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To: "Erin Zwirko" <EZwirko@town.arlington.ma.us>
Date: 11/04/2019 05:31 PM
Subject: Apothca Special Permit Application

Hi Erin –

I hope all is well and that you're enjoying the fall weather. I reviewed all of the materials that were placed in Dropbox and I reviewed the section of the zoning bylaws that you linked me to. Please accept this email as a summary of my review.

Since the proposed location already exists and has been operational as a printing business, a significant portion of the special permit criteria were easily met with this application since the proposal does not suggest changes to the existing building's footprint. The most significant change along those lines is related to parking. The materials indicate that Apothca would be transforming a 6 spot parking lot into a 12 spot lot. Not being a zoning expert or an engineer or an architect I have a difficult time understanding how that can be done. The plans were hard to read on my desktop screen so my review of them gave no insight into how this change will be possible. I found myself wondering why, if it is possible, it hadn't been modified in this way previously given how difficult it is to find on-the-street parking in this area of the township. Bicycle racks were also mentioned for a later date but I could not determine if they were planned for the sidewalk in front of the building or for placement in the parking lot in back. A bike rack placed in front would take up a significant amount of space that could potentially impede on the limited space of the pedestrian sidewalk causing potential tripping hazards and sidewalk congestion while creating potential liabilities on the part of the township, the tenant (Apothca) and the building owners. The township is dropped from the liability picture if bike racks are placed behind the building in the parking lot on the privately owned property. Additionally, adding 6 more parking spots will increase traffic in and out of the building's parking lot significantly making it that much less safe for pedestrians walking on the sidewalk. I do not know if there are plans to add signs or lights to warn pedestrians when cars are approaching as they leave or enter the lot but it might be something to consider.

I was also puzzled by the queue management portion of the application. The first paragraph of that section estimates that Apothca employees will be able to process approximately 105 to 160 customer transactions *per hour*. That's an awful lot of customers to anticipate patronizing this business on an hourly basis. If that many customers end up consistently shopping at this location it will cause significant problems for the neighboring businesses that share this location. Clearly, based on recreational sales roll-outs in other parts of the Commonwealth, extremely large crowds can be expected when this retailer opens their doors. At this point, however, I would think that data exists that shows how long those large crowds lasted while giving a more accurate picture of what level of on-going customer patronage could be anticipated as the novelty of opening the first recreational dispensary in our township wears off. I also saw no indication of how medical card holders will be segregated from the recreational use customers in this proposed co-located facility. The application states that parking attendants will be hired temporarily for the dispensary's initial launch but it gives no indication of how many attendants will be on the payroll nor does it say what circumstances must occur before the temporary staff will no longer be necessary. I would suggest that this decision not be left to the Apothca management alone and should be made in conjunction with the appropriate township leadership and the Arlington Police. I would like to know how many sales people Apothca expects to have working during peak sales hours to determine if the 105 to 160 customer per hour transaction rate is even close to accurate.

And, finally, as a member of the Arlington Commission on Disabilities (the ACD), I was looking for signs that some thought had gone into the accessibility of this location for potential customers who identify as disabled. Unfortunately I did not see any. As a proposed co-located dispensary where medical cannabis cardholders will be or can be shopping it is easy to anticipate that a significant number of those cardholders will identify as disabled. Wheelchair level counters should be utilized and hearing assistive technologies, such as a hearing loop or other compatible technology should be incorporated into the proposed facility plans. Lighting that is tolerable to those with autism or anxiety issues should be considered. Signs and printed materials should utilize font sizes that are appropriate for those customers with visual disabilities. Doorways and pathways should be maintained so they are easily manageable by those with mobility issues which include wheelchair users, people on crutches and those who walk with canes or walkers. Automatic door opening mechanisms should be considered. There is no indication anywhere that Apothca plans to maintain a diverse workforce by making

sure they hire employees who identify as disabled or by maintaining a balanced equitable workforce that is open to all people regardless of race, color, gender or sexual orientation. It is understood that there are no federal monies being utilized by Apothca here so they are not directly beholden to the requirements of the ADA. However the township is. I believe that in exchange for the rather lucrative privilege of selling cannabis in our community dispensary owners should be required to uphold the diversity and equity standards that the township has adopted and is working to maintain. Disability rights and accessibility are important to the township and its disabled residents as exemplified by the township's creation of and support of the ADC. Asking cannabis business owners to support the townships desire to have an accessible community that is diverse and equitable is not a lot to ask for when you consider the profit potential that these businesses have. I would, of course, suggest that the township retain responsibility for determining whether or not those who they grant licenses to are in compliance with the standards the township sets and hopes to maintain. Perhaps this should be a function of the ACD.

I hope this summary proves useful. If you have any questions or comments about what I have written here please do not hesitate to contact me about them. As I stated earlier I have no particular expertise in the area of zoning so these are really just the thoughts that ran through my head as I was reading the application materials. I do hope I managed to stay on task and not go on too much of a tangent. Please let me know if there is anything further you would like me to do regarding this application.

Best regards,
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