

From: Sarah Augood <sja6373@gmail.com>
To: Erin Zwirko <EZwirko@town.arlington.ma.us>
Cc: Sarah Augood <sja6373@gmail.com>
Date: 11/06/2019 12:12 PM
Subject: Re: Apothca Special Permit Application

Hi Erin,

Thank you for the opportunity to evaluate the Special Permit application by Apothca, based on Zoning Bylaw and EDR criteria provided. Below is my evaluation:

EDR criteria.

- A. **Preservation of Landscape** - The landscaping plan L1 shows 3-4 deciduous trees on the rear border of the property line and 12 other plantings in rear and left side of property line. It is unclear if these are existing or whether they will be added. Size of plantings is not indicated.
- B. **Relation of Building Environment** - no changes/updates are proposed to the exterior of the 1970's concrete building.
- C. **Open space** - no change
- D. **Circulation** - states no change in anticipated vehicular or pedestrian circulation at facility based on Traffic Impact Statement in Appendix A.

Table 1 of the Impact statement provides a single data point based on the facility being a generic Copy, Print and Ship store in Texas surveyed in 2000 (Land Use 920). Using this criteria, Table 2 estimates 556 daily trip-ends, with a caution about accuracy of number based on small sample size. Data from Pharmacy/Drugstores is presented based on Land Use 882 (from Colorado/Oregon in 2010) to indicate that most vehicular traffic to the site is from existing en-route trips, and not from "new trips". Applicability of this data to Arlington is unclear. Also it does not take into consideration that the applicants recreational marijuana dispensary will be the first and only facility in Arlington, at this time, as well as the only facility in the surrounding area. Most abutting and surrounding towns did not vote to approve the sale of recreational marijuana in their community.

More local to MA, a statement is made from surveying 257 patrons exiting a Brookline marijuana dispensary on June 13th 2019. Of these 257 patrons 53.7% considered their trip to the facility to be en-route. As this is a single data point, with time of day and duration of survey not provided, the data should be interpreted with caution.

Further the Brookline facility is directly serviced by the MBTA Green Line (D-line) as well as by multiple MBTA Bus routes with regular service suggesting that multiple alternate modes of transport to the Brookline facility are available. This may not apply to the Arlington Heights location, due to frequency of bus service during peak and non-peak hours adding to possible vehicular traffic.

The #1 bus is listed as servicing the proposed facility, which is not correct.

It is also stated that average peak hour traffic at 3 other marijuana facilities in Brookline, Salem and Gardner is between [11 AM-12 noon](#) and [6-7 PM](#). In Arlington, [6-7 PM](#) is still considered peak travel time from existing congestion on Park Ave, Mass Ave, Pleasant St, Summer St.

Applicant proposes having temporary parking lot attendants in place during initial opening phase to manage traffic queues, but they do not state how the traffic will be managed and whether any other parking arrangements are in place. The Traffic Impact Statement generated by Hayes Engineering, Inc recommends that the applicant partner with APD for traffic assistance during initial opening and as needed. Details of plan are not provided or how Town will be reimbursed for providing traffic details, if applicable. Further, no statement is provided about impact of extra vehicular traffic at the major intersection of Mass Ave and Park Ave, which is very close to [1386 Mass Ave](#), and the primary connector to Route 2 and cross-route connector to Winchester/Burlington and I-95.

Arrangements for bicycle parking are not addressed.

Details of truck delivery schedules and truck parking arrangements are not provided.

Applicant proposes increasing off-street parking in rear of facility from 7 to 12 vehicular spaces including 1 ADA-compliant space. Parking spaces are to be changed from slanted to perpendicular in existing one-way traffic flow through rear parking lot.

- E. **Surface Water Drainage** - no new construction and minimal change in parking. No extension of blacktop proposed. Applicant proposes to clean-out existing on-site catch basins and install gas-traps/hoods if not currently installed.
- F. **Utility Services** - applicant proposes no change in utility service, wastewater demands or solid waste disposal. Extended opening hours compared to previous Copy & Print facility is not addressed.
- G. **Advertising** - no additional advertising is proposed on external structure aside from name and logo.
- H. **Special features** - none proposed. Plans and frequency of truck deliveries are not addressed not parking arrangements for deliveries.
- I. **Safety** - Surveillance cameras to be installed and recorded footage made available to APD. It does not state how long recorded footage will be kept for review.
- J. **Heritage** - maintained; no changes proposed.
- K. **Microclimate** - no changes proposed. Air quality and noise from increased traffic is not addressed. LED lighting proposed.
- L. **Sustainable Building** - no infrastructure changes proposed - LEED checklist scores [4/26](#) and proposes to reduce commuting transportation of employees by 10% by encouraging use of alternative modes of transport. No details of how the applicant will encourage use of alternative modes of transport are provided or how the applicant will evaluate effectiveness of the plan or with what frequency. For example, will subsidized public transport or ride-share schemes/incentives be offered? No commitment/details of recycling schemes

for patrons are provided or whether water-fountains will be installed to encourage use of re-fillable water receptacles.

General Criteria - not specifically addressed in application packet:

- A. **Land Use - 920 - Copy & Print facility** - site data from 2000 in Texas. The existing use of the location was Swifty Copy & Print that was open [from 8:30-5 PM](#) 5 days a week. The proposed new use is a recreational marijuana dispensary with extended opening hours 7 days a week. Land Use - 882 - Marijuana Dispensary - site data from Colorado and Oregon from 2010 - applicability to Arlington unclear.
- B. **Requested Use** - Arlington voted to approve sale of marijuana in the community.
- C. **Requested Use and Traffic Congestion** - see above under - Congestion - for review and concerns.
- D. **Burden on Public Utilities** - addressed above
- E. **Special Regulations** - appears to fulfill buffer zone requirements of Section 8.3
- F. **Integrity of district** - 1st facility in Arlington for sale of medical marijuana, so impact unknown.
- G. **Excessive Use and impact on district** - 1st facility in Arlington for sale of recreational marijuana, so impact unknown.

Also included in the application was a copy of the proposed Security Plan which I believe is covered under the Host Community Agreement and not applicable here. Please let me know if I can be of any further assistance.

Best,
Sarah

On Oct 28, 2019, at 3:46 PM, Erin Zwirko <EZwirko@town.arlington.ma.us> wrote:

Hi Paul and Sarah,

Thank you again for agreeing to review the Apothca application. I prepared the attached memo so you have all of the special permit criteria in one place. If anything does not make sense, I'd be happy to meet or chat about any of the criteria. If you would frame your comments as responses to the criteria that would be most helpful.

The DropBox link is below if you don't have it still in your email inbox.

Feel free to reach out with any questions or concerns. As a reminder, if I could receive your comments back by 4 PM on 11/6 that would be appreciated!

Thank you!
Erin

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Date: Thu, 24 Oct 2019 17:04:43 -0400
Subject: Apothca Special Permit Application

Good afternoon Marijuana Study Group,

I'm letting the group know that the ARB received an EDR Special Permit application from Apothca for their co-located facility (adult-use retail and medical) at 1386 Mass Ave. The ARB plans to open the public hearing on November 18th. That meeting will be held in the Main Room of the Central School at 27 Maple Street.

Anyone can come by the Department of Planning and Community Development to review the application materials, but I've also placed the materials at a DropBox link: <https://www.dropbox.com/sh/sruysmfzbeh78nk/AAAAJbnSNo5VfwADaMQYMv5Xa?dl=0>.

I would like to ask if a couple of the members of the Study Group would be interested in reviewing the materials and providing feedback to me on the application. We can discuss how you would feel most comfortable providing feedback (i.e., I could incorporate it into the staff memo or we could include it as a comment letter with the docket), but I would request it by 4 PM on November 6th. I also happy to review with you the criteria that the ARB uses to evaluate proposals. Let me know if you have the time and interest to do this.

Please let me know if you have any questions for me at this time.

Thank you!
Erin

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<Memo to Marijuana Study Group Reviewers.doc>