QUITCLAIM DEED

SANDLER REALTY CORP., a duly organized and existing Massachusetts corporation with an usual place of business in Northborough, Worcester County, Massachusetts, being the surviving entity of the merger of, SANDLER REALTY TRUST, a Trust, dated December 15, 1958 and recorded in Middlesex South District Registry of Deeds in Book 9290, Page 1, and as amended, by Amendments to Declaration of Trust of Sandler Realty Trust recorded in Middlesex South District Registry of Deeds at Book 15606, Page 406 and as amended by Declaration of Trust of Sandler Realty Trust recorded in Middlesex Registry of Deeds at Book 27751, Page 205, said merger being under the provisions of Massachusetts General Laws, Chapter 156B, Section 83; a Certificate of Merger is filed in Book 27751 Page 213 at the Middlesex South District Registry of Deeds, and is dated October 7, 1997, for consideration paid of seven hundred and seventy thousand (\$770,000.00) dollars, grant to FINE BROTHERS, LLC, a duly organized and existing Massachusetts LLC, with an usual place of business at 3101-3103 Cranberry Highway, Wareham, Plymouth County, Massachusetts, with QUITCLAIM COVENANTS  
PARCEL ONE:

That certain parcel of land situate in Wareham in the County of Plymouth and said Commonwealth, described as follows:

Being a parcel of land as determined by the Land Court to be located as shown on plan #39998A, drawn by Colburn Engineering, Inc., Surveyors, dated June 21, 1978, as modified and approved by the Land Court, filed in the Land Registration Office, a copy of a portion of which is filed with Certificate of Title No. 71570, at the Plymouth Registry of Deeds, Land Court Department.

There is excepted and excluded from the above described land the fee in Cranberry Highway abutting said land.

Said land is subject to a reservation of right to maintain a billboard as set forth in a deed given by W. Enos Phillips to Wareham Marine and Supply Inc., dated November 14, 1966, duly recorded in Book 3335, Page 756 at said Deeds.

Being the same premises described on the Certificate of Title #78739 recorded in Book 393, Page 139 as Document #300386 at the Plymouth County Registry of Deeds, Land Court Department.

PARCEL TWO:

A certain parcel of land with the buildings thereon situated in Wareham, Plymouth County, Massachusetts, bounded and described as follows:

- BEGINNING at a concrete bound in the southerly line of Sawyer Road at the northwesterly corner of land, now or formerly of William H. Cahoon; thence running
- WESTERLY Fifty eight and 71/100 (58.71) feet by Sawyer Road to a Mass. Highway Bound; thence
- WESTERLY One hundred thirty one and 38/100 feet, more or less by Sawyer Road to a concrete bound; thence
- SOUTH 9 degrees 19' 00" East, Three hundred seventeen and 65/100 (317.65) feet, by land, now or formerly of

*Handwritten notes:*  
Prop. Cranberry  
SW  
Sidel  
H of way  
Sandler

the heirs of Elisha Swift to a concrete bound of land, now or formerly of the NY, NH & HRR Company; thence

SOUTHEASTERLY

Two hundred twenty seven and no/100 (227.00) feet by said land, now or formerly of said RR Company to a concrete bound at land, now or formerly of William H. Cahoon; thence

NORTH

9 degrees 54' 40" West One hundred fifty seven and 56/100 (157.56) feet by land, now or formerly of Cahoon to a point of an angle; and thence

NORTH

8 degrees 23' 00" West Two hundred thirty four and 53/100 (234.53) feet partly along an old dry ditch, by land, now or formerly of William H. Cahoon to the point of beginning.

Containing about 1.42 acres of land, more or less.

All of said courses, distances and bounds are as shown on "Plan of Land, Wareham, Mass., surveyed for Mary L.K. Tabor, August 16, 1948, Walter E. Rowley, Surveyor."

Being the same premises described in the deed recorded in Book 9206, Page 252 at the Plymouth Registry of Deeds.

The assets conveyed in this deed do not represent all or substantially all of the Grantor's assets in Massachusetts.

Witness our hands and seals on the 17<sup>th</sup> day of March, 2003.

James Jay Sandler, President  
James Jay Sandler, President

David B. Sandler, Treasurer  
David B. Sandler, Treasurer

COMMONWEALTH OF MASSACHUSETTS

Worcester, SS

Dated: MARCH 17, 2003

Then personally appeared before me, the above-named James Jay Sandler and David B. Sandler who swore and acknowledged the foregoing to be their free act and deed and the free act and deed of the said Sandler Realty Corp.

Charles A. Oriel  
Notary Public

My commission expires: 4/15/05

(HENRY) ORIEL

3/15/03  
APPROVED FOR REGISTRATION  
BY THE COURT in re Sandler Realty Corp

E. Sandler  
OFFICE TITLE [unclear]

with ① Certificate of Mergers

PLYMOUTH  
DEEDS REGISTRY  
PLYMOUTH

03/26/03 11:18AM  
00000 #7781  
FEE \$311.20  
CASH \$311.20

**CANCELLED**

**CORPORATE MINUTES OF SANDLER REALTY CORP.**

At a meeting duly scheduled and held on November 13, 2002, at 35 Lyman Street, Northborough, MA, James Jay Sandler and David B. Sandler, being all of the Directors of the Corporation, were so present.

Upon Motion duly made and seconded, it was unanimously voted to:

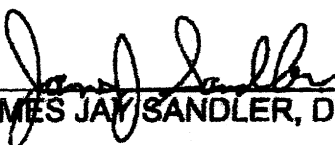
Authorize James Jay Sandler and/or David B. Sandler to enter into on behalf of the Corporation whatever Purchase and Sale Agreement either or both of them thought to be in the best interests of the Corporation with respect to the sale of the real estate located at and known as 3101-3103 Cranberry Highway, Wareham, MA including all buildings and real estate owned by the Corporation at said location to James H. Fine or to his designee; upon such terms, conditions, and price, as either or both of them deemed appropriate, and to execute whatever deed necessary on behalf of the Corporation in order to consummate a sale of said real estate to James H. Fine or to his nominee.

Upon Motion duly made and seconded, it was unanimously voted to:

Authorize Chesley Oriel, of Framingham, MA to act as the attorney for the Corporation with respect to the sale of said real estate at 3101-3103 Cranberry Highway, Wareham, MA and to sign as the authorized agent of the Corporation whatever documents that may be reasonably required by either the Buyer or the Buyer's lender for said real estate.

Upon Motion duly made and seconded, it was unanimously voted to:

Dated: November 13, 2002

  
\_\_\_\_\_  
JAMES JAY SANDLER, Director & Clerk

A true Attested Copy:

  
\_\_\_\_\_  
DAVID B. SANDLER, Director

# *The Commonwealth of Massachusetts*

*Secretary of the Commonwealth*

*State House, Boston, Massachusetts 02133*



William Francis Galvin  
Secretary of the  
Commonwealth

March 3, 2003

TO WHOM IT MAY CONCERN:

I hereby certify that according to the records of this office,

**SANDLER REALTY CORP.**

is a domestic corporation organized on **September 26, 1997**, under the General Laws of the Commonwealth of Massachusetts.

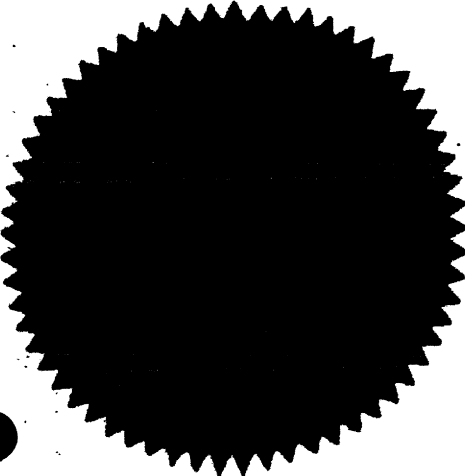
I further certify that there are no proceedings presently pending under the Massachusetts General Laws Chapter 156B section 101 for said corporations dissolution; that articles of dissolution have not been filed by said corporation; that, said corporation has filed all annual reports, and paid all fees with respect to such reports, and so far as appears of record said corporation has legal existence and is in good standing with this office.

In testimony of which,

I have hereunto affixed the

Great Seal of the Commonwealth

on the date first above written.



*William Francis Galvin*

Secretary of the Commonwealth

\*MGL Chapter 156B Section 83A provides that certain consolidations and mergers may be filed with the division within thirty days after the effective date of the merger or consolidation.





*The Commonwealth of Massachusetts*

*Secretary of the Commonwealth*

*State House, Boston, Massachusetts 02133*

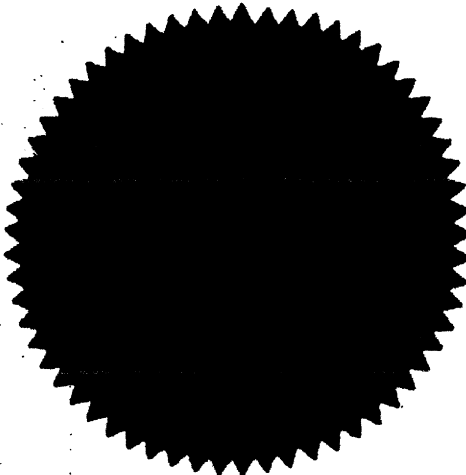
**William Francis Galvin**  
Secretary of the  
Commonwealth

March 4, 2003

TO WHOM IT MAY CONCERN:

I hereby certify that according to records in this office, Articles of Merger of Trust and Corporation were filed here **October 1, 1997**, pursuant to Massachusetts General Laws, Chapter 156B, Section 83, whereby **SANDLER REALTY TRUST**, a Massachusetts Realty Trust merged into **SANDLER REALTY CORP.**, a Massachusetts corporation and the surviving corporation.

This certificate is issued in accordance with the provisions of **Chapter 156B, Section 84**.



In testimony of which,  
I have hereunto affixed the  
Great Seal of the Commonwealth  
on the date first above written.

*William Francis Galvin*

Secretary of the Commonwealth

\*MGL C156B S83A provides that certain consolidations and mergers may be filed with the Division within thirty days **after** the effective date of the merger or consolidation.

# Lease Agreement

**Commercial Lease – Letter of Intent**

This is a letter of intent for a commercial lease between the Fine Brothers, LLC (Lessor) and BeachGrass (Lessee) regarding the property 3103 Cranberry Highway, East Wareham, MA.

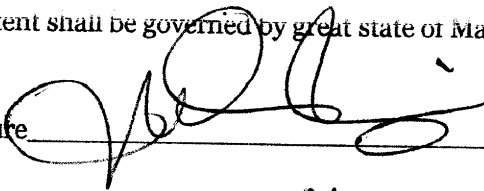
A lease will be signed upon the approval of the State of Massachusetts for BeachGrass's provisional license. The lease shall include the following:

1. Term of the Lease: The lease shall be in place for a term of 5 years
2. Use of Leased Premises: The property shall be used by BeachGrass as a commercial kitchen and production facility to produce cannabis infused topical products, edible products and cannabis oil.
3. The base rent for the first year (12 months) of the lease will be \$2,000 per month
  - a. All subsequent years (48 months) of the lease will be \$3000 per month
4. The Lessee will be responsible for water, sewer, heat and electricity
5. A security deposit of \$3000 has been provided
  - a. The lessee is currently paying \$1000 rent each month to hold the property until lease is signed and executed.
    - i. July 1, 2020 rate will change to \$1250 per month to hold property through December 31, 2020
    - ii. January 1, 2021 rate will change to \$1500 per month until lease is signed and executed
6. The Lessor shall NOT sublet the property without the express written permission of the Lessor
7. If the Lessee is more than 10 days late, a fee of \$50 per day will be charged until the rent is paid in full for the month.

This letter shall be considered binding and therefore, all parties acknowledge that remedies at law will be inadequate for any breach of this Letter of Intent and consequently agree that this Letter of Intent shall be enforceable by specific performance. The remedy of specific performance shall be cumulative of all the rights at law or in equity of the parties of this intent.

This letter of intent shall be governed by great state of Massachusetts.

Lessee's Signature



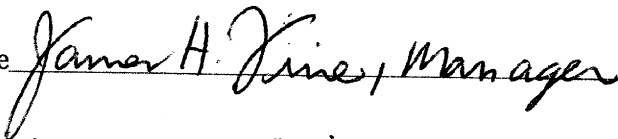
Date

1/28/2020

Printed Name

JEANINE M. MACKENZIE

Lessor's Signature



Date

1/28/2020

Printed Name

JAMES H. FINE Manager

# Site Plan

**ZONING CS**

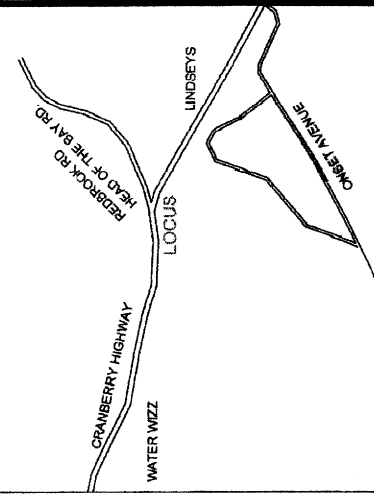
FRONT SETBACK - 20 FEET (MINIMUM)  
 SIDE SETBACK - 10 FEET  
 REAR SETBACK - 10 FEET  
 BUILDING HEIGHT - 40 FEET (MAXIMUM)  
 BUILDING COVER 40%  
 IMPERVIOUS SURFACE 65% MAXIMUM  
 NO CHANGE IS PROPOSED

**FLOOD ZONE**

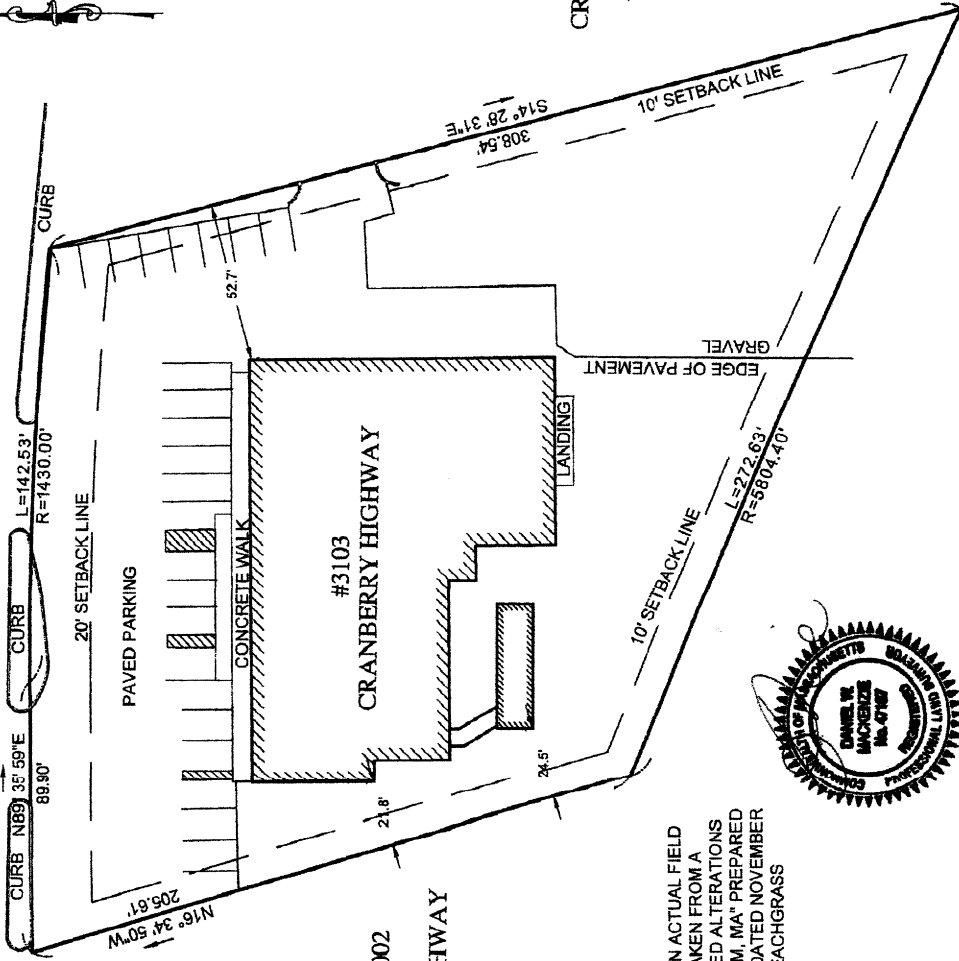
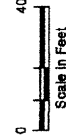
ZONE "X" ACCORDING TO FIRM PANEL  
 25023CC0494J DATED JULY 17, 2012

MAP 10 LOT 1002  
 #3099  
 CRANBERRY HIGHWAY  
 N/F  
 SULLIVAN

MAP 10 LOT 1004  
 #3105C  
 CRANBERRY HIGHWAY  
 N/F  
 WAREHAM GOULD



LOCUS MAP  
 NOT TO SCALE



THIS SITE PLAN IS NOT THE RESULT OF AN ACTUAL FIELD SURVEY. EXISTING CONDITIONS WERE TAKEN FROM A PLAN TITLED "ZONING PLAN OF PROPOSED ALTERATIONS AT 3103 CRANBERRY HIGHWAY, WAREHAM, MA" PREPARED BY GATEWAY SURVEY ASSOCIATES LLC DATED NOVEMBER 16, 2018. THE PLAN WAS PROVIDED TO BEACHGRASS TOPICALS BY BRIAN CUSICK, TBEAR, INC.



Prepared For the Applicant:

BeachGrass Topicals  
 Redbrook Landing - Unit D3  
 3103 Cranberry Highway  
 Wareham, Ma 02571

Property Owner:

Fine Brothers LLC  
 PO Box 535  
 North Easton, MA 01356

Plan Title:

**SITE PLAN**  
**BEACHGRASS TOPICALS**  
**3103 CRANBERRY HIGHWAY**  
**MAP 10 LOT 1003**  
**UNIT D3**  
**WAREHAM, MASSACHUSETTS**

Architect: Lockwood Architects  
 Surveyor: Daniel W. MacKenzie  
 Date: February 14, 2020



Jeanine MacKenzie &lt;jmacbeachgirl@gmail.com&gt;

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**Re: Revised Site Plan**

1 message

**Kenneth Buckland** <kbuckland@wareham.ma.us>

Mon, Mar 2, 2020 at 9:38 AM

To: Dan Mackenzie &lt;dmackenzie@horsleywitten.com&gt;, Jeanine MacKenzie &lt;jmacbeachgirl@gmail.com&gt;

It's good to go

Kenneth Buckland

Director of Planning and Community Development

Town of Wareham

508.291.3100 x 6501

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**From:** Dan Mackenzie <dmackenzie@horsleywitten.com>**Sent:** Thursday, February 27, 2020 6:16 PM**To:** Kenneth Buckland; Jeanine MacKenzie**Subject:** RE: Revised Site Plan

Hi Ken,

I've attached a revised site plan that has the requested dimensions and setbacks. It also includes the impervious surface requirement that you had mentioned on the phone. I will stamp and sign as required once you indicate you are good with it.

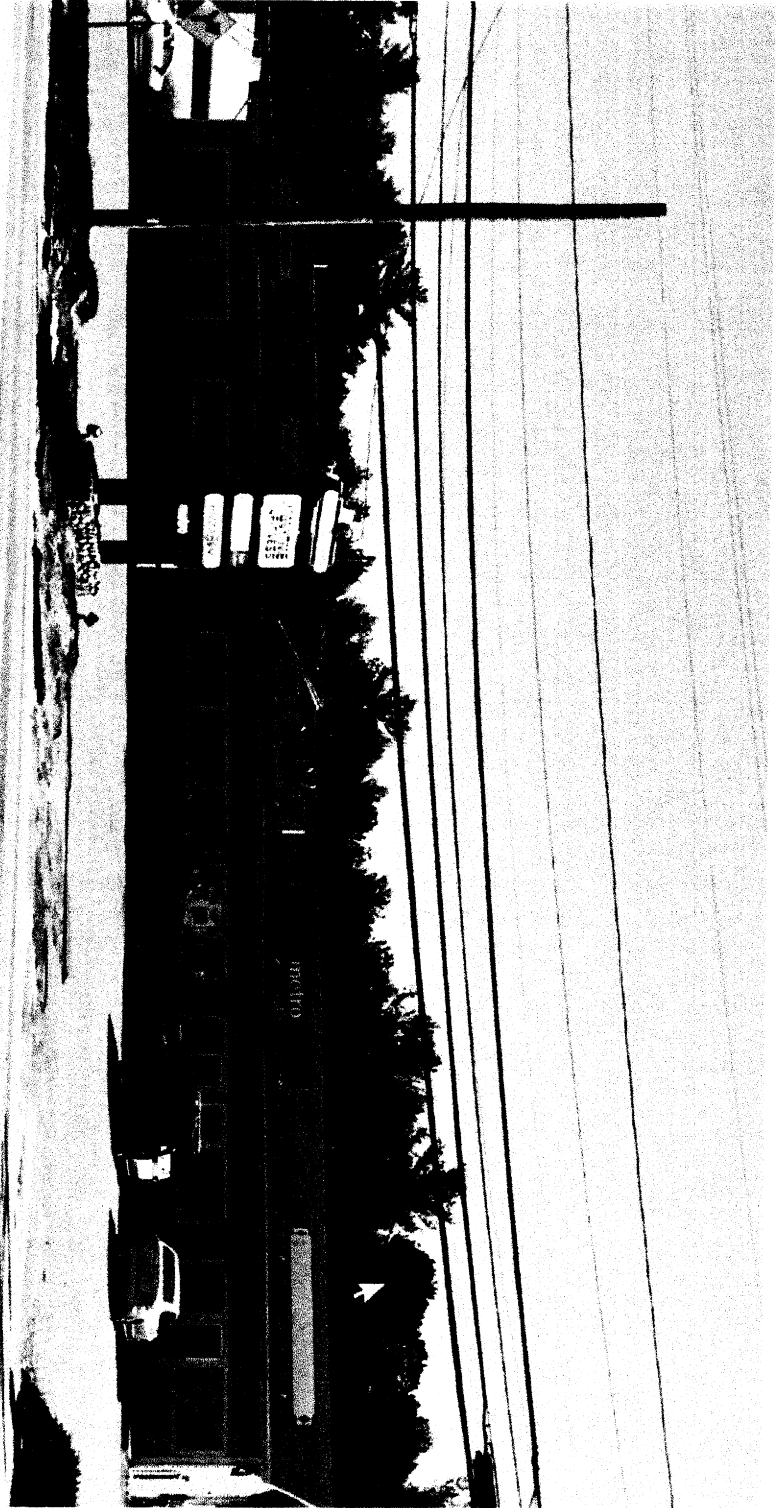
Thanks

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**From:** Kenneth Buckland <kbuckland@wareham.ma.us>**Sent:** Tuesday, February 25, 2020 11:34 AM**To:** Jeanine MacKenzie <jmacbeachgirl@gmail.com>**Cc:** Dan Mackenzie <dmackenzie@horsleywitten.com>**Subject:** Re: Revised Site Plan

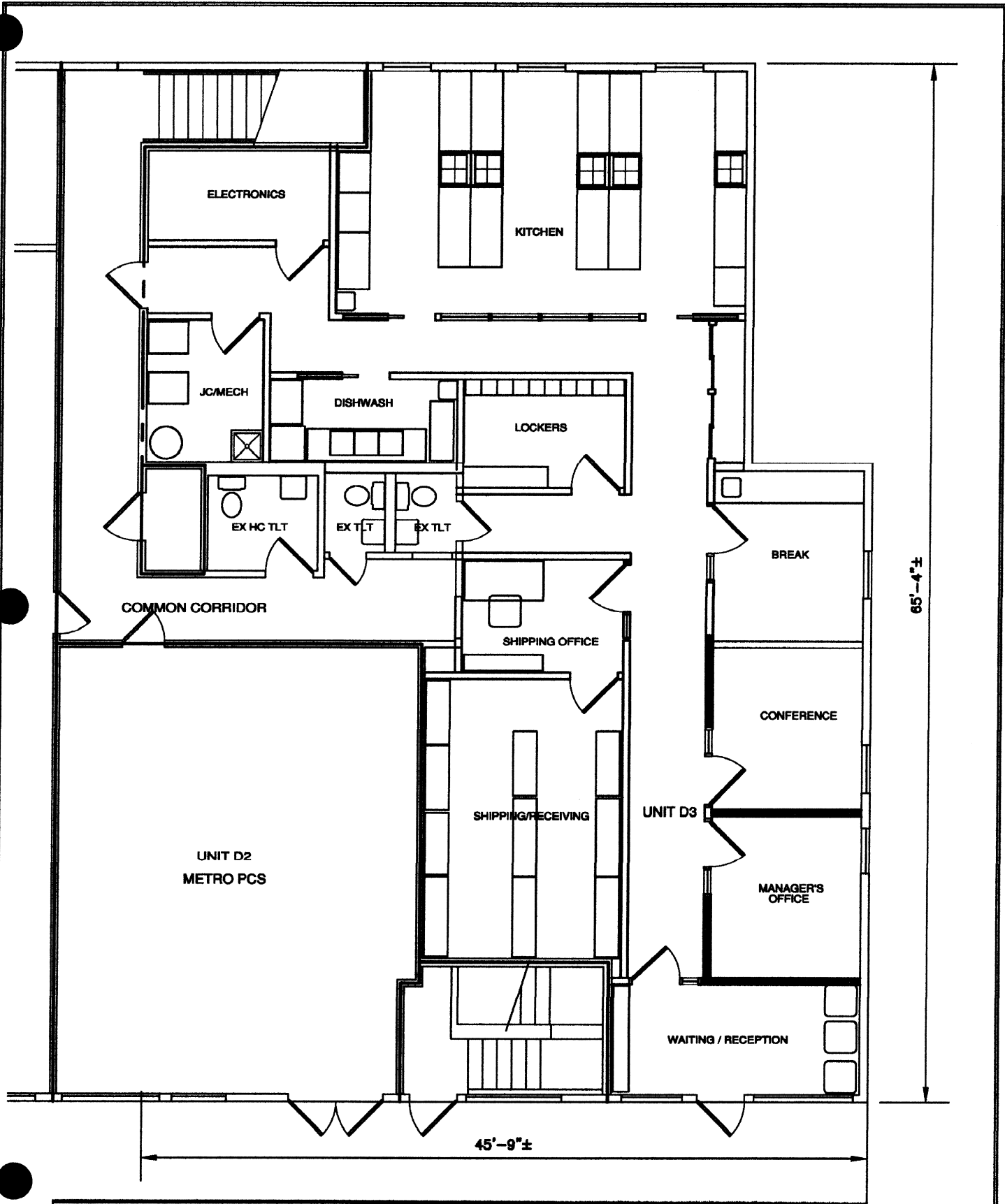
It needs dimensions; actual setbacks and distances.

# Picture of Location





# Architectural Plan



**LOCKWOOD ARCHITECTS**  
 219 ONSET AVE., PO BOX 95 ONSET, MA 02558  
 PHONE: 508.273.0111  
 E-MAIL: LOCKWOODARCH@COMCAST.NET

**BEACH GRASS TOPICALS**  
 REDBROOK LANDING - UNIT D3  
 3105 Cranberry Hwy., Wareham, MA

1222  
 9.5.19  
 SCALE: 1/8"=1'-0"

**DRAWING**  
 SKA D3

**Existing Conditions  
&  
Proposed Intention and Use**

## Current Condition of Space and Proposed Intentions and Use

**Current Condition:** The unit / space is currently empty and has not been used in several years. It is comprised of 5 'rooms' and a bathroom. 4 of the rooms are connected and the 5<sup>th</sup> room is separated by a wall. There are 4 main doors for the space. One door leads to the parking lot, one door is the emergency exit and 2 doors open into the shared common area with another tenant (Pizza Boy). There are no windows except for the frontage of the space that faces the parking lot.

The unit / space is the end unit of the building, closest to Sullivan Tire.

The flooring is not consistent throughout the space; the ceiling is missing tiles in most rooms. There is a working bathroom which includes a sink but there is a second bathroom style sink right outside of the bathroom. There is a closet that houses the hot water heater. The 5<sup>th</sup> room that is not yet attached to the rest of the space, is unfinished; no electrical, flooring, ceiling, etc.

**Proposed Intention:** BeachGrass is seeking approval for a special permit to build a commercial kitchen in the proposed unit / space to create a product manufacturing site. The updated space will also include a reception area, meeting office space, lockers, a break room, and an area for storage shipping and receiving. We will update and remodel the bathroom. We plan to install new flooring, windows, ceilings and ensure walls are smooth and easily cleanable. The space will be set up with a security system that meets state requirements.

BeachGrass has hired a professional architect, a registered land surveyor, a commercial builder and a professional security company to ensure the success of the project. This will also ensure BeachGrass conforms to all state and local codes as well as zoning by-laws.

**Proposed Use:** BeachGrass is seeking approval to use this space for a marijuana establishment as a fully licensed product manufacturer with the state of Massachusetts. BeachGrass plans to utilize the space to process cannabis and make cannabis infused products. BeachGrass will follow all state and local zoning by-laws and regulations.

There will be no retail sales at this location. BeachGrass will only sell to state licensed marijuana dispensaries and stated licensed retail stores.

With the change in use to manufacturing, that would dictate 1.5 spaces per employee and therefore, no expansion of parking will be required.

The location of the site is in the Strip Commercial (CS) zone which is appropriate as per Wareham Zoning by-law 392. This allows for Marijuana Establishments, to the extent that such facilities are permitted under state laws and regulations, shall be allowed Special Permit in to be located in the Strip Commercial (CS).

The location of the site is in the Strip Commercial (CS) which is often bustling with activity and therefore, BeachGrass will not adversely affect the neighborhood and will not create a nuisance or serious hazard to vehicles or pedestrians.

There are adequate facilities that are already set up on the site for drinking water, plumbing and sewer services.

BeachGrass does not plan or intend to change the exterior of the building. This coupled with the fact that we are located in the appropriate zoning district (CS), our proposed use and structure will not constitute a substantial detriment to the town / neighborhood. It will not be substantially more detrimental to the neighborhood than the existing non-conforming structure.

# Zoning Compliance

**BeachGrass Topicals  
Special Permit Application**

**Zoning Compliance  
March 2021**

This document is to provide the plan for BeachGrass to remain compliant with all local zoning ordinances and by-laws for Marijuana Establishments. BeachGrass will adhere and ensure they are compliant with the zoning requirements.

Wareham voted to allow Adult Use Marijuana Establishments in March 2018 with the following zoning by laws:

- 391. Medical Marijuana Treatment Center, also known as a Registered Marijuana Dispensary, as defined, and to the extent that such facilities are permitted under state laws and regulations, shall be allowed in the Institutional (INS) zoning district.
- 392. Other Marijuana Establishments, to the extent that such facilities are permitted under state laws and regulations, shall be allowed by Special Permit in the Strip Commercial (CS) district east of Glen Charlie Road, Depot Street, and Great Neck Road, Institutional (INS) and Industrial (IND) zoning districts.
- 393. The number of Marijuana Retailers shall be limited to a total of three [3] separate establishments within the town of Wareham.
- 394. A minimum separation of 1,500 feet is required between Marijuana Retailers, but not including Marijuana Treatment Centers.
- 395. All Marijuana Establishments shall be in conformance with State regulations and licensing requirements for such establishments regarding buffers, access, and security.
  - State recommended Buffer Zone: The property where the proposed Marijuana Establishment is to be located, at the time the license application is received by the Commission, is not located within 500 feet of a pre-existing public or private school providing education in kindergarten or any of grades one through 12, unless a city or town adopts an ordinance or by-law that reduces the distance requirement. The distance under 935 CMR 500.110(3) shall be measured in a straight line from the nearest point of the property line in question to the nearest point of the property line where the Marijuana Establishment is or will be located.
- 396. All Marijuana Establishments shall be in conformance with the dimensional, intensity and setback requirements of the underlying zoning.
- 397. Signage for all Marijuana Establishments shall be in conformance with State regulations and licensing requirements for such establishments, and in conformance with Wareham Zoning By-Laws Article 11: Signs.
- 398. Use variances are not allowed for any Marijuana Establishment or Medical Marijuana Treatment Center.

**Plan to keep compliant:**

- 391- not applicable - not a medical treatment center and not located in INS zoning district
- 392 - BeachGrass is located on Cranberry Hwy, East Wareham which is 'Strip Commercial' (CS) Zone which is an allowable location
- 393 - not applicable - not a marijuana retailer
- 394 - not applicable - not a marijuana retailer
- 395 - BeachGrass is not within 500 feet of a pre-existing public or private school providing education in kindergarten or any of grades one through 12.
- 396 - BeachGrass has worked with both the town planner and a registered land surveyor to review the site plan which ensures that the location is in conformance with the dimensional, intensity and setback requirements of the underlying zoning.
- 397 - not applicable - BeachGrass will not have any signage displayed
- 398 - not applicable - not a marijuana treatment facility

# Denial Letter





# TOWN of WAREHAM

Massachusetts

FILE COPY

## BUILDING DEPARTMENT

David L. Riquinha  
Director of Inspectional Services

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Jeanine MacKenzie  
35 Bayhead Shores  
Buzzards Bay, MA 02532

March 18, 2021

RE: 3103 Cranberry Highway

Map #10, Lot #1003

I have reviewed your application to create a new marijuana processing facility in the Commercial Strip zoning district of East Wareham, MA. The proposed use is not permitted by right in the Commercial Strip Zoning District and your application must be denied at this time. A Special Permit from the Zoning Board of Appeals must be applied for and secured in order to proceed with your request.

Your application is being denied pursuant to the following sections of the Wareham Zoning By-law:

- **Article 3 Section 390, Marijuana Facilities:** The "Marijuana Establishment" Use requires a Special Permit from the Zoning Board of Appeals.

The subject building is located in the CS Zoning district.

Respectfully,

David Riquinha  
Building Commissioner  
Zoning Enforcement Officer

**It is the owners' responsibility to check with other departments, i.e. Health, and conservation, etc. to ensure full compliance.**

**In accordance with the provisions of MGL chapter 40A §§ 15, you may apply to the Zoning Board of Appeals for the above noted relief within thirty (30) days of receipt of this letter.**

Board of Selectmen  
Approval  
January 5, 2021

January 5, 2021



# TOWN of WAREHAM

## Board of Selectmen

### Meeting Agenda

7:00 p.m. – Meeting taking place remotely due to COVID-19

Join Zoom Meeting

<https://us02web.zoom.us/j/89737967692?pwd=dDZGWGxVRzFtS0FCMkN4bnh1OEZxUT09>

Meeting ID: 897 3796 7692

Passcode: 396874

One tap mobile

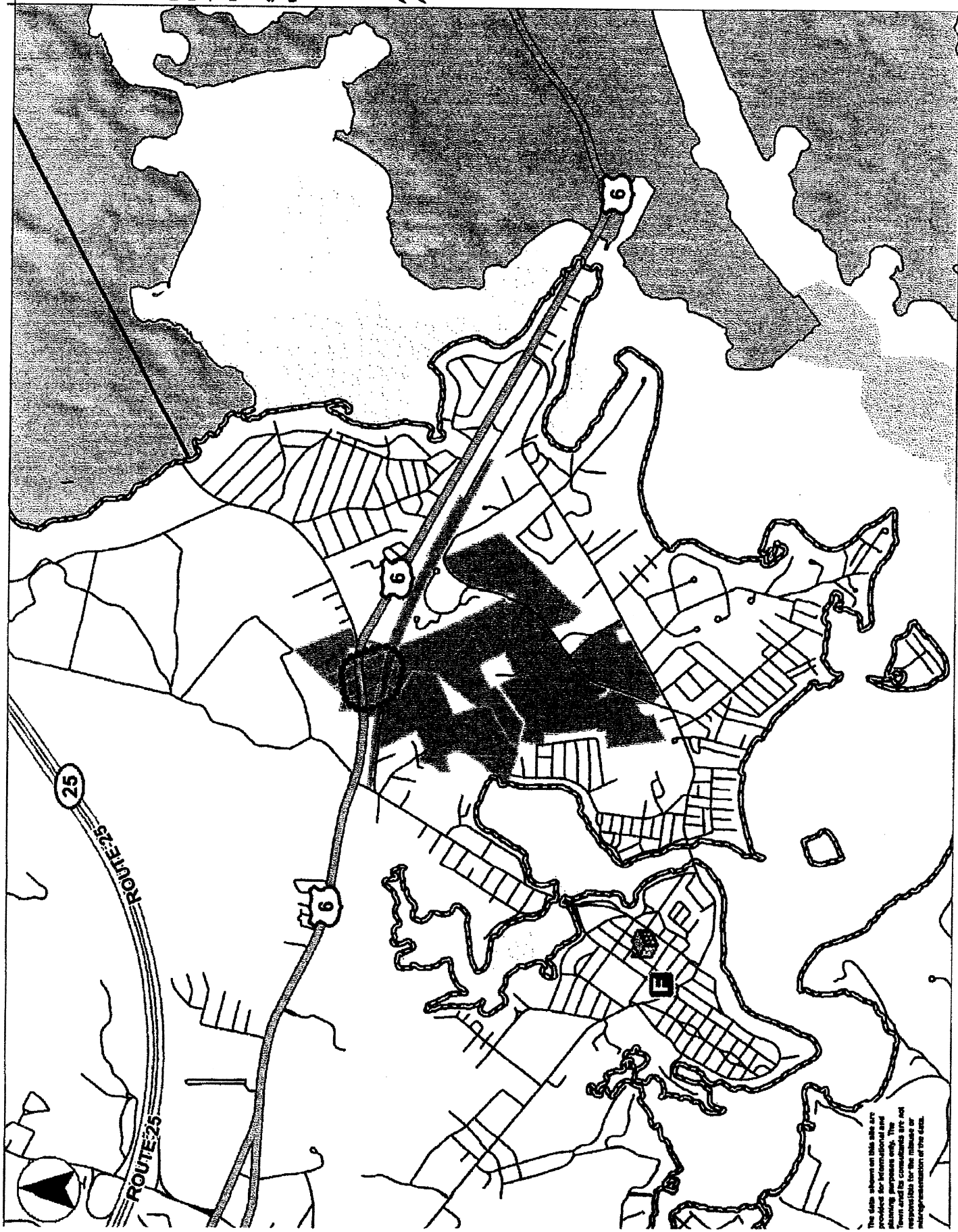
+1 929 205 6099 US (New York)

+1 312 626 6799 US (Chicago)

1. **CALL TO ORDER BY CHAIRMAN**
2. **ROLL CALL**
3. **PLEDGE OF ALLEGIANCE**
4. **ANNOUNCEMENTS**
5. **CITIZENS' COMMENTS**
6. **BOARD'S COMMENTS**
7. **APPOINTMENTS/REAPPOINTMENTS/ INTERVIEWS**
8. **LICENSES AND PERMITS**
  - a. Application from 99 West, LLC dba 99 Restaurant, 40 Rosebrook Place, Wareham, for Change of Manager.
9. **TOWN BUSINESS**
  - a. COVID-19 Update.
  - b. Trash disposal update.
  - c. Discussion and vote to authorize execution of Marijuana Host Community Agreement with **Beach Grass Topicals**, LLC, 3103 Cranberry Hwy, East Wareham.
  - d. Discussion and vote to authorize execution of Marijuana Host Community Agreement with Tava, Inc., LLC, 3119 Cranberry Hwy, East Wareham.
  - e. Discussion regarding handling of prior Town Meeting warrant articles.
  - f. Any other Town business not reasonably anticipated 48 hours prior to the posting of this meeting.
10. **TOWN ADMINISTRATOR'S REPORT**
11. **LIAISON/INITIATIVE REPORTS**

# Abutters List





- MA Places
  - Fire Station
  - Police Station
  - Town Hall
  - Public Library
  - School
- Buildings
  - Police
  - Fire
- Town Boundary
  - MA Highway
  - MA Interstate
  - US Highway
  - Numbered No.
- Streets
  - 1-3 R
  - 4-9 R
  - 10-19 R
  - 20-29 R
  - 30-39 R
  - 40-49 R
  - 50-59 R
  - 60-69 R
  - 70+ R
- Bathrooms
  - 1-3 R
  - 4-9 R
  - 10-19 R
  - 20-29 R
  - 30-39 R
  - 40-49 R
  - 50-59 R
  - 60-69 R
  - 70+ R
- Abutting Town Label
- Abutting Towns



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ROUTE 25

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