



## **Town of Arlington, MA Redevelopment Board**

### **Agenda & Meeting Notice November 18, 2019**

The Arlington Redevelopment Board will meet Monday, November 18, 2019 at 7:30 PM in the **Senior Center, Main Room, 1st Floor, 27 Maple Street, Arlington, MA 02476**

#### **1. Environmental Design Review, Public Hearing**

7:30 p.m. - Board will open Special Permit #3610 filed by Apothca, Inc. at 1386  
8:30 p.m. Massachusetts Avenue, Arlington, MA, 02476, in accordance with the provisions of MGL Chapter 40A § 11, and the Town of Arlington Zoning Bylaw Section 3.4, Environmental Design Review, and Section 8.3, Standards for Marijuana Uses. The applicant proposes to establish a co located marijuana retailer and medical marijuana treatment center within the B3 Village Business District.

- Applicant will be provided 10 minutes for an introductory presentation.
- DPCD staff will be provided 5 minutes for an overview of their Public Hearing Memorandum.
- Members of the public will be provided time to comment.
- Board members will discuss docket and may vote.

#### **2. Open Forum**

8:30 p.m. -  
8:50 p.m. • Except in unusual circumstances, any matter presented for consideration of the Board shall neither be acted upon, nor a decision made the night of the presentation. There is a three minute time limit to present a concern or request.

#### **3. Adjourn**

8:50 p.m. - Adjourn

#### **4. Correspondence received:**

Email from Patricia Worden 110119 with attachments  
Attachment 1 - Guest commentary Atwood Apr 29, 2010 jlw (1)  
Attachment 2 - Itr Byrne 2-5-16  
Attachment 3 - Memo to ARB 7-22-10  
Attachment 4 - The Atwood House part ii 2010



## Town of Arlington, Massachusetts

---

### Environmental Design Review, Public Hearing

#### Summary:

7:30 p.m. -  
8:30 p.m.

Board will open Special Permit #3610 filed by Apothca, Inc. at 1386 Massachusetts Avenue, Arlington, MA, 02476, in accordance with the provisions of MGL Chapter 40A § 11, and the Town of Arlington Zoning Bylaw Section 3.4, Environmental Design Review, and Section 8.3, Standards for Marijuana Uses. The applicant proposes to establish a co located marijuana retailer and medical marijuana treatment center within the B3 Village Business District.




- Applicant will be provided 10 minutes for an introductory presentation.
- DPCD staff will be provided 5 minutes for an overview of their Public Hearing Memorandum.
- Members of the public will be provided time to comment.
- Board members will discuss docket and may vote.

#### ATTACHMENTS:

Type	File Name	Description
Reference Material	1386_Massachusetts_Ave_Original_Elev.pdf	1386 Massachusetts Ave. Original Elevation
Reference Material	Apothca_-_Security_Policies_and_Procedures.pdf	Apothca - Security Policies and Procedures
Reference Material	EB2009_checklist.pdf	EB2009 checklist
Reference Material	Floorplan-18x24.pdf	Floorplan - 18x24
Reference Material	LEED_Memo.pdf	LEED Memo
Reference Material	Site_Plan_Set_Apothca.pdf	Site Plan Set Apothca
Reference Material	SPA_Signed.pdf	SPA Signed
Reference Material	Agenda_Item_1B_EDR_Public_Hearing_Memo_Docket__3610.doc	EDR Public Hearing Memo Docket 3610
Reference Material	Agenda_Item_1C_Memo_to_ARB_re_Apothca_SP_Application.doc	Memo to ARB re Apothca SP Application
Reference Material	Agenda_Item_1Ca_P.Czech_Comments.pdf	P. Czech Comments
Reference Material	Agenda_Item_1Cb_S.Augood_Comments.pdf	S. Augood Comments

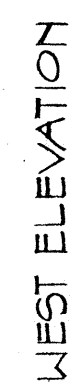
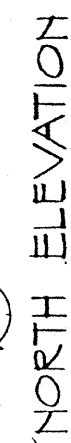
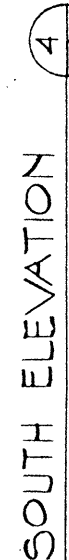
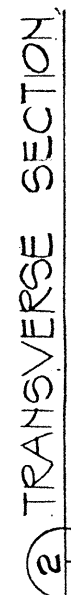
[illegible]

SHEET TITLE  
ELEVATIONS  
#SECTIONS

DETAIL NO.  DRAWN ON SHEET  ON SHEET 

SCALE	1/4" = 1'-0"
DRAWN	M.
CHECKED	M.
APPROVED	ALVIN L. KOSOV
DATE	18 MARCH 74

人



# Security Policies and Procedures<sup>1</sup>

<b>General Security Requirements .....</b>	<b>2</b>
Introduction .....	2
Security Program Management Roles and Requirements .....	2
Proximity Access Cards .....	3
Investigative Response to Alarms .....	3
Employee Security Policies .....	3
Handling of Marijuana .....	5
Response to Hostile Intruder .....	6
Response to Criminal Trespass/Indication of Security Compromise (Non-Hostile) .....	7
Emergency Evacuation Plan.....	7
Response to Fire .....	8
Hazardous Weather/Shelter-In-Place .....	8
Cash Management .....	8
<b>Limited Access Areas.....</b>	<b>9</b>
Consumer Access .....	9
Authorized Visitor Access .....	9
Visitor Access Procedures.....	10
Access Control to Limited Access Areas .....	10
<b>Security System .....</b>	<b>10</b>
Perimeter Controls, Monitoring, and Controlled Access .....	10
Building Access Controls.....	10
Security Checks and Inspections .....	11
Prohibited Items and Weapons.....	11
Intrusion Detection Systems (IDS) .....	11
Video Surveillance .....	12
Redundant Notification Systems .....	12

---

<sup>1</sup> All information contained herein is subject to revision. Apothca intends to supplement and amend this document based upon input from the Cannabis Control Commission, the City of Fitchburg, City of Lynn, and as Apothca's understanding of its needs change. Apothca will assure all necessary local authorities receive a copy of this document, as well as any finalized amendments to this document. We respectfully ask that the materials provided be held in confidence.

Internal Alarms.....	12
<b>Incident Reporting.....</b>	<b>13</b>
Overview .....	13
Documenting and Reporting .....	13
<b>Marijuana Establishment Internal Audit.....</b>	<b>14</b>
Security Audits .....	14
Security Recordkeeping .....	14

## General Security Requirements

### Introduction

Apothca, Inc. (“Apothca”), a Marijuana Establishment in the Commonwealth of Massachusetts, has prepared and developed security policies and procedures to provide for the safe, orderly, and legal production and distribution of adult-use marijuana.

### Security Program Management Roles and Requirements

- Under the supervision of the Chief Executive Officer, the Director of Security is responsible for the development and overall management of the Security Policies and Procedures for Apothca.
- The Director of Security is responsible for implementing and administering the Security Policies and Procedures as prescribed as well as any approved changes.
- The Director of Security will continuously develop and update emergency policies and procedures for securing all product following any instance of diversion, theft, or loss of marijuana and will conduct an assessment to determine whether additional safeguards are necessary.
- The Director of Security will also develop sufficient additional safeguards as required by the Commission for any Apothca facility that presents special security concerns.
- Managers are responsible for ensuring security measures within each division of Apothca.
- Access to marijuana and marijuana products will be limited to Apothca agents who have a need and who are also capable of safeguarding such products. Unauthorized agents and visitors will not have access to marijuana or marijuana products.
- Apothca agents with approved access to marijuana and marijuana products are responsible for the product when in their control. Agents will also be responsible for safeguarding any marijuana and marijuana products that come into their possession while performing assigned duties.
- Apothca agents will ensure that marijuana in excess of the quantity for normal, efficient operation is disposed of appropriately pursuant to 935 CMR 500.105(12).
- Agents will promptly report any safety or security concerns regarding agents, consumers, or visitors to the Director of Security. This includes any information that reflects adversely upon the integrity or general character of an agent; information that indicates the agent’s inability to safeguard marijuana, marijuana product, or any other information that may jeopardize Apothca’s operations in any way; and any information that may adversely affect the security and safety of the premises.
- The Director of Security will provide security administration and management for Apothca.
- Apothca will establish limited access areas accessible only to specifically authorized personnel, which shall include only the minimum number of employees essential for efficient operation.
- The Director of Security will ensure Apothca agents undergo required background screening prior to being granted access to the premises and/or offered employment, including but not limited to screening of financial history, criminal history, previous employment and known affiliations, and any other information required by the Cannabis Control Commission (“Commission”).

- The Director of Security will ensure secure storage and work spaces are properly monitored and safeguarded; Apothca will store all finished marijuana in a secure, locked safe or vault and in such a manner as to prevent diversion, theft, and loss.
- Apothca will keep all safes, vaults, and any other equipment used for the production, cultivation, harvesting, processing, or storage of marijuana and marijuana infused products (“MIPs”) securely locked and protected from entry, except for the actual time required to remove or replace marijuana.
- The Director of Security will ensure compliance and adherence to the Commission’s regulations, including—but not limited to—935 CMR 500.110.
- The Director of Security will serve as the primary point of contact for law enforcement for all security-related matters.
- The Director of Security, in coordination with Apothca agents, will establish and maintain a secure visitor management program, including a visitor log.
- The Director of Security will provide initial security training program for new agents as well as annual training for all agents.
- The Director of Security will establish and maintain safe and secure policies and procedures for transportation.
- The Director of Security, in collaboration with the Chief Operating Officer, will update the Security Policies and Procedures as needed; at a minimum the Security Policies and Procedures will be updated/reviewed on an annual basis.

#### Proximity Access Cards

- In addition to the identification badges worn by all agents, proximity card readers will secure all Limited Access Areas and will only be issued to those agents who require access to Limited Access Areas to complete job functions.
- Access Cards will be issued and accounted for in Apothca’s Access Card database and be maintained in accordance with Apothca’s recordkeeping requirements.
- Each access card will grant access to specific zoned areas for authorized access; access may be limited as necessary.

#### Investigative Response to Alarms

- Apothca will have security agents on site as-needed according to operational needs and requirements.
- If the Intrusion Detection System (“IDS”), video surveillance, or other means indicate the presence of a potential intruder, security agents will immediately contact law enforcement by dialing 911.
- Security agents will, at a minimum, provide the following to the 911 operator:
  - Number of suspected intruders;
  - Physical description of the suspected intruders; and
  - Location within the facility of the suspected intruders.

#### Employee Security Policies

- Employees will ensure that Apothca facilities and limited access areas are only accessed by authorized personnel and individuals.

- Access to Apothca facilities is limited to employees and those persons allowed access by the state. All employees must be registered and licensed.
- All employees will be assigned access keys, cards, and personal security codes. These access controls are always to be protected and used only by the authorized employees.
- All employees must always wear their badge in a visible, above-the-waist location.
- Employees must determine an individual's reason for accessing the facility.
- Review federal or state photo ID and verify that the individual is over 21 years of age.
- Visitors shall sign-in and sign-out on a visitor log.
- The visitor log shall minimally include the name of the visitor and the date, time of arrival and departure, purpose of visit, the visitor identification badge number or other unique identifier, areas of the facility visited, and names of all employees visited.
- Each visitor shall receive a visitor badge for use while on site and return the badge prior to leaving the site.
- Visitors shall display their visitor badge and be escorted while on the premises.
- State or federal inspectors/employees may arrive for an inspection announced or unannounced and shall be granted access to any area of the facility, as requested.
- If an individual attempts to enter Limited Access or No Access areas, the individual shall be informed that only authorized personnel is allowed in that area. The individual shall be politely escorted to the sales floor, bathroom, waiting room, etc.
- An employee may not receive any type of consideration or compensation for allowing a visitor to enter a limited access area.
- Emergency visitors, e.g., emergency medical professionals or law enforcement, etc., will be signed-in per local procedures.
- Employees will be trained to use and understand security procedures and equipment as necessary in the event of an emergency.
- Panic buttons are placed throughout the facility. If safe to do so, these buttons must be used if intruders enter the facility, a robbery occurs, or if the safety of any employee or patron becomes threatened.
- All employees will be armed with duress codes if forced to deactivate the facility's security alarm.
- If at any time the access controls are lost or compromised, the employee must notify their supervisor immediately and assist with the recovery process as necessary.
- It is the responsibility of every employee to aid in the security of Apothca through prevention, awareness, reporting, and responsible incident management.
- Employees will properly store and secure all marijuana, marijuana products, and cash.
- Employees must never place product or cash in a location other than the designated areas within limited access areas.
- Employees are responsible for supervising all product and cash at all times throughout their shift.
- Any product being shown to a visitor or consumer must immediately be placed back in the product's designated area. No product may be left unsupervised at any time.
- Employees will be trained to identify suspicious behavior and to be observant of their surroundings.
- All employees are required to pay special attention to their surroundings upon opening and closing the facility.



- It is strict Apothca policy that all employees closing for the day leave the facility together and never alone.
- Employees are responsible for reporting any suspicious activities from visitors, consumers, or their colleagues to their supervisor immediately.

The following observations could lead to the detection of diversion:

- An individual purchases an unusually large amount of marijuana or marijuana products on a frequent basis.
- Large purchases are made in an unreasonably short time frame.
- An individual requests large purchases be packaged in smaller containers.
- In a confidential matter, employees must use their best judgment when observing consumer purchasing habits.

### Handling of Marijuana

- Employees must encourage all individuals to maintain marijuana and marijuana products in their original packaging.
- Employees must encourage individuals to securely store marijuana and marijuana products in a manner that minimizes the risk of diversion.
- Employees will ensure that all marijuana, marijuana products, and cash are handled, stored, packaged, and recorded in accordance with Apothca policies and regulatory requirements.
- Employees must carefully package, restock, and weigh all product in a very precise manner to minimize loss.
- All weighing and counting of product must be performed in accordance with inventory procedures and requirements.
- Employees who discover that any product or cash has been mishandled, misplaced, or is missing must notify their supervisor immediately.
- All loss must be approved by the facility manager and recorded in the waste disposal log and ADP/POS system.
- All expired, contaminated, or unusable product must be properly recorded and stored. The facility manager must approve all marijuana waste and loss.
- The facility manager is responsible for approving all waste and inventory loss. Each occurrence will be reviewed and recorded in a data collection repository, which will be reviewed for trends and patterns.
- The facility manager will investigate and implement procedure variations to mitigate waste and inventory loss.
- Waste reporting occurs on a consistent basis during the shift of one or more employees.
- Inventory loss is detected in a consistent fashion during the shifts of one or more employees. All inventory losses, regardless of the reason, will be investigated by the dispensary manager.

In the event of a theft or robbery:

- Employees must not try to confront the assailant.
- Press the closest silent alarm, if it is safe to do so, and wait for law enforcement to arrive.
- Remain in place, do not move, and do not engage the assailant(s).

- As soon as it is safe to do so, Dispensary Management personnel will contact local law enforcement. State agencies will be notified as specified in local security procedures.

In the case of an individual who demonstrates verbal or physical aggression toward employees, visitors, or consumers:

- Try to calm the individual down by speaking to them in a respectful manner so as not to further agitate them.
- Individually listen to the individual's needs or complaints to see if the issue can be resolved at that time.
- Any employee can do this, but if the situation escalates, inform the manager on duty.
- If speaking to the individual does not deescalate the situation, Management personnel shall inform the individual that they must regain their composure, or they may be escorted from the premises.
- If this does not deter the individual, security shall be notified.
- If the individual refuses to leave on their own accord, security shall escort the individual off the premises.
- If the individual becomes physically aggressive (i.e. throwing things, touching others, or otherwise threatening to harm anybody), they must be escorted off the premises.
- If the situation escalates any further, press one of the silent alarms, if safe, and remain calm until law enforcement arrives.
- Document the encounter and inform the state.

#### Response to Hostile Intruder

- Agents will immediately dial 911 or activate one of the panic/duress alarms located throughout the Facility and connected to local law enforcement authorities when it is safe to do so.
- Agents will alert all occupants within the Facility to find a safe location.
- If deemed life threatening, agents must not engage or confront the intruder—await response from law enforcement.
- If safe to do so, agents must evacuate the surrounding area immediately.
- Agents must close and secure all doors if it is safe to do so.
- If unable to safely exit the building, agents will seek shelter in a room where doors can be locked or barricaded securely.
- Agents must turn off lights in room.
- Agents will remain out of sight of doors and windows.
- Agents will remain quiet and turn off the volume on cell phones.
- Once safely in a secure room, security agents or any other individual will contact law enforcement by dialing 911 and give the location and number of people in the room.
- Agents must follow all instructions provided by the 911 operator.
- If unable to speak, agent will leave phone line open to allow the 911 operator to hear what is occurring in the room.
- If responding law enforcement officials are encountered, agent must keep hands elevated and palms visible.
- If the fire alarm sounds, agents must remain in place unless fire or smoke is detected or advised to do so by the 911 operator.
- Agents must not carry items in hands that could be mistaken as a weapon.

- When possible, security agents will assist those with disabilities and those with any injuries by escorting them to the nearest safe exit or safe area.
- If able to safely exit the Facility, agents must not return until it is declared safe to do so by law enforcement and/or fire officials.
- Agents will follow all instructions issued by law enforcement and/or fire officials.

#### Response to Criminal Trespass/Indication of Security Compromise (Non-Hostile)

- In the event an agent detects that criminal trespass has occurred, the agent should report this information to the Director of Security or a security agent immediately.
- Security agents will remain at the location of suspected compromise when possible.
- Agents must immediately notify the Director of Security for a determination of actions to be taken.
- Agents will secure the compromised area and conduct an inventory of the contents and check for tampering or missing inventory.
- If necessary, the Director of Security will request assistance from law enforcement and notify the Commission as required.
- If immediate evacuation is necessary due to an emergency, storage containers and controlled areas will be examined upon return to determine whether marijuana, marijuana products, or cash were left unattended or if any marijuana, marijuana products, or cash are missing following an inventory check. The Director of Security will prepare an Incident Report that will be submitted to the Chief Operating Officer.
- Any emergency or event that would inhibit or prevent the proper safeguarding of inventory will be reported immediately to the Director of Security.

#### Emergency Evacuation Plan

- In the event of a fire or other emergency in which evacuation is necessary, an agent designated by the Director of Security will be responsible for coordinating and directing an orderly evacuation of each assigned section of the Apothca Facility. Drills for evacuation and lock down will be coordinated with law enforcement. Evacuation priorities for agents consist of the following:
  - Moving occupants who are closest to the danger to a safe area near or at an emergency exit;
  - Directing occupants to evacuate the building through the nearest emergency exit; and
  - After safely exiting the building, proceeding directly to the predetermined assembly area to participate in “roll call” led by the Director of Security.
- In the event that Apothca receives a bomb threat, the agent receiving the threat should immediately notify a manager and dial 911. In the event of a bomb threat and/or explosion, all occupants should be evacuated as described above.
- In the event of a fire, the agent discovering the fire should activate the internal fire alarm immediately.
- Security agents should dial 911.
- If safe to do so and at the agent’s discretion, the agent will attempt to extinguish the fire.
- If possible, agents leaving the affected area will attempt to turn off electrical equipment and close doors against the fire.
- All occupants will exit the building using the nearest safe exit.

- Occupants will assemble for a “roll call” in the designated evacuation area, ensuring that they remain clear of responding fire apparatus.
- Smoke and fire alarms will be tested on a monthly basis.
- Fire extinguishers and the fire suppression system will be tested/inspected on an annual basis.
- The Director of Security will ensure that an annual fire evacuation drill is conducted, documented, and performed in consultation with the local fire department.
- Fire evacuation maps will be clearly posted throughout the Apothca Facility.

#### Response to Fire

- In the event of a fire, the agent discovering the fire will immediately dial 911 and activate the internal fire alarm.
- If safe to do so and at the agent’s discretion, the agent may extinguish the fire.
- If possible, agents leaving the affected area should attempt to turn off electrical equipment and close doors to prevent the spread of smoke or fire.
- All occupants will exit the building using the nearest safe exit.
- Occupants will assemble for a “roll call” in the designated evacuation area, ensuring that they remain clear of responding fire apparatus.
- Smoke and fire alarms to be tested on a monthly basis.
- Fire extinguishers and the fire suppression system to be tested/inspected on an annual basis.
- The Director of Security will perform and document an annual fire evacuation drill in consultation with the local fire department.
- Fire evacuation maps will be clearly posted around the Apothca facility and agents will review the maps on an ongoing basis.

#### Hazardous Weather/Shelter-In-Place

- Evacuees will follow the public official’s instructions on the Emergency Alert System station.
- In the event that hazardous weather or other natural or manmade circumstances require a shelter-in-place order, the following procedures will be performed by security agents to implement the sheltering plan:
  - Announce to agents that a shelter-in-place has been advised and that the sheltering plan will be implemented;
  - If safe to do so, allow agents to depart prior to putting shelter procedures into place;
  - Take “roll call” and record number of agents who will be sheltering in the facility;
  - Secure and lock all doors and windows;
  - Move agents to a designated sheltering room in center of the facility; and
  - Continue monitoring Emergency Alert System, radio, TV, and other methods of communication to determine when an “All Clear” is issued and the shelter-in-place can be lifted.

#### Cash Management

Agents that handle and store cash are responsible for the funds while under their control. Apothca will limit the amount of cash in cash drawers by limiting the amount of cash in each

cash drawer at the beginning of an agent's shift and by conducting frequent cash sweeps throughout the day. These measures are designed to reduce the risk of discrepancies and allow for frequent counting to occur.

BioTrack THC point of sale software will track each transaction and a record of all sales transaction will be stored and readily available. Any change made to the POS system must be reviewed and approved by the Chief Operating Officer, in advance of the change being made.

All cash will be secured in a safe and stored in a vault room. The safe will have a four (4) digit combination lock with a slot in which to drop in cash. At no time will the door of the cash storage vault be left open while the room is unattended. If the room is in use, then the outer door will be kept closed. The vault will only be open during the time required to remove/replace cash. Until further agents are identified, the only agents authorized to access the safe will be the Chief Executive Officer, Chief Operating Officer, Director of Security, and Director of Cultivation.

A record of the names of persons having access to the vault room will be maintained by the Director of Security. Access to the vault room is highly restricted and is safeguarded via the use of card key access. Each agents processing transactions is assigned a dedicated POS terminal and cash till. Cash will be counted by till in the following manner:

- Prior to a shift starting by the agent collecting the till and verified by a supervisor; and
- At the end of a shift – each agent is required to reconcile his/her cash drawer at the end of his/her scheduled shift with verification by a supervisor
- The final cash from the agent's shift will be dropped into the cash-drop portion of the safe in the vault room

In the event of a discrepancy, the Director of Security, Chief Executive Officer, and Chief Operating Officer will be notified, and an immediate internal audit will be conducted to determine where and when the discrepancy occurred. If it is determined that there is an error or inaccuracy in the reporting, then the cause will be investigated, and corrective action measures will immediately be put into place to avoid such error or inaccuracy in the future.

Cash will be transported from the Apothca facility to the bank of deposit by a third-party vendor or the Director of Security. Pickups will occur frequently, or as requested by the Chief Executive Officer, Director of Security, or Chief Operating Officer. At no time will agents be transporting cash to/from the bank of deposit with the exception of the Director of Security.

## **Limited Access Areas**

### Consumer Access

- All individuals trying to access an Apothca retailer facility will be positively identified to limit access to individuals age 21 years or older.
- Apothca agents must positively identify all individuals to whom marijuana products are being transferred to confirm that each individual is 21 years or older.

### Authorized Visitor Access

- Authorized visitors (i.e. outside vendors, contractors and visitors pursuant to 935 CMR 500.110(4)(e)) will be issued a Visitor Badge and be escorted by an authorized Apothca agent at all times.
- Agents will be notified when an authorized visitor is entering a Limited Access Area.
- Authorized visitors are prohibited from remaining on the premises once the purpose of their visit has been completed.

#### Visitor Access Procedures

- Photograph identification, such as a valid driver's license, will be required for all authorized visitors.
- Visitor Record: A visitor sign-in and sign-out record will be required. This record will include the visitor's name, address, organization or firm, date, time in and out, and the name of the authorized agent who will be escorting the visitor.

#### Access Control to Limited Access Areas

- Limited Access Areas will be clearly identified with a posted sign that will be a minimum of 12" x 12" and states "DO NOT ENTER – LIMITED ACCESS AREA – ACCESS LIMITED TO AUTHORIZED PERSONNEL ONLY"
- The minimum number of authorized agents essential for efficient operation will have access to inventory, cash, and management offices. Access will be restricted using zoned proximity reader key cards and by maintaining internal automatic locking doors.
- Agents will visibly display their Apothca ID badge while performing job duties on-site or off-site.
- Agents may not bring bags, camera phones, backpacks, or purses from the break room into the areas where consumers and other visitors are present. Agents will use individual lockers for storing personal belongings during scheduled work hours. Any item that could be used for diversion may be prohibited at the discretion of the Director of Security.

### **Security System**

#### Perimeter Controls, Monitoring, and Controlled Access

- Individuals who are not engaged in an activity expressly permitted under 935 CMR 500.000 are prohibited from the premises of an Apothca facility.
- Proper lighting will be used and maintained at all times, including after normal business hours, in and around an Apothca facility. The lighting will include areas around the premises including entry and exit points, parking areas, and the perimeter fence lines.
- Foliage on the premises will be maintained in a manner that does not allow persons to conceal themselves from sight.
- All entry points and perimeter windows will be alarmed.
- The perimeter will be monitored twenty-four (24) hours a day by a remote monitoring center and security agent(s).

#### Building Access Controls

Access will be controlled by card proximity readers and monitored using cameras, a buzzer system, and intercoms. In addition, there is a one-sided window in the security office allowing security agents to view individuals as they approach the main entrance to the dispensary.

### Security Checks and Inspections

The Director of Security or a designated alternate will conduct regularly scheduled security checks of the Apothca facility. As an added precaution, areas within the Apothca facility (e.g. growing, processing, and inventory) will be routinely checked throughout the day and at the beginning and close of each operational period to ensure that materials, equipment, and rooms appear to be properly maintained. If an area is not found to be in order, security agents will contact the Director of Cultivation as well as the Director of Security and document the incident in a report to be approved by the Director of Security.

### Prohibited Items and Weapons

Items that constitute a threat to agents, state and local law enforcement, consumers, visitors, and the Apothca facility are expressly prohibited on the premises, regardless of whether the individual or agent holds a valid permit to carry a weapon. This includes, but is not limited to, items such as firearms, knives, pepper sprays, chemicals, explosives, clubs, box cutters, and any items deemed unlawful by law enforcement.

### Intrusion Detection Systems (IDS)

The custom IDS includes intrusion detection, camera monitoring, fire alarms, motion sensors, and proximity reader components, among other features.

- Central Monitoring Station:
  - The IDS has multiple redundancies in place to ensure connectivity with the central monitoring station including, but not limited to, a secure connection using digital, wireless, and radio-controlled frequencies.
  - When the central monitoring station detects an intrusion, malfunction, or tampering, security agents, law enforcement, and management will be notified within five (5) minutes after the failure, either by text message, email, or telephone. If needed, repairs to the IDS system will be made immediately or within a 24-hour period.
- IDS Operations
  - The IDS will have all external zones activated twenty-four (24) hours a day, and internal zones will be armed on a regularly scheduled time period. A daily record will be maintained at the Apothca facility and will identify the person responsible for setting and deactivating the IDS. In most cases, the system will self-arm on a regularly scheduled basis, and all exterior points of access will be armed at all times.
  - A failure to activate or deactivate the IDS will be reported to the Director of Security and a record will be maintained for at least ninety (90) days.
  - Records will also be maintained for ninety (90) days indicating time of receipt of alarm, name of security staff responding, time of dispatch to the Apothca facility, response time until security staff arrived at the alarm location, nature of the alarm, and relevant response actions.
- Surveillance Room
  - All security system equipment and recordings will be maintained in a secure location on-site that will remain locked and will not be used for any other function.
  - Access to the designated rooms will be limited to those agents that are essential to surveillance operations, law enforcement authorities acting within their lawful jurisdiction, authorized security system service personnel, and the Commission.

- A current list of authorized agents and service personnel that have access to designated security rooms and surveillance rooms will be made available to the Commission and law enforcement officials upon request.
- Power Outage
  - Apothca has a separate power source that will provide electricity to all security systems in the event of a power outage. This power source will remain independent from the main power source.
  - Apothca will immediately notify appropriate law enforcement authorities and the Commission within twenty-four (24) hours in the event of a failure of any security alarm system due to a loss or electrical power or mechanical malfunction that is expected to last longer than eight (8) hours.

### Video Surveillance

- As required by 935 CMR 500.110(5)(a)(4)-(9), video recordings will allow for the exporting of still images in an industry standard image format, including .jpg, .bmp, and .gif. Exported video will have the ability to be archived in a proprietary format that ensures authentication of the video and guarantees that no alteration of the recorded image has taken place. Exported video will also have the ability to be saved in an industry standard file format that can be played on a standard computer operating system. All recordings will be erased or destroyed prior to disposal.
- Video surveillance cameras are located in all areas that may contain marijuana or marijuana products including all points of entry and exit to Apothca, the perimeter of the building, and in all parking lot areas. In addition, the following requirements will be met:
  - Cameras will be present in all areas within the Apothca facility.
  - Camera placement is capable of clearly capturing any person entering/exiting the Apothca facility.
  - All video recordings contain a date/time stamp.
  - Cameras will be angled to capture a clear and certain identification any person entering/exiting Apothca or restricted area and lighting conditions will be appropriate for the area under surveillance.
- Video cameras will be capable of producing clear, color, high-resolution photo (live or recorded), and images will include date/time frame recording that does not obscure the photo. Twenty-four (24) hour recordings from all video cameras will be available for immediate viewing by the Commission upon request. These recordings will be retained for a minimum of ninety (90) days, will not be destroyed or altered, and will be retained as long as necessary if Apothca is aware of a pending criminal, civil or administrative investigation for which the recording may contain relevant information.
- All security equipment (cameras, alarms, etc.) will be kept in working order and subject to inspection and testing at intervals not to exceed thirty (30) calendar days from the previous inspection

### Redundant Notification Systems

Apothca will have a failure notification system that will send an alert to designated employees of Apothca within five minutes after the failure pursuant to 935 CMR 500.110(5)(a)(1)-(3).

### Internal Alarms



For the safety of all agents, consumers, state or local law enforcement, and authorized visitors, panic/duress alarms will be located throughout the Apothca facility and connected to local law enforcement authorities.

## **Incident Reporting**

### Overview

- **Reportable Incidents:** Apothca will immediately notify local law enforcement officials and the Commission within twenty-four (24) hours after discovering the following:
  - Discrepancies identified during inventory, including diversion, theft, loss, and any criminal action involving Apothca or an Apothca agent;
  - Any suspicious act involving the sale, cultivation, distribution, processing, or production of marijuana by any person;
  - Unauthorized destruction of marijuana;
  - Any loss or unauthorized alteration of records related to marijuana;
  - An alarm activation or other event that requires response by public safety personnel;
  - The failure of any security alarm system due to a loss of electrical power or mechanical malfunction that is expected to last longer than eight hours; and
  - Any other breach of security.
- **Documenting and Reporting:** Within ten (10) calendar days, Apothca will provide written notice to the Commission of any incident described above, by submitting an incident report in a form and manner determined by the Commission that details the circumstances of the event, any corrective actions taken, and confirmation that the appropriate law enforcement authorities were notified. Reports and supporting documents, including photos and surveillance video related to a reportable incident will be maintained by Apothca for a minimum of one (1) year and made available to the Commission and to law enforcement authorities acting within their lawful jurisdiction upon request.

### Documenting and Reporting

Within ten (10) calendar days, Apothca will provide written notice to the Commission of any incident described above, by submitting an incident report form, detailing the incident, the investigation, the findings, resolution (if any), confirmation that local law enforcement was notified, and any other relevant information. Reports and supporting documents, including photos and surveillance video related to a reportable incident, will be maintained by Apothca for a minimum of two (2) years and made available to the Commission and to law enforcement authorities acting within their lawful jurisdiction upon request.

Using BioTrack, Apothca will document all handling of marijuana as plants move through the different rooms located within a Apothca facility. Agents who handle marijuana or marijuana products will be appropriately monitored through video surveillance. All finished marijuana and marijuana product inventory will be audited on a weekly basis, while certain inventory will be audited on a daily basis (e.g. contents of the Dry Room). Inventory audits will identify any discrepancies and/or suspected diversion. Apothca agents will be subject to random security checks, including searches of personal items brought into a facility.

## **Marijuana Establishment Internal Audit**

### Security Audits

In addition to the monthly security system inspection, Apothca will perform a security system audit using an external vendor approved by the Commission. The audit report will be submitted to the Commission no later than thirty (30) calendar days after the audit is conducted. If the audit identifies areas for improvement related to the security system, Apothca will also submit a plan to mitigate those concerns within ten (10) business days.

### Security Recordkeeping

The Director of Security is responsible for maintaining all security-related records and reports.



# LEED 2009 for Existing Buildings: Operations & Maintenance

## Project Checklist

Apothca - 1386 Mass Ave - Arlington

6-Oct-19

4	0	0	Sustainable Sites		Possible Points: 26	
Y	?	N				
		0	Credit 1	LEED Certified Design and Construction	4	<b>Notes:</b> Apothca will encourage alternative modes of transportation for all employees and is committed to a reduction of 10% or more in SOV to the facility.  Proposed lighting is dark sky compliant.
		0	Credit 2	Building Exterior and Hardscape Management Plan	1	
		0	Credit 3	Integrated Pest Management, Erosion Control, and Landscape Management Plan	1	
3			Credit 4	Alternative Commuting Transportation	3 to 15	
			<input checked="" type="checkbox"/>	Reduce by 10%	3	
			<input type="checkbox"/>	Reduce by 13.75%	4	
			<input type="checkbox"/>	Reduce by 17.5%	5	
			<input type="checkbox"/>	Reduce by 21.25%	6	
			<input type="checkbox"/>	Reduce by 25%	7	
			<input type="checkbox"/>	Reduce by 31.25%	8	
			<input type="checkbox"/>	Reduce by 37.5%	9	
			<input type="checkbox"/>	Reduce by 43.75%	10	
			<input type="checkbox"/>	Reduce by 50%	11	
			<input type="checkbox"/>	Reduce by 56.25%	12	
			<input type="checkbox"/>	Reduce by 62.5%	13	
			<input type="checkbox"/>	Reduce by 68.75%	14	
			<input type="checkbox"/>	Reduce by 75%	15	
		0	Credit 5	Site Development—Protect or Restore Open Habitat	1	
		0	Credit 6	Stormwater Quantity Control	1	
		0	Credit 7.1	Heat Island Reduction—Non-Roof	1	
		0	Credit 7.2	Heat Island Reduction—Roof	1	
1			Credit 8	Light Pollution Reduction	1	

2	0	0	<b>Water Efficiency</b>	Possible Points: 14
---	---	---	-------------------------	---------------------

Y	?	N		
Y			Prereq 1	Minimum Indoor Plumbing Fixture and Fitting Efficiency
1			Credit 1	Water Performance Measurement
				1 Whole building metering
				0 Submetering
1			Credit 2	Additional Indoor Plumbing Fixture and Fitting Efficiency
				1 Reduce by 10%
				Reduce by 15%
				Reduce by 20%
				Reduce by 25%
				Reduce by 30%
		0	Credit 3	Water Efficient Landscaping
				Reduce by 50%
				Reduce by 62.5%
				Reduce by 75%
				Reduce by 87.5%
				Reduce by 100%
		0	Credit 4	Cooling Tower Water Management
				Chemical Management
				Non-Potable Water Source Use

1 to 2

1

2

1 to 5

1

2

3

4

5

1 to 5

1

2

3

4

5

1 to 2

1

2

Notes:

Apothca will retrofit existing plumbing fixtures to water conserving fixtures whenever possible.

1	0	0	<b>Energy and Atmosphere</b>	Possible Points: 35
---	---	---	------------------------------	---------------------

Y ? N

Y			Prereq 1	Energy Efficiency Best Management Practices	
Y			Prereq 2	Minimum Energy Efficiency Performance	
Y			Prereq 3	Fundamental Refrigerant Management	
1			Credit 1	Optimize Energy Efficiency Performance	1 to 18
				1 ENERGY STAR Rating of 71 or 21st Percentile Above National Median	1
				ENERGY STAR Rating of 73 or 23rd Percentile Above National Median	2
				ENERGY STAR Rating of 74 or 24th Percentile Above National Median	3
				ENERGY STAR Rating of 75 or 25th Percentile Above National Median	4
				ENERGY STAR Rating of 76 or 26th Percentile Above National Median	5
				ENERGY STAR Rating of 77 or 27th Percentile Above National Median	6
				ENERGY STAR Rating of 78 or 28th Percentile Above National Median	7
				ENERGY STAR Rating of 79 or 29th Percentile Above National Median	8
				ENERGY STAR Rating of 80 or 30th Percentile Above National Median	9
				ENERGY STAR Rating of 81 or 31st Percentile Above National Median	10
				ENERGY STAR Rating of 82 or 32nd Percentile Above National Median	11
				ENERGY STAR Rating of 83 or 33rd Percentile Above National Median	12
				ENERGY STAR Rating of 85 or 35th Percentile Above National Median	13
				ENERGY STAR Rating of 87 or 37th Percentile Above National Median	14
				ENERGY STAR Rating of 89 or 39th Percentile Above National Median	15
				ENERGY STAR Rating of 91 or 41st Percentile Above National Median	16
				ENERGY STAR Rating of 93 or 43rd Percentile Above National Median	17
				ENERGY STAR Rating of 95+ or 45th+ Percentile Above National Median	18
		0	Credit 2.1	Existing Building Commissioning—Investigation and Analysis	2
		0	Credit 2.2	Existing Building Commissioning—Implementation	2
		0	Credit 2.3	Existing Building Commissioning—Ongoing Commissioning	2
		0	Credit 3.1	Performance Measurement—Building Automation System	1
		0	Credit 3.2	Performance Measurement—System-Level Metering	1 to 2
				40% Metered	1
				80% Metered	2
		0	Credit 4	On-site and Off-site Renewable Energy	1 to 6
				3% On-site or 25% Off-site Renewable Energy	1
				4.5% On-site or 37.5% Off-site Renewable Energy	2
				6% On-site or 50% Off-site Renewable Energy	3
				7.5% On-site or 62.5% Off-site Renewable Energy	4
				9% On-site or 75% Off-site Renewable Energy	5
				12% On-site or 100% Off-site Renewable Energy	6
		0	Credit 5	Enhanced Refrigerant Management	1

Notes:

Apothca will choose EnergyStar rating of 71 or greater for all new equipment and will replace existing bulbs with LED wherever feasible.

		0
--	--	---

Credit 6

Emissions Reduction Reporting

1

--

1	0	0	<b>Materials and Resources</b>	Possible Points: 10
---	---	---	--------------------------------	---------------------

Y	?	N			
Y			Prereq 1	Sustainable Purchasing Policy	
Y			Prereq 2	Solid Waste Management Policy	
		0	Credit 1	Sustainable Purchasing—Ongoing Consumables	1
		0	Credit 2	Sustainable Purchasing—Durable Goods	1 to 2
				40% of Electric-Powered Equipment	1
				40% of Furniture	1
		0	Credit 3	Sustainable Purchasing—Facility Alterations and Additions	1
1			Credit 4	Sustainable Purchasing—Reduced Mercury in Lamps	1
		0	Credit 5	Sustainable Purchasing—Food	1
		0	Credit 6	Solid Waste Management—Waste Stream Audit	1
		0	Credit 7	Solid Waste Management—Ongoing Consumables	1
		0	Credit 8	Solid Waste Management—Durable Goods	1
		0	Credit 9	Solid Waste Management—Facility Alterations and Additions	1

Notes:

2	0	0	<b>Indoor Environmental Quality</b>	Possible Points: 15
---	---	---	-------------------------------------	---------------------

Y	?	N			
Y			Prereq 1	Minimum IAQ Performance	
Y			Prereq 2	Environmental Tobacco Smoke (ETS) Control	
Y			Prereq 3	Green Cleaning Policy	
		0	Credit 1.1	Indoor Air Quality Best Management Practices—Indoor Air Quality Management Program	1
		0	Credit 1.2	Indoor Air Quality Best Management Practices—Outdoor Air Delivery Monitoring	1
		0	Credit 1.3	Indoor Air Quality Best Management Practices—Increased Ventilation	1
1			Credit 1.4	Indoor Air Quality Best Management Practices—Reduce Particulates in Air Distribution	1
1			Credit 1.5	Indoor Air Quality Best Management Practices—Facility Alterations and Additions	1
		0	Credit 2.1	Occupant Comfort—Occupant Survey	1
		0	Credit 2.2	Controllability of Systems—Lighting	1
		0	Credit 2.3	Occupant Comfort—Thermal Comfort Monitoring	1
		0	Credit 2.4	Daylight and Views	1
		0	Credit 3.1	Green Cleaning—High Performance Cleaning Program	1
		0	Credit 3.2	Green Cleaning—Custodial Effectiveness Assessment	1
		0	Credit 3.3	Green Cleaning—Purchase of Sustainable Cleaning Products and Materials	1
		0	Credit 3.4	Green Cleaning—Sustainable Cleaning Equipment	1
		0	Credit 3.5	Green Cleaning—Indoor Chemical and Pollutant Source Control	1
		0	Credit 3.6	Green Cleaning—Indoor Integrated Pest Management	1

Notes:

0	0	0	<b>Innovation in Operations</b>	Possible Points: 6
---	---	---	---------------------------------	--------------------

Y	?	N			
		0	Credit 1.1 Innovation in Operations: Specific Title	1	Notes:
		0	Credit 1.2 Innovation in Operations: Specific Title	1	
		0	Credit 1.3 Innovation in Operations: Specific Title	1	
		0	Credit 1.4 Innovation in Operations: Specific Title	1	
		0	Credit 2 LEED Accredited Professional	1	
		0	Credit 3 Documenting Sustainable Building Cost Impacts	1	

0	0	0	<b>Regional Priority Credits</b>	Possible Points: 4
---	---	---	----------------------------------	--------------------

Y	?	N			
		0	Credit 1.1 Regional Priority: Specific Credit	1	Notes:
		0	Credit 1.2 Regional Priority: Specific Credit	1	
		0	Credit 1.3 Regional Priority: Specific Credit	1	
		0	Credit 1.4 Regional Priority: Specific Credit	1	

10	0	0	<b>Total</b>	Possible Points: 110
----	---	---	--------------	----------------------

Certified 40 to 49 points Silver 50 to 59 points Gold 60 to 79 points Platinum 80 to 110

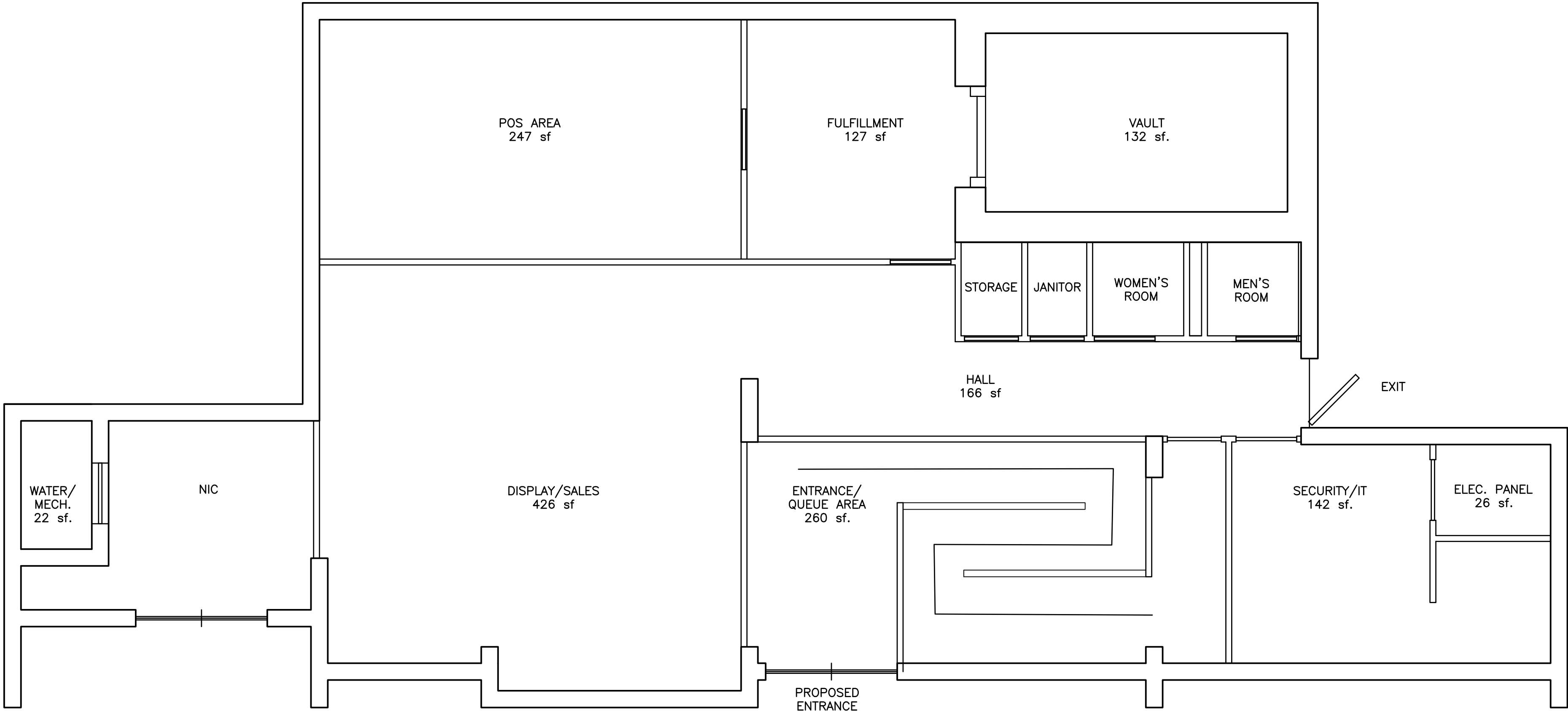


# CONCEPTUAL FLOOR PLAN

1386 MASSACHUSETTS AVENUE - ARLINGTON, MA

SEPTEMBER 28, 2019

$\frac{1}{4}$ " = 1' - 0"

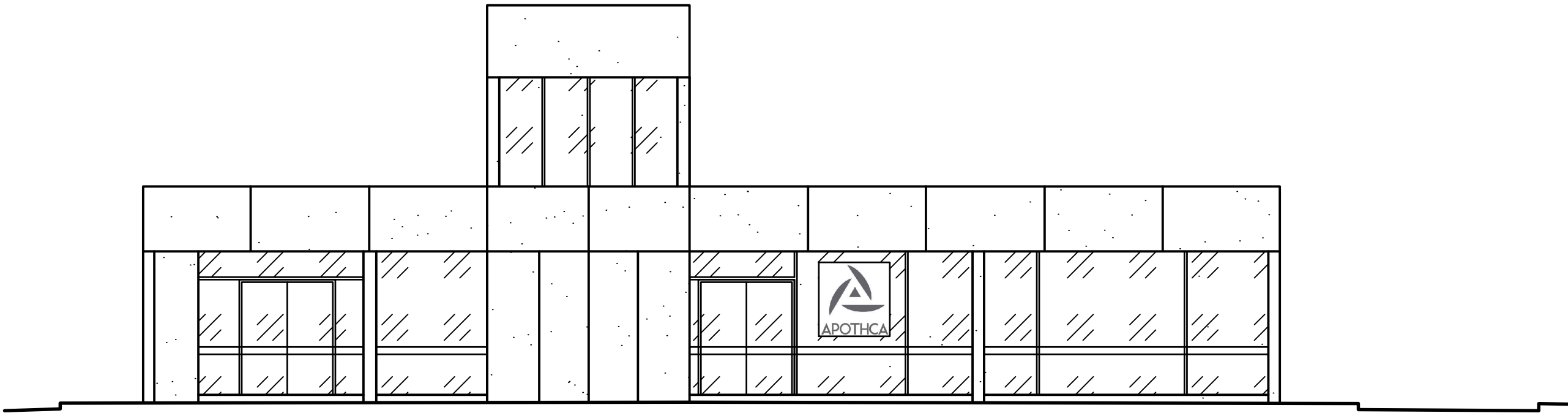


# CONCEPTUAL ELEVATIONS

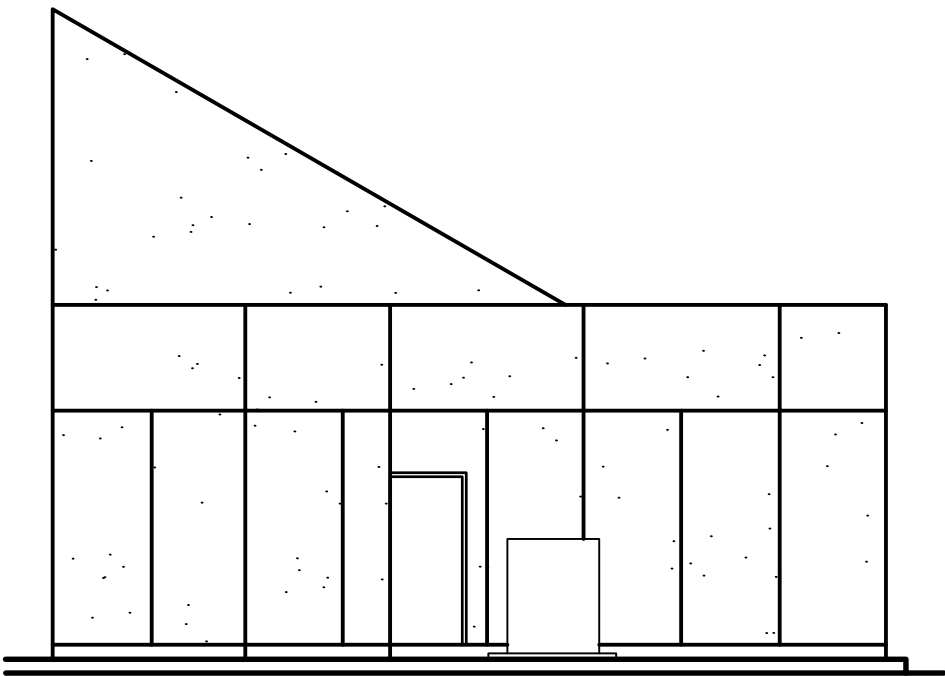
1386 MASSACHUSETTS AVENUE - ARLINGTON, MA

SEPTEMBER 28, 2019

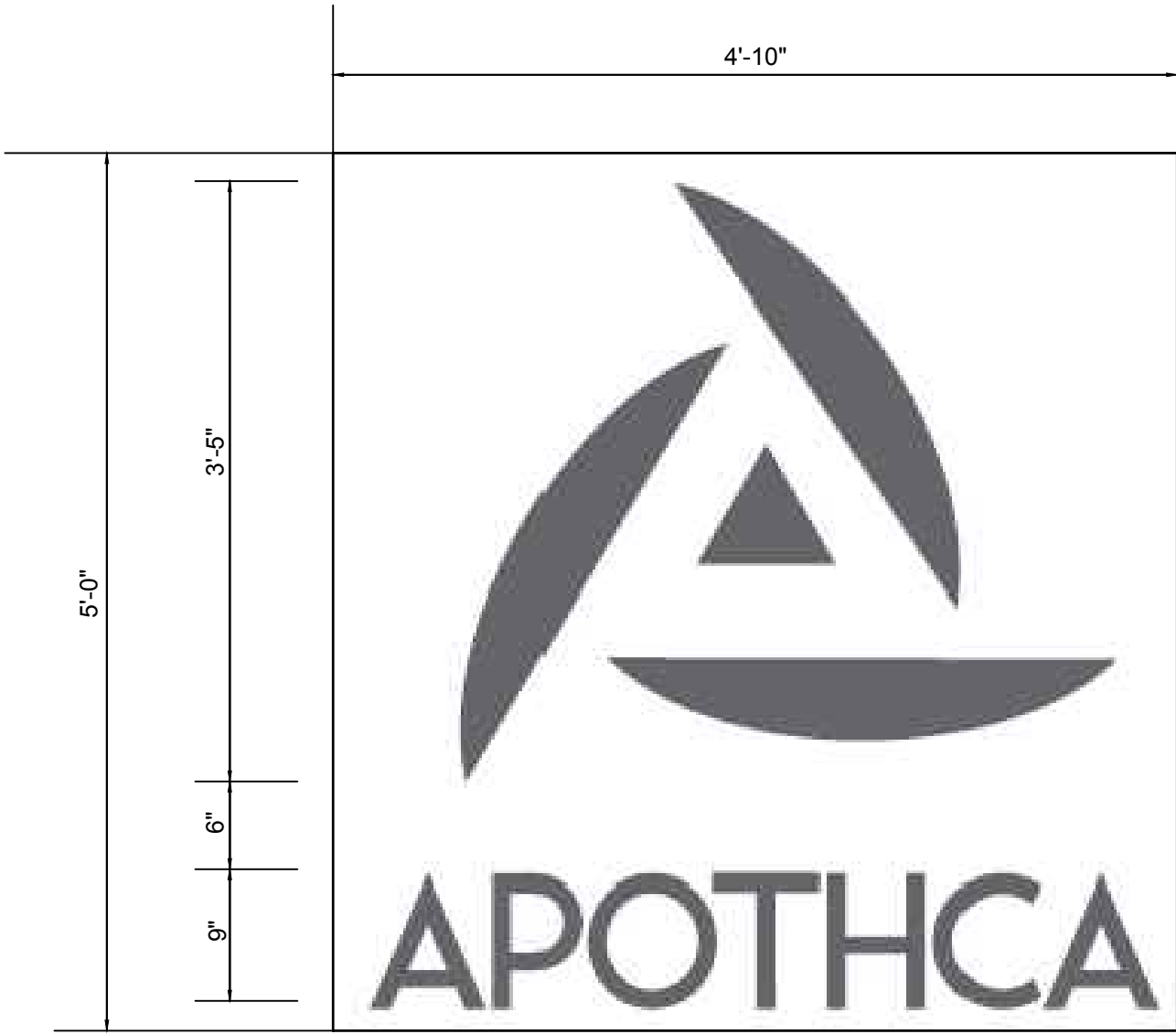
1/8" = 1' - 0"



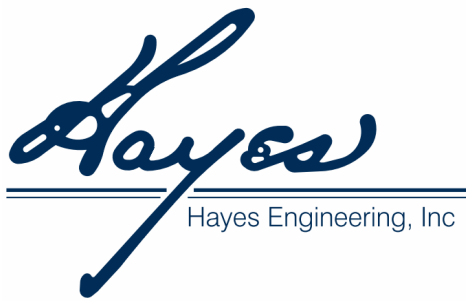
NORTH ELEVATION



WEST ELEVATION



SIGN DETAIL  
SCALE: 1" = 1'-0"



603 Salem Street  
Wakefield, MA 01880  
Tel: (781) 246-2800  
Fax: (781) 246-7596

Nantucket, MA 02554  
Tel: (508) 228-7909

## Memorandum

Refer to File No. \_\_\_\_\_

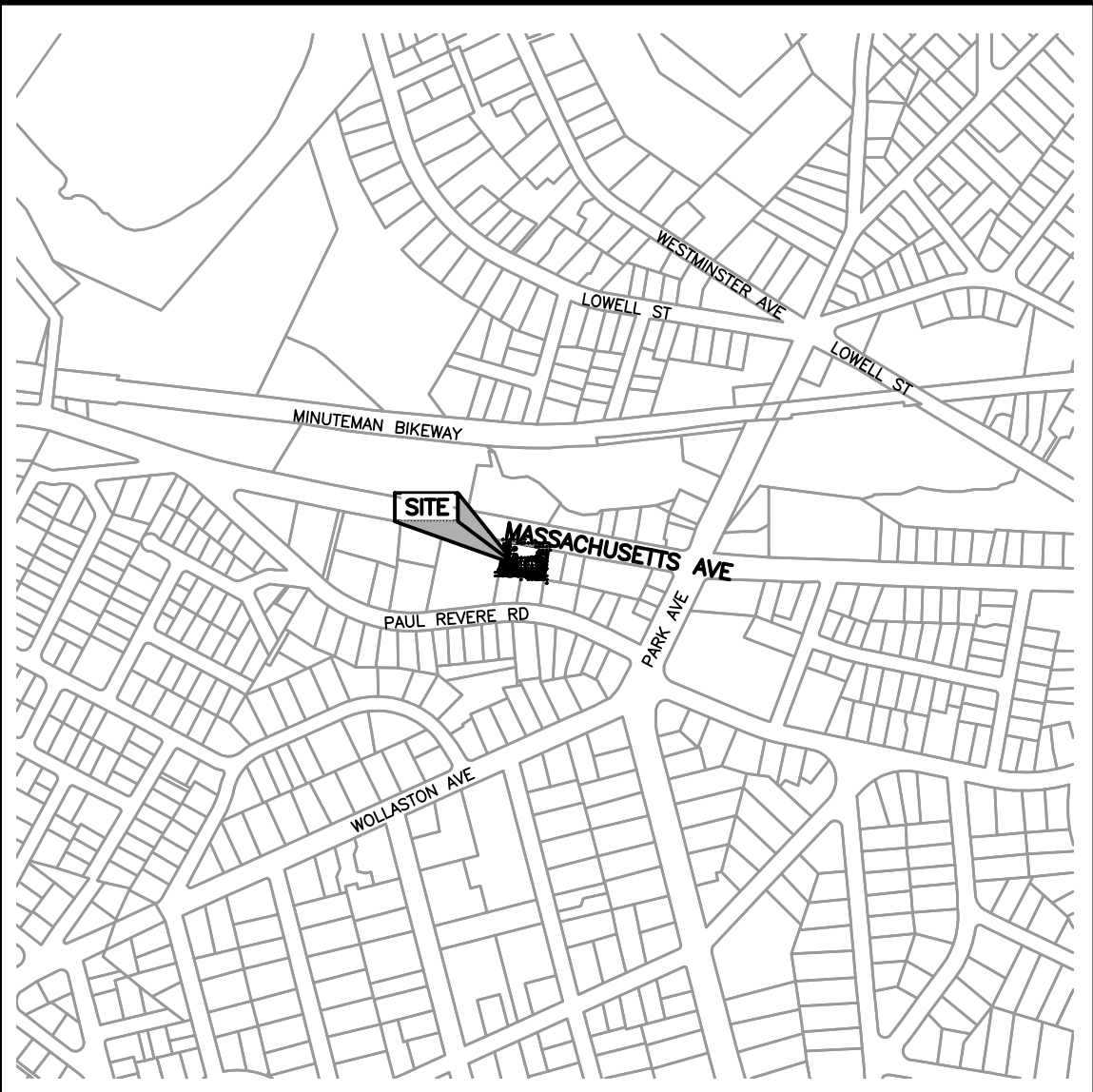
**TO:** Arlington Redevelopment Board  
**FROM:** Tony Capachietti, *Project Manager*  
**DATE:** October 15, 2019  
**SUBJECT:** Apothca, Inc.  
LEED Practices  
1386 Massachusetts Avenue

---

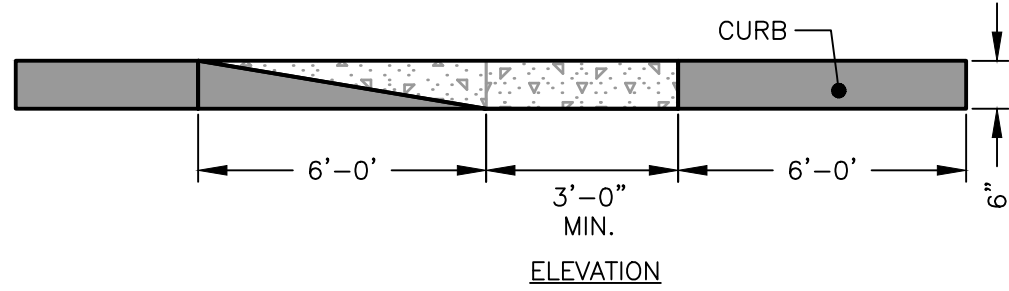
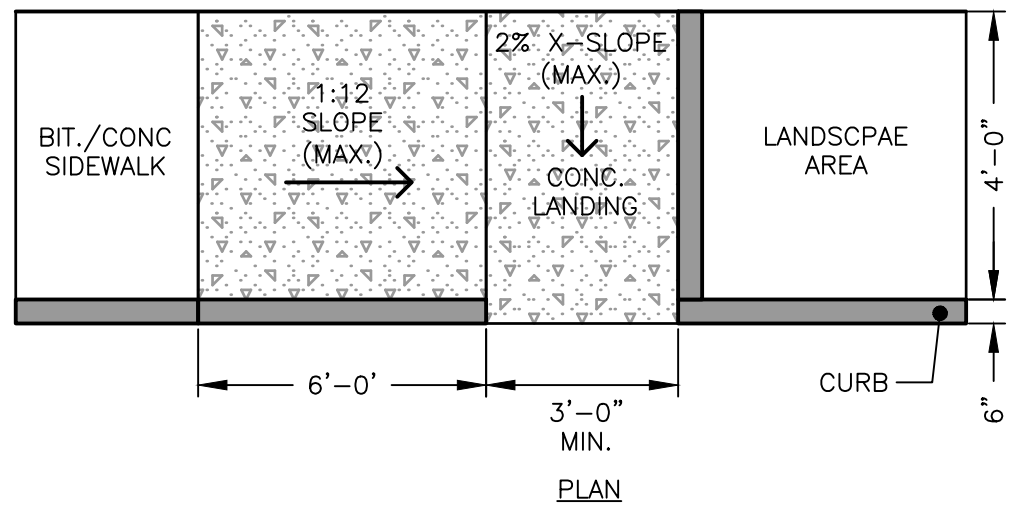
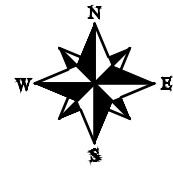
Accompanying this memorandum please find attached the Leed Existing Building Project Checklist for the above referenced project. The Applicant proposes to implement the following practices in conjunction with the project:

- Encourage alternative modes of transportation to the site for employees and customers. The Applicant will offer subsidies for public transit to employees and publish public transportation information on the company website and in-store for customers;
- Install energy efficient LED fixtures for exterior lighting. All lighting shall be dark sky compliant;
- All electric fixtures and appliances to be upgraded at the site shall have a minimum Energy Star rating of 71;
- Retrofit all plumbing fixtures at the property to be water conserving type;
- Coordinate with the Arlington Water Department to replace water meter, if necessary;
- Replace all mercury containing fluorescent bulbs at the facility with energy efficient LED bulbs;
- Add gas traps to the existing catch basins, if not currently equipped, to improve stormwater quality existing the site.



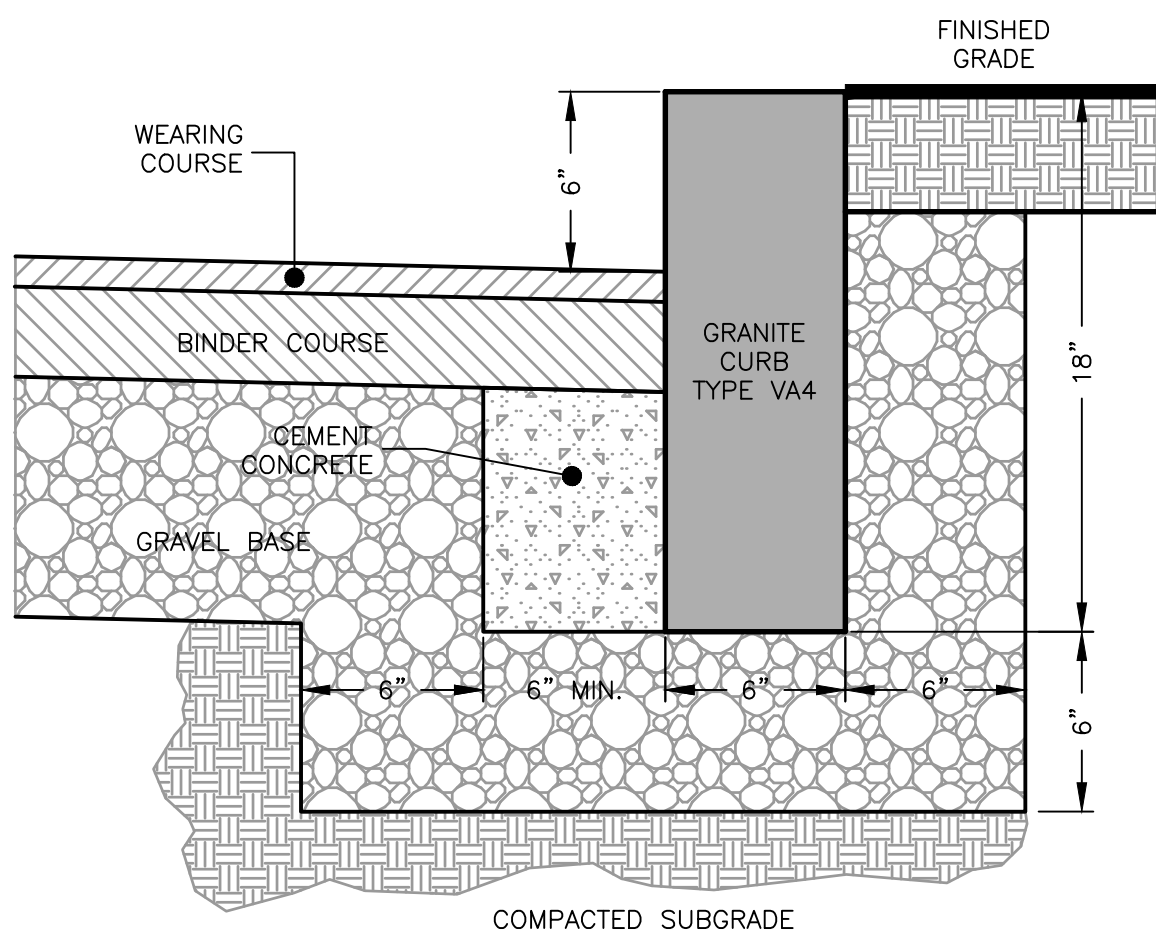


VICINITY MAP  
SCALE: 1"=500'±



NOTE:  
WHEELCHAIR RAMP SHALL COMPLY WITH ALL STATE AND FEDERAL RULES AND REGULATIONS.

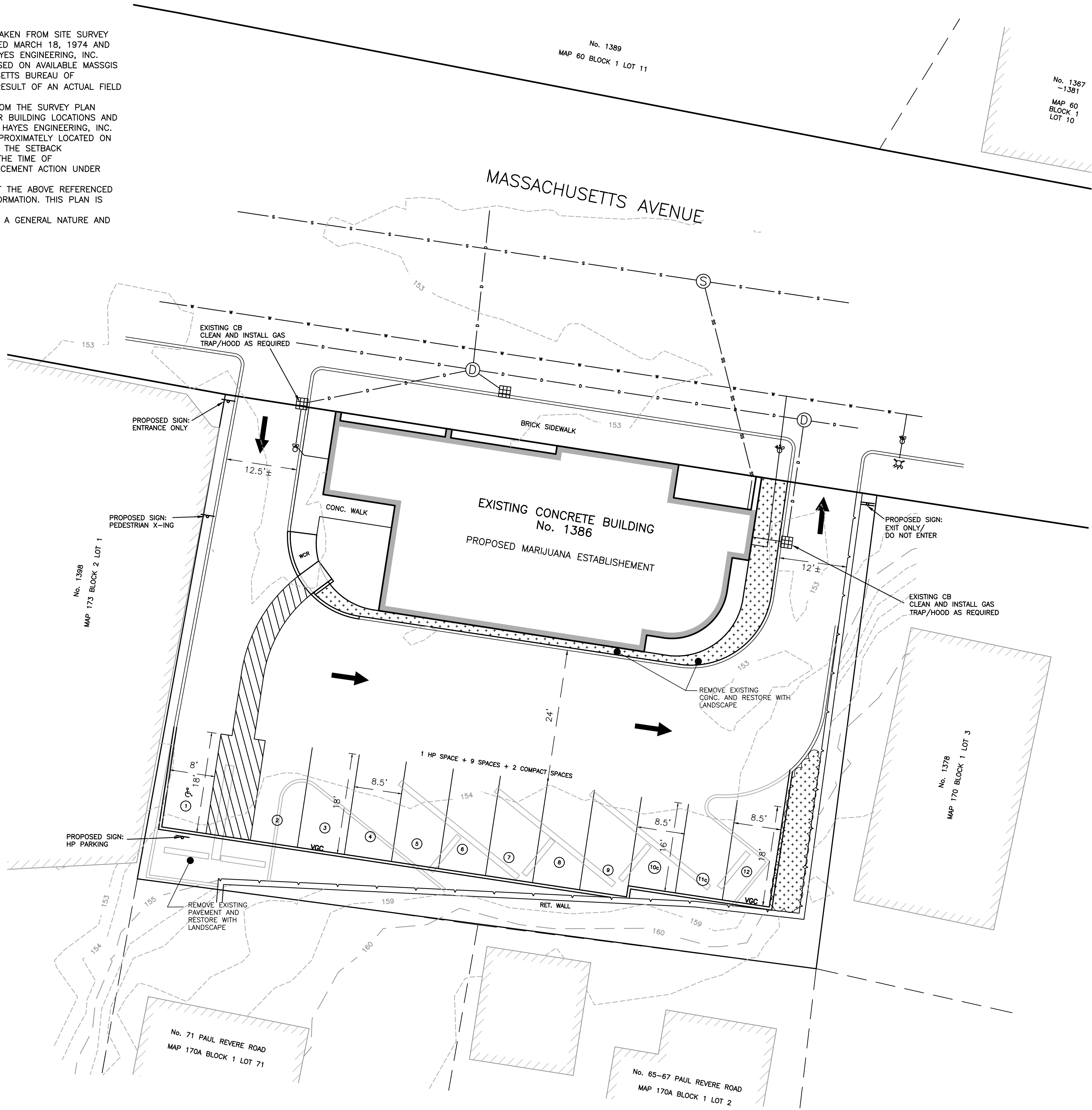
WHEELCHAIR RAMP  
NOT TO SCALE



VERTICAL GRANITE CURB  
NOT TO SCALE

GENERAL NOTES:

1. VERTICAL DATUM IS NAVD88
2. PROPERTY LINE INFORMATION DEPICTED ON THIS PLAN TAKEN FROM SITE SURVEY PLAN PREPARED BY SOMERVILLE ENGINEERING, INC. DATED MARCH 18, 1974 AND IS NOT TH RESULT OF AN ACTUAL FIELD SURVEY BY HAYES ENGINEERING, INC.
3. TOPOGRAPHIC INFORMATION DEPICTED ON THIS PLAN BASED ON AVAILABLE MASSGIS LIDAR POINT CLOUD DATA PROVIDED BY THE MASSACHUSETTS BUREAU OF GEOGRAPHIC INFORMATION (MASSGIS) AND IS NOT THE RESULT OF AN ACTUAL FIELD SURVEY BY HAYES ENGINEERING, INC.
4. BUILDING LOCATIONS DEPICTED ON THIS PLAN TAKEN FROM THE SURVEY PLAN REFERENCED IN ITEM 2, ABOVE AND MASSGIS 2-D LIDAR BUILDING LOCATIONS AND ARE NOT THE RESULT OF AN ACTUAL FIELD SURVEY BY HAYES ENGINEERING, INC. THE PERMANENT STRUCTURES DEPICTED HEREIN ARE APPROXIMATELY LOCATED ON THE GROUND AS SHOWN. THEY EITHER CONFORMED TO THE SETBACK REQUIREMENTS OF THE LOCAL ZONING ORDINANCES AT THE TIME OF CONSTRUCTION, OR ARE EXEMPT FROM VIOLATION ENFORCEMENT ACTION UNDER M.G.L., TITLE VII, CHAPTER 40A, SECTION 7.
5. PLAN CONTENTS ARE THE RESULT OF A COMPILATION OF THE ABOVE REFERENCED SOURCES AND VARIOUS RECORD AND NON-RECORD INFORMATION. THIS PLAN IS NOT THE RESULT OF AN ACTUAL FIELD SURVEY.
6. THE PURPOSE OF THIS PLAN IS TO DEPICT THE SITE IN A GENERAL NATURE AND INDICATE THE PROPOSED CHANGE IN USE ONLY.



SHEET INDEX	
PLAN TITLE	SHEET DESIGNATION
SITE PLAN	C1
LANDSCAPING PLAN	L1
LIGHTING PLAN	L2

Seal:

Prepared For:

Owner / Applicant  
APOTICA  
JOSEPH LEKACH  
1955 TYLER STREET  
HOLLYWOOD, FL 33020  
305.741.6540

Prepared By:

Hayes Engineering, Inc.  
1955 TYLER STREET  
HOLLYWOOD, FL 33020  
PH: 781.246.7596  
FAX: 781.246.7596  
www.hayeseng.com

Design By: xxx  
Drawn By: xxx  
Checked By: xxx  
Project File: xxx  
Comp. No: ARL12  
☐ Issued For Permit  
☐ Issued For Review  
☐ Issued For Bid  
☐ Issued For Construction  
☐ Not For Construction

No.	Revision	Date
10		
9		
8		
7		
6		
5		
4		
3		
2		
1		

Scale: 1"=10'  
0' 5' 10' 20'  
Date: October 7, 2019

Drawing Title:

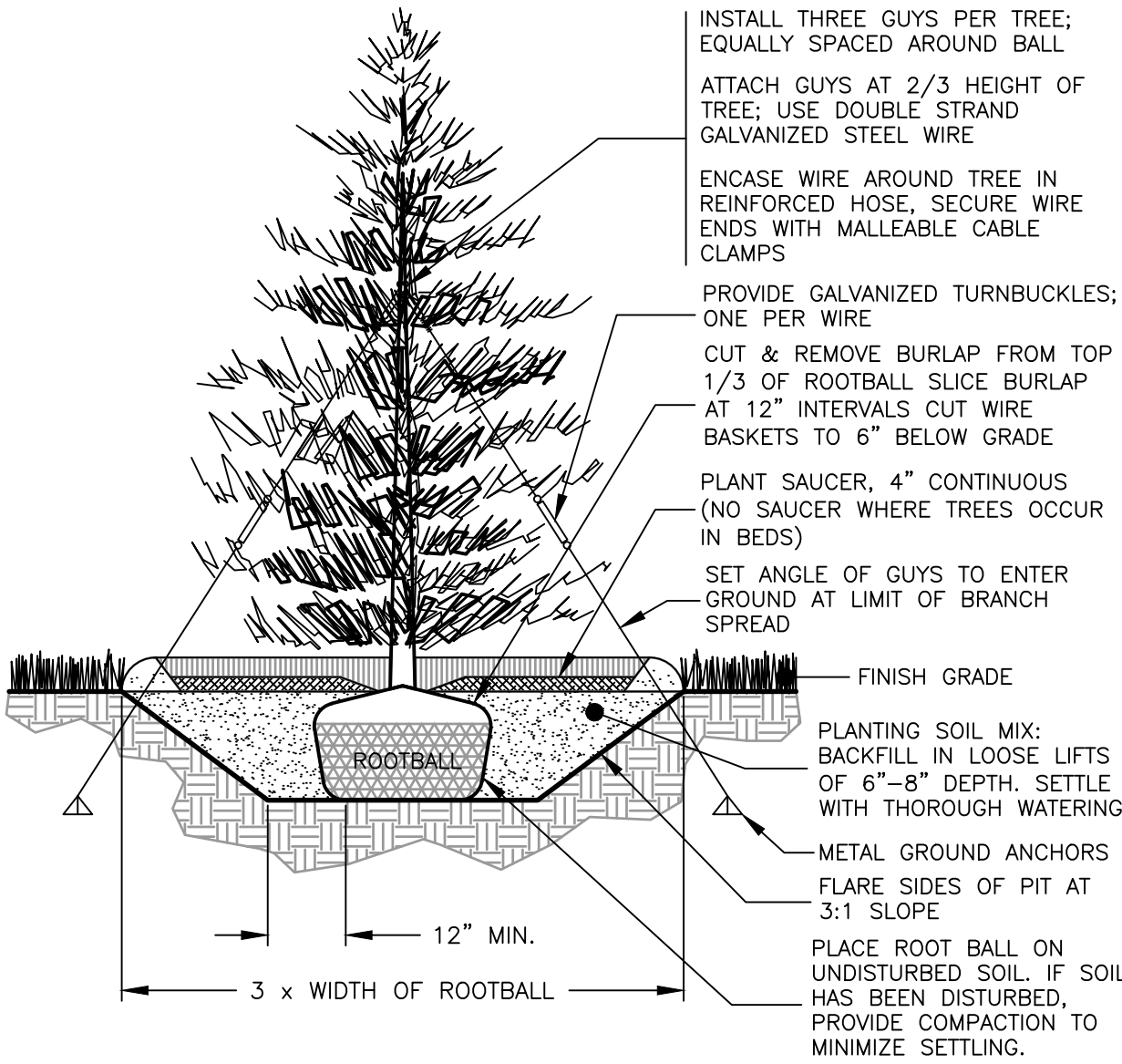
SITE PLAN  
APOTICA  
1385 MASSACHUSETTS AVENUE  
ARLINGTON, MASS.

Drawing No.:

C1

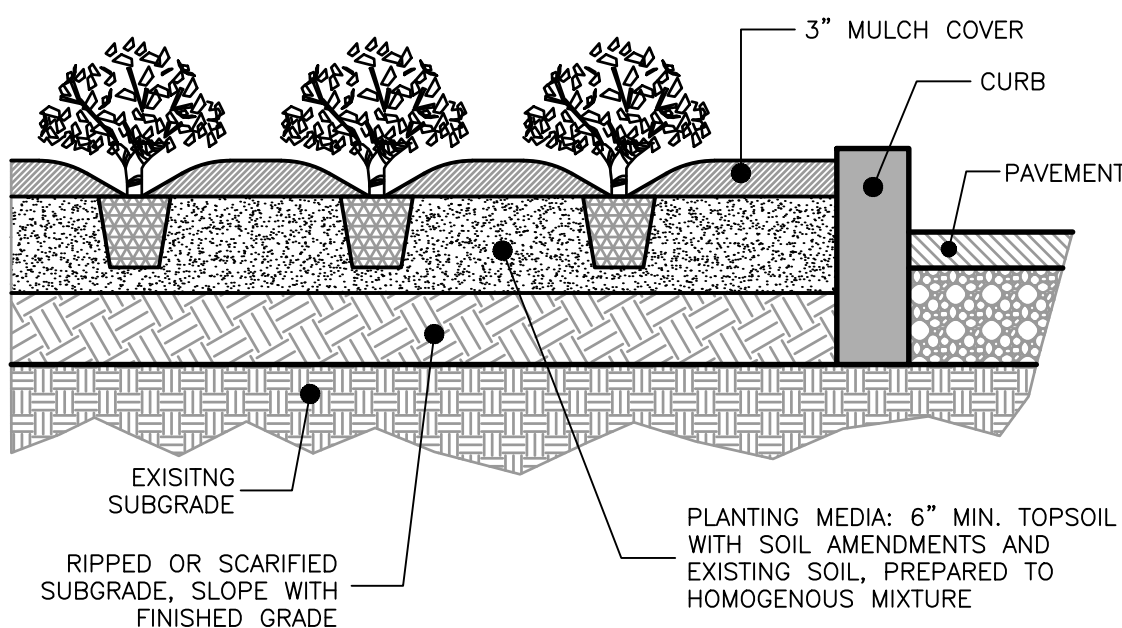
SHEET 1 OF 3



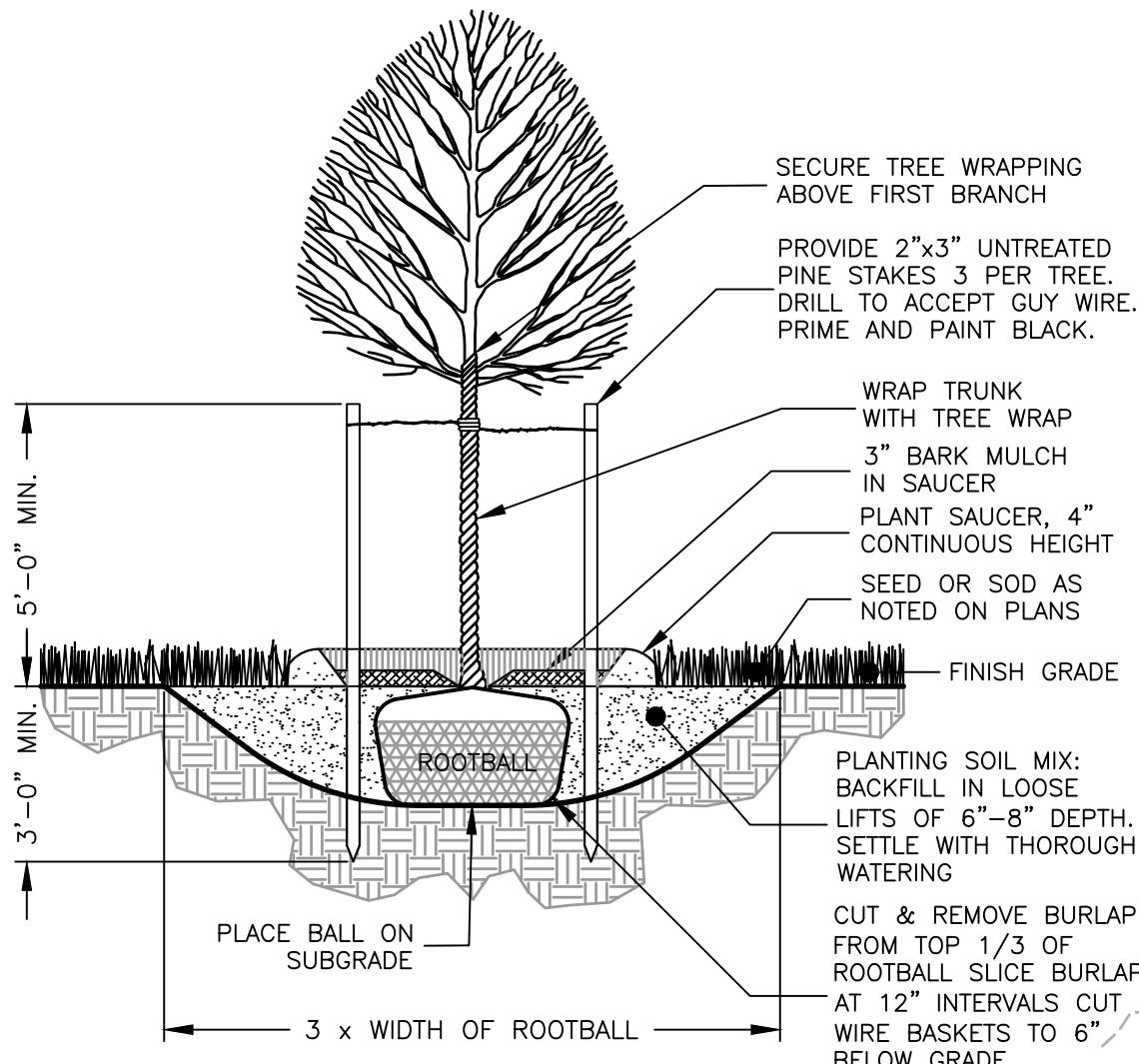


**EVERGREEN TREE PLANTING**  
NOT TO SCALE

NOTE: TREE SHALL BEAR SAME RELATIONSHIP TO FINISHED GRADE AS IT DID TO NURSERY OR FIELD GRADE.

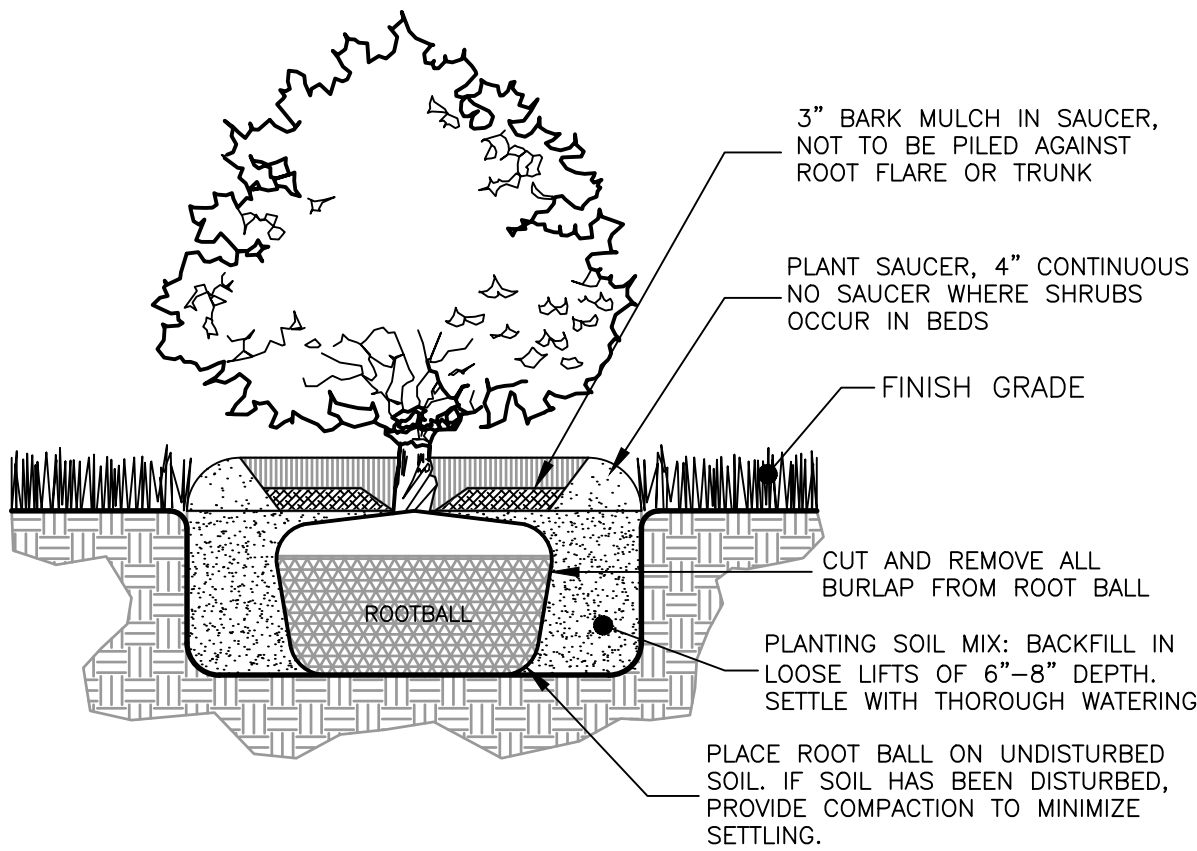


**GROUND COVER PLANTING**  
NOT TO SCALE



**DECIDUOUS TREE PLANTING**  
NOT TO SCALE

NOTE: TREE SHALL BEAR SAME RELATIONSHIP TO FINISHED GRADE AS IT DID TO NURSERY OR FIELD GRADE.

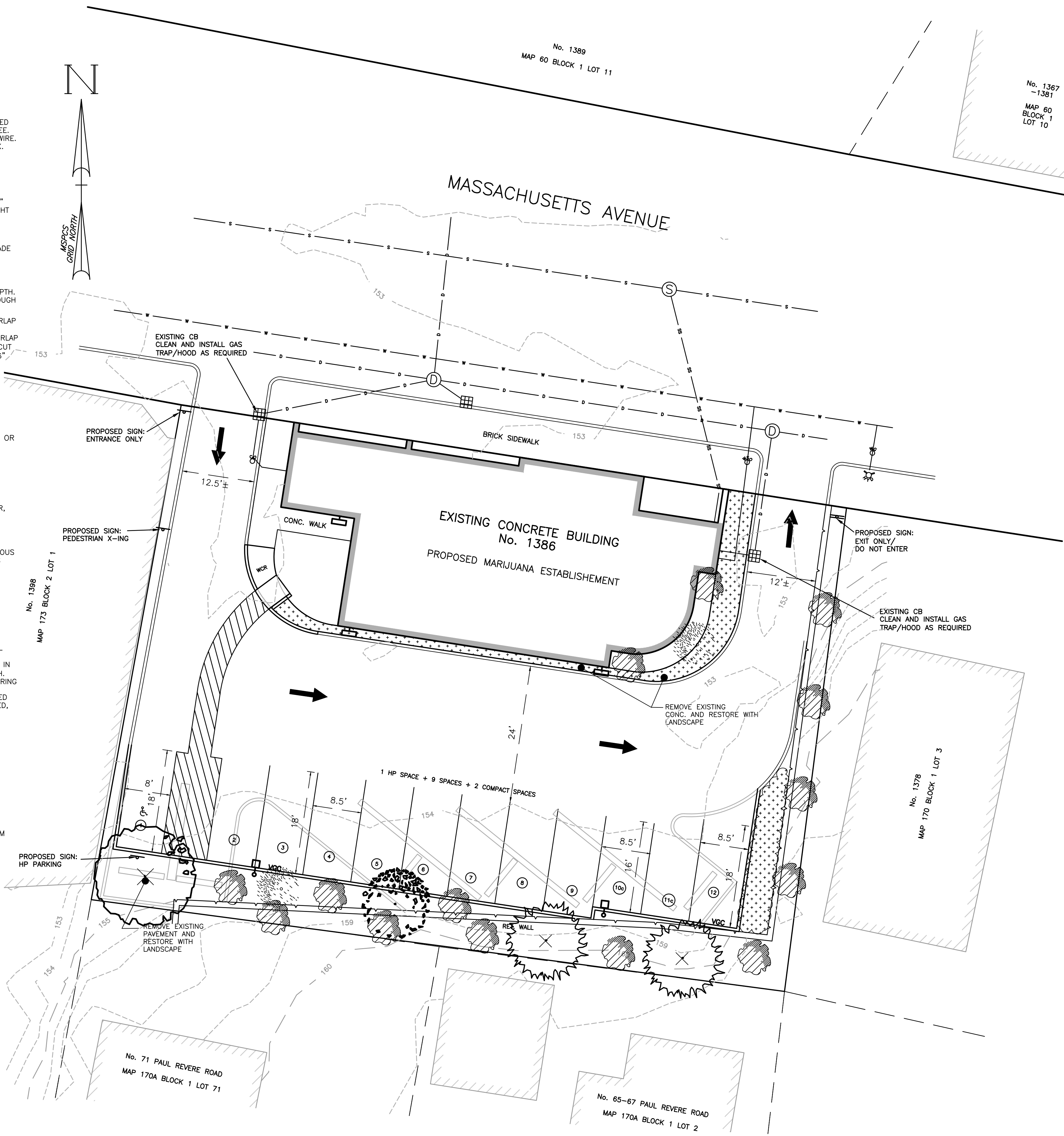


**SHRUB PLANTING**  
NOT TO SCALE

NOTES:  
1. SHRUB SHALL BEAR SAME RELATIONSHIP TO FINISHED GRADE AS IT DID TO NURSERY OR FIELD GRADE.  
2. WHERE SHRUBS OCCUR IN PLANT BED GROUPINGS, PROVIDE A 12" DEEP MINIMUM CONTINUOUS LOAM BED.

PLANT SCHEDULE			
SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE
	DECIDUOUS TREE OPTIONS:		
	ACER RUBRUM	RED SUNSET MAPLE	2" CALIPER
	ACER SACCHARUM 'GREEN MOUNTAIN'	SUGAR MAPLE	2" CALIPER
	CARPINUS CAROLINIANA	AMERICAN HORNBEAM	2" CALIPER
	CARAYA OVATA	SHAGBARK HICKORY	2" CALIPER
	OSTRYA VIRGINIANA	HOPHORNBEAM	2" CALIPER
	PLATANUS X ACERIFOLIA	LONDON PLANE TREE	2" CALIPER
	QUERCUS COCCINEA	SCARLET OAK	2" CALIPER
	QUERCUS PALUSTRIS	PIN OAK	2" CALIPER
	TILIA AMERICANA	BASSWOOD	2" CALIPER
	EVERGREEN TREE OPTIONS:		
	ABIES CONCOLOR	WHITE FIR	8-10'
	PICEA ABIES	NORWAY SPRUCE	8-10'
	PICEA GLAUCA	WHITE SPRUCE	8-10'
	PICEA OMORICA	SERBIAN SPRUCE	8-10'
	PICEA PUNGENS 'GLAUCA'	COLORADO BLUE SPRUCE	8-10'
	PINUS THUBERGII	JAPANESE BLACK PINE	8-10'
	TSUGA CANADENSIS	HEMLOCK	8-10'
	JUNIPERUS CHINENSIS 'BLUE POINT'	BLUE POINT JUNIPER	6-7'
	JUNIPERUS CHINENSIS 'MOUNTBATTEN'	MOUNTBATTEN JUNIPER	8-10'
	SHRUB OPTIONS:		
	CORNUS ALBA 'ELEGANTISSIMA'	VARIEGATED RED TWIG DOGWOOD	2-3'
	CORNUS RACEMOSA	GREY DOGWOOD	2-3'
	FORSYTHIA	FORSYTHIA	2-3'
	ILEX GLABRA 'SHAMROCK'	SHAMROCK INKBERRY	2-3'
	ILEX VERICILLATA	WINTERBERRY	2-3'
	ITEA VIRGINICA	VIRGINIA SWEETSPIRE	2-3'
	KALMIA LATIFOLIA	MOUNTAIN LAUREL	2-3'
	MYRICA PENNSYLVANICA	NORTHERN BAYBERRY	2-3'
	PHYSCARPUS OPULIFOLIUS	DIABOLO NINEBARK	2-3'
	FLOWERING TREE OPTIONS:		
	CERCIS CANDENSIS	EASTERN REDBUF	2" CALIPER
	CORNUS FLORIDA	WHITE DOGWOOD	2" CALIPER
	CORNUS KOUSA	KOREAN DOGWOOD	2" CALIPER
	CORNUS MAS	CORNELIANCHERRY	2" CALIPER
	CRATAEGUS PHAENOPYRUM	WASHINGTON HAWTHORNE	2" CALIPER
	MAGNOLIA X SOULANGIANA	SAUCER MAGNOLIA	8-10'
	SOPHORA JAPONICA	JAPANESE PAGODATREE	2" CALIPER
	GRASS/PERENNIAL OPTIONS:		
	ECHINACEA	CONEFLOWER	1 gal
	GRASS/PERENNIAL OPTIONS:		
	HEMEROCALLIS	DAYLILY	1 gal
	PENNISETUM ALOPECUROIDES	HAMEIN FOUNTAIN GRASS	1 gal
	RUCBECKIA GOLDSTRUM	BLACK EYED SUSANS	1 gal
	THUUS OCCIDENTALIS 'SMARAGD'	ESMERALD GREEN ARBORVITAE	8-10'
	THUJA X PULICATA 'GREEN GIANT'	GREEN GIANT ARBORVITAE	8-10'
	29 of 92 SCHIZACHYRIUM SCOPARIUM	LITTLE BLUESTEM	1 gal

PLANT SCHEDULE		
SYMBOL	BOTANICAL NAME	COMMON NAME
	DECIDUOUS TREE OPTIONS:	
	ACER RUBRUM	RED SUNSET MAPLE
	ACER SACCHARUM 'GREEN MOUNTAIN'	SUGAR MAPLE
	CARPINUS CAROLINIANA	AMERICAN HORNBEAM
	CARAYA OVATA	SHAGBARK HICKORY
	OSTRYA VIRGINIANA	HOPHORNBEAM
	PLATANUS X ACERIFOLIA	LONDON PLANE TREE
	QUERCUS COCCINEA	SCARLET OAK
	QUERCUS PALUSTRIS	PIN OAK
	TILIA AMERICANA	BASSWOOD
	EVERGREEN TREE OPTIONS:	
	ABIES CONCOLOR	WHITE FIR
	PICEA ABIES	NORWAY SPRUCE
	PICEA GLAUCA	WHITE SPRUCE
	PICEA OMORICA	SERBIAN SPRUCE
	PICEA PUNGENS 'GLAUCA'	COLORADO BLUE SPRUCE
	PINUS THUBERGII	JAPANESE BLACK PINE
	TSUGA CANADENSIS	HEMLOCK
	JUNIPERUS CHINENSIS 'BLUE POINT'	BLUE POINT JUNIPER
	JUNIPERUS CHINENSIS 'MOUNTBATTEN'	MOUNTBATTEN JUNIPER
	SHRUB OPTIONS:	
	CORNUS ALBA 'ELEGANTISSIMA'	VARIEGATED RED TWIG DOGWOOD
	CORNUS RACEMOSA	GREY DOGWOOD
	FORSYTHIA	FORSYTHIA
	ILEX GLABRA 'SHAMROCK'	SHAMROCK INKBERRY
	ILEX VERICILLATA	WINTERBERRY
	ITEA VIRGINICA	VIRGINIA SWEETSPIRE
	KALMIA LATIFOLIA	MOUNTAIN LAUREL
	MYRICA PENNSYLVANICA	NORTHERN BAYBERRY
	PHYSCARPUS OPULIFOLIUS	DIABOLO NINEBARK
	FLOWERING TREE OPTIONS:	
	CERCIS CANDENSIS	EASTERN REDBUF
	CORNUS FLORIDA	WHITE DOGWOOD
	CORNUS KOUSA	KOREAN DOGWOOD
	CORNUS MAS	CORNELIANCHERRY
	CRATAEGUS PHAENOPYRUM	WASHINGTON HAWTHORNE
	MAGNOLIA X SOULANGIANA	SAUCER MAGNOLIA
	SOPHORA JAPONICA	JAPANESE PAGODATREE
	GRASS/PERENNIAL OPTIONS:	
	ECHINACEA	CONEFLOWER
	GRASS/PERENNIAL OPTIONS:	
	HEMEROCALLIS	DAYLILY
	PENNISETUM ALOPECUROIDES	HAMEIN FOUNTAIN GRASS
	RUCBECKIA GOLDSTRUM	BLACK EYED SUSANS
	THUUS OCCIDENTALIS 'SMARAGD'	ESMERALD GREEN ARBORVITAE
	THUJA X PULICATA 'GREEN GIANT'	GREEN GIANT ARBORVITAE
	29 of 92 SCHIZACHYRIUM SCOPARIUM	LITTLE BLUESTEM



Prepared For:

Owner / Applicant  
APOTICA  
JOSEPH LEKACH  
1985 TYLER STREET  
HOLLYWOOD, FL 33020  
305.741.6540

Prepared By:

Hayes Engineering, Inc.  
1985 TYLER STREET  
HOLLYWOOD, FL 33020  
PH: 781.246.7990  
FAX: 781.246.7996  
www.hayeseng.com

Design By: xxx  
Drawn By: xxx  
Checked By: xxx  
Project File: xxx  
Comp. No: ARL12  
☐ Issued For Permit  
☐ Issued For Review  
☐ Issued For Bid  
☐ Issued For Construction  
☐ Not For Construction

No.	Revision	Date
10		
9		
8		
7		
6		
5		
4		
3		
2		
1		

Scale: 1"=10'  
0' 5' 10' 20'  
Date: October 7, 2019

Drawing Title:


LANDSCAPING PLAN  
APOTICA  
1385 MASSACHUSETTS AVENUE  
ARLINGTON, MASS.

Drawing No.:

1

SHEET 2 OF 3





**D-Series Size 1**  
LED Area Luminaire

d<sup>2</sup>series

DLG  
NIGHTTIME  
FREQUENCY  
EPA  
EPA  
EPA  
EPA

**Specifications**

EPA: 1.01 ft<sup>2</sup>  
(0.09 m<sup>2</sup>)

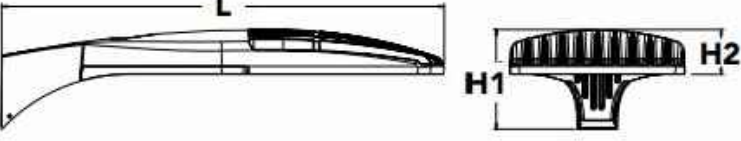
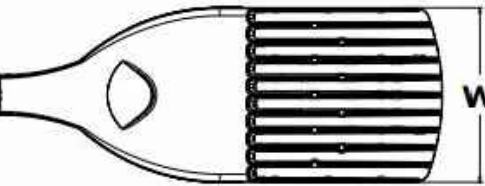
Length: 33"  
(83.8 cm)

Width: 13"  
(33.0 cm)

Height H1: 7-1/2"  
(19.0 cm)

Height H2: 3-1/2"  
(9.0 cm)

Weight (max): 27 lbs  
(12.2 kg)



LITHONIA DSX1-LED LIGHT FIXTURE  
NOT TO SCALE



**KAXW**  
LED Wall Luminaire

NIGHTTIME  
FREQUENCY  
DLG  
EPA  
EPA  
EPA  
EPA

**Specifications**

Length: 14"  
(35.6 cm)

Width: 12"  
(30.5 cm)

Height: 5"  
(12.7 cm)

Weight (max): 19.7 lbs  
(8.9 kg)



LITHONIA KAXW-LED WALL PACK  
NOT TO SCALE

**PHOTOMETRIC LEGEND:**

DENOTES ISOFOOTCANDLE VALUE 1.4

DENOTES ISOFOOTCANDLE LINE 2.0

**GENERAL LIGHTING NOTES:**

ILLUMINANCE VALUES SHOWN ARE PROPOSED MAINTAINED HORIZONTAL FOOTCANDLES ON LEVEL GRADE.



PHOTOMETRIC ANALYSIS DOES NOT CONSIDER ANY EXISTING ILLUMINANCE, SHADOW OR REFLECTED LIGHT FROM EXISTING OR PROPOSED OBJECTS AND GRADE DIFFERENCES.

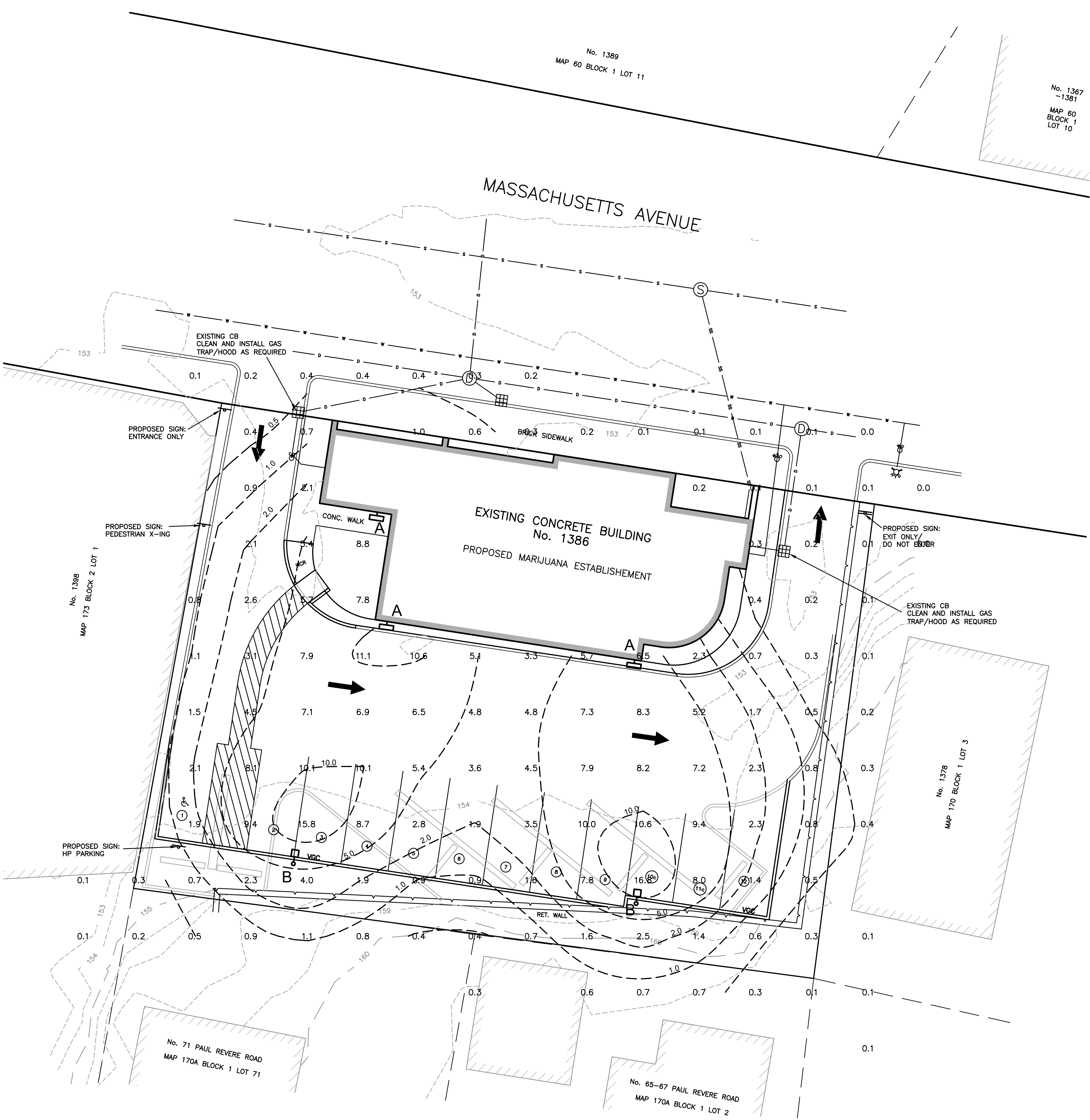
HORIZONTAL ILLUMINANCE LEVELS SHOWN ARE CALCULATED FROM DATA PROVIDED FROM MANUFACTURER IN ACCORDANCE WITH THE ILLUMINATING ENGINEERING SOCIETY APPROVED METHODS.

ACTUAL ILLUMINANCE LEVELS MAY DIFFER DUE TO SEVERAL FACTORS SUCH AS LAMP LUMEN DEPRECIATION, LUMINAIRE DIRT DEPRECIATION, LUMINAIRE SURFACE DEPRECIATION, AND EQUIPMENT OPERATING FACTOR.

CONTRACTOR TO VERIFY ALL UTILITIES BEFORE CONSTRUCTION.

LUMINAIRE SCHEDULE

CALLOUT	SYMBOL	DESCRIPTION	VOLTS	QUANTITY
A		KAXW LED, PERFORMANCE PACKAGE 3, 5000K, TYPE 4, 120-277V	120V 1P 2W	3
B		DSX1 LED P1 30K T3M MVOLT, 12'h	120V 1P 2W	2



Prepared For:

Owner / Applicant  
APOTHICA  
JOSEPH LEKACH  
1955 TYLER STREET  
HOLLYWOOD, FL 33020  
305.741.6540

Prepared By:

Hayes Engineering, Inc.  
1955 TYLER STREET  
HOLLYWOOD, FL 33020  
PH: 781.246.7596  
FAX: 781.246.7596  
www.hayeseng.com

Design By: xxx  
Drawn By: xxx  
Checked By: xxx  
Project File: xxx  
Comp. No: ARL12  
☐ Issued For Permit  
☐ Issued For Review  
☐ Issued For Bid  
☐ Issued For Construction  
☐ Not For Construction

No.	Revision	Date
10		
9		
8		
7		
6		
5		
4		
3		
2		
1		

Scale: 1"=10'  
0' 5' 10' 20'  
Date: October 7, 2019

Drawing Title:

LIGHTING PLAN  
APOTHICA  
1385 MASSACHUSETTS AVENUE  
ARLINGTON, MASS.

Seal:

Drawing No.:

L2

SHEET 3 OF 3





603 Salem Street  
Wakefield, MA 01880  
Tel: (781) 246-2800  
Fax: (781) 246-7596

Nantucket, MA 02554  
Tel: (508) 228-7909

Refer to File No. ARL-0017

## **Application for Special Permit In Accordance with Environmental Design Review Procedures**



# **APOTHCA**

1386 Massachusetts Avenue  
Arlington, MA

*Prepared for:*  
Apothca, Inc.  
99 Development Road  
Fitchburg, MA 01420

**October 7, 2019**



603 Salem Street  
Wakefield, MA 01880  
Tel: (781) 246-2800  
Fax: (781) 246-7596

Nantucket, MA 02554  
Tel: (508) 228-7909

Refer to File No. ARL-0017

October 7, 2019

Town of Arlington  
Redevelopment Board  
730 Massachusetts Avenue Annex  
Arlington, MA 02476

**RE: 1386 Massachusetts Avenue  
Map 107 Block 1 Lot 1**

Dear Chairman Bunnell and Board Members:

On behalf of Apothca, Inc., the Applicant, Hayes Engineering, Inc. (HEI) is pleased to submit to the Board the accompanying supporting documentation for Special Permit in accordance with the environmental design review procedures of the Town of Arlington Zoning By-Law.

The Applicant seeks use the existing facilities at the above referenced property with the following improvements:

- Interior upgrades to convert the current facility into a retail marijuana establishment; and
- Minor reconfiguration of parking areas as depicted on the accompanying site plan to increase on-site parking from 6 to 12 spaces.

Existing and proposed site features and their compliance with the requirements for Special Permit approval are identified in the accompanying Application. Thank you for your time and attention to this filing.

Regards,

A blue ink signature of Anthony M. Capachietti, consisting of stylized cursive letters.

Anthony M. Capachietti,  
Project Manager

Enclosures

Cc: Joseph Lekach, Apothca, Inc.





## Table of Contents:

- 1.0 Special Permit Application
  - Property Information
  - Project Description
- 2.0 Environmental Design Review Statement
  - Preservation of Landscape
  - Relation of Building to Environment
  - Open Space
  - Circulation
  - Surface Water Drainage
  - Utility Service
  - Advertising Features
  - Special Features
  - Safety
  - Heritage
  - Microclimate
  - Sustainable Building and Site Design

Appendix A Traffic Impact Statement



TOWN OF ARLINGTON  
REDEVELOPMENT BOARD

Application for Special Permit In Accordance with Environmental Design  
Review Procedures (Section 3.4 of the Zoning Bylaw)

1. Property Address 1386 Massachusetts Avenue Docket No. \_\_\_\_\_  
Name of Record Owner(s) B&G Corset Company, LLC Phone \_\_\_\_\_  
Address of Owner 1386 Massachusetts Ave, Arlington, MA 02476  
Street City, State, Zip
2. Name of Applicant(s) (if different than above) Apothca, Inc.  
Address 99 Development Road, Fitchburg, MA 01420 Phone 305.741.6540  
Status Relative to Property (occupant, purchaser, etc.) Lessee
3. Location of Property Map 170.0 Block 0001 Lot 0001.0  
Assessor's Block Plan, Block, Lot No.
4. Deed recorded in the Registry of deeds, Book 70009, Page 400;  
-or- registered in Land Registration Office, Cert. No. \_\_\_\_\_, in Book \_\_\_\_\_, Page \_\_\_\_\_.
5. Present Use of Property (include # of dwelling units, if any) Arlington Swifty Printing, Bank of America ATM - 0 Dwelling Units
6. Proposed Use of Property (include # of dwelling units, if any) Marijuana Establishment
7. Permit applied for in accordance with 8.3.A(1) EDR for Marijuana Uses  
the following Zoning Bylaw section(s) 3.4.2(4) EDR  
section(s) title(s)
8. Please attach a statement that describes your project and provide any additional information that may aid the ARB in understanding the permits you request. Include any reasons that you feel you should be granted the requested permission.  
Please see attached "Environmental Design Review Application" prepared by Hayes Engineering, Inc.

(In the statement below, strike out the words that do not apply)

The applicant states that Apothca is the ~~owner~~ ~~occupant~~ ~~purchaser~~ ~~under agreement~~ of the property in Arlington located at 1386 Massachusetts Avenue which is the subject of this application; and that unfavorable action -or- no unfavorable action has been taken by the Zoning Board of Appeals on a similar application regarding this property within the last two years. The applicant expressly agrees to comply with any and all conditions and qualifications imposed upon this permission, either by the Zoning Bylaw or by the Redevelopment Board, should the permit be granted.

Signature of Applicant(s)

99 Development Rd, Fitchburg, MA 01420

Address

305.741.6540

Phone





Town of Arlington Redevelopment Board  
Application for Special Permit in accordance with  
Environmental Design Review (Section 3.4)

Required Submittals Checklist

Two full sets of materials and one electronic copy are required. A model may be requested. Review the ARB's Rules and Regulations, which can be found at [arlingtonma.gov/arb](http://arlingtonma.gov/arb), for the full list of required submittals.

- ☒ Dimensional and Parking Information Form (see attached)
- ☒ Site plan of proposal
- ☐ Model, if required
- ☒ Drawing of existing conditions
- ☒ Drawing of proposed structure
- ☒ Proposed landscaping. May be incorporated into site plan
- ☐ Photographs
- ☒ Impact statement
- ☒ Application and plans for sign permits
- ☐ Stormwater management plan (for stormwater management during construction for projects with new construction)

FOR OFFICE USE ONLY

- |   |                            |
|---|----------------------------|
| <input type="checkbox"/> Special Permit Granted                               | Date: <input type="text"/> |
| <input type="checkbox"/> Received evidence of filing with Registry of Deeds   | Date: <input type="text"/> |
| <input type="checkbox"/> Notified Building Inspector of Special Permit filing | Date: <input type="text"/> |



## TOWN OF ARLINGTON REDEVELOPMENT BOARD

### Petition for Special Permit under Environmental Design Review (see Section 3.4 of the Arlington Zoning Bylaw for Applicability)

For projects subject to Environmental Design Review, (see Section 3.4), please submit a statement that completely describes your proposal, and addresses each of the following standards.

1. **Preservation of Landscape.** The landscape shall be preserved in its natural state, insofar as practicable, by minimizing tree and soil removal, and any grade changes shall be in keeping with the general appearance of neighboring developed areas.
2. **Relation of Buildings to Environment.** Proposed development shall be related harmoniously to the terrain and to the use, scale, and architecture of existing buildings in the vicinity that have functional or visual relationship to the proposed buildings. The Arlington Redevelopment Board may require a modification in massing to reduce the effect of shadows on abutting property in an R0, R1 or R2 district or on public open space.
3. **Open Space.** All open space (landscaped and usable) shall be so designed as to add to the visual amenities of the vicinity by maximizing its visibility for persons passing the site or overlooking it from nearby properties. The location and configuration of usable open space shall be so designed as to encourage social interaction, maximize its utility, and facilitate maintenance.
4. **Circulation.** With respect to vehicular, pedestrian and bicycle circulation, including entrances, ramps, walkways, drives, and parking, special attention shall be given to location and number of access points to the public streets (especially in relation to existing traffic controls and mass transit facilities), width of interior drives and access points, general interior circulation, separation of pedestrian and vehicular traffic, access to community facilities, and arrangement of vehicle parking and bicycle parking areas, including bicycle parking spaces required by Section 8.13 that are safe and convenient and, insofar as practicable, do not detract from the use and enjoyment of proposed buildings and structures and the neighboring properties.
5. **Surface Water Drainage.** Special attention shall be given to proper site surface drainage so that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Available Best Management Practices for the site should be employed, and include site planning to minimize impervious surface and reduce clearing and re-grading. Best Management Practices may include erosion control and storm water treatment by means of swales, filters, plantings, roof gardens, native vegetation, and leaching catch basins. Storm water should be treated at least minimally on the development site; that which cannot be handled on site shall be removed from all roofs, canopies, paved and pooling areas and carried away in an underground drainage system. Surface water in all paved areas shall be collected at intervals so that it will not obstruct the flow of vehicular or pedestrian traffic, and will not create puddles in the paved areas.

In accordance with Section 3.3.4, the Board may require from any applicant, after consultation with the Director of Public Works, security satisfactory to the Board to insure the maintenance of all storm water facilities such as catch basins, leaching catch basins, detention basins, swales, etc. within the site. The Board may use funds provided by such security to conduct maintenance that the applicant fails to do. The Board may adjust in its sole discretion the amount and type of financial security such that it is satisfied that the amount is sufficient to provide for the future maintenance needs.

6. **Utility Service.** Electric, telephone, cable TV and other such lines and equipment shall be underground. The proposed method of sanitary sewage disposal and solid waste disposal from all buildings shall be indicated.
7. **Advertising Features.** The size, location, design, color, texture, lighting and materials of all permanent signs and outdoor advertising structures or features shall not detract from the use and enjoyment of proposed buildings and structures and the surrounding properties. Advertising features are subject to the provisions of Section 6.2 of the Zoning Bylaw.



8. **Special Features.** Exposed storage areas, exposed machinery installations, service areas, truck loading areas, utility buildings and structures, and similar accessory areas and structures shall be subject to such setbacks, screen plantings or other screening methods as shall reasonably be required to prevent their being incongruous with the existing or contemplated environment and the surrounding properties.
9. **Safety.** With respect to personal safety, all open and enclosed spaces shall be designed to facilitate building evacuation and maximize accessibility by fire, police, and other emergency personnel and equipment. Insofar as practicable, all exterior spaces and interior public and semi-public spaces shall be so designed as to minimize the fear and probability of personal harm or injury by increasing the potential surveillance by neighboring residents and passersby of any accident or attempted criminal act.
10. **Heritage.** With respect to Arlington's heritage, removal or disruption of historic, traditional or significant uses, structures, or architectural elements shall be minimized insofar as practicable, whether these exist on the site or on adjacent properties.
11. **Microclimate.** With respect to the localized climatic characteristics of a given area, any development which proposes new structures, new hard-surface ground coverage, or the installation of machinery which emits heat, vapor, or fumes, shall endeavor to minimize, insofar as practicable, any adverse impact on light, air, and water resources, or on noise and temperature levels of the immediate environment.
12. **Sustainable Building and Site Design.** Projects are encouraged to incorporate best practices related to sustainable sites, water efficiency, energy and atmosphere, materials and resources, and indoor environmental quality. Applicants must submit a current Green Building Council Leadership in Energy and Environmental Design (LEED) checklist, appropriate to the type of development, annotated with narrative description that indicates how the LEED performance objectives will be incorporated into the project. [LEED checklists can be found at <http://www.usgbc.org/DisplayPage.aspx?CMSPageID=220b> ]

In addition, projects subject to Environmental Design Review must address and meet the following Special Permit Criteria (see Section 3.3.3 of the Zoning Bylaw):

1. The use requested is listed as a special permit in the use regulations for the applicable district or is so designated elsewhere in this Bylaw.
2. The requested use is essential 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 as may be provided in this Bylaw 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, morals, or welfare.
7. The requested use will not, by its addition to a neighborhood, cause an excess of the particular use that could be detrimental to the character of said neighborhood.



# TOWN OF ARLINGTON

Dimensional and Parking Information  
for Application to

The Arlington Redevelopment Board

1386 Massachusetts Avenue

Property Location Map 107.0 Block 0001 Lot 0001.0

Docket No. \_\_\_\_\_

Zoning District B3

Owner: B&F Corset Company, LLC

Address: 1386 Mass Ave, Arlington, MA

Present Use/Occupancy: No. of Dwelling Units:

5.5.3 Retail (Print Shop) / 0 Dwelling Units

Proposed Use/Occupancy: No. of Dwelling Units:

5.5.3 Retail (Marijuana Retailer) / 0 Dwelling Units

Uses and their gross square feet:

2,184 sf.

Uses and their gross square feet:

2,184 sf.

	Present Conditions	Proposed Conditions	Min. or Max. Required by Zoning for Proposed Use
Lot Size	10,402 sf.	10,402 sf.	min. 20,000 sf
Frontage	117.82 ft.	117.82 ft.	min. 100 ft.
Floor Area Ratio	0.21	0.21	max. 1.0
Lot Coverage (%), where applicable			max. N/A
Lot Area per Dwelling Unit (square feet)			min. 600 sf.
Front Yard Depth (feet)	0 ft.	0 ft.	min. N/A
Side Yard Width (feet) right side	23± ft.	23± ft.	min. N/A
left side	20± ft.	20± ft.	min. N/A
Rear Yard Depth (feet)	48± ft.	48± ft.	min. (H+L)/6 = 17.2 ft
Height			min.
Stories	1.5	1.5	stories 3
Feet	26.3± ft.	26.3± ft.	feet 40
Open Space (% of G.F.A.)	14.4%	14.6%	min. 20%
Landscaped (square feet)	1,496 sf	1,520 sf	(s.f.)
Usable (square feet)			(s.f.)
Parking Spaces (No.)	6	12	1/300sf = 7 spaces min.
Parking Area Setbacks (feet), where applicable	4± ft.	8± ft.	10 ft (5ft w/ fence) min.
Loading Spaces (No.)	0	0	min. 0 spaces
Type of Construction	Concrete		
Distance to Nearest Building	23± ft.	23± ft.	min. N/A

Note: No modification to existing structure is proposed. The permanent structure at 1386 Massachusetts Ave either conformed to the setback requirements at the time of construction, or is exempt from violation enforcement action under MGL, Title VII, Chapter 40A, Section 7.



### Property Information

Address: 1386 Massachusetts Avenue

Owner: B&G Corset Company, LLC  
1386 Massachusetts Avenue  
Arlington, MA 02476

Assessor's Parcel: Map 170, Block 1, Lot 1

Deed Reference: Middlesex South Registry of Deeds Book 70009, Page 400

Applicant: Apothca, Inc.  
Joseph Lekach  
99 Development Road  
Fitchburg, MA  
(854) 347-5611

Present Use: Arlington Swifty Printing and Bank of America ATM

Proposed Use: Marijuana Establishment

Zoning Sections: 8.3.A(1) and 3.4.2(4) requiring a special permit in accordance with Environmental Design Review Procedures

### Project Description

The Applicant, Apothca, Inc., seeks to convert the existing uses at 1386 Massachusetts Avenue (the Property) to a proposed marijuana establishment (ME). The proposed ME would dispense marijuana for off-site adult and medical use to customers over the age of twenty-one (21) and patients over the age of eighteen (18) possessing a valid medical registration card.

The Applicant proposed to re-use the existing building with no modification to the existing footprint. The Applicant is proposing to reconfigure the parking at the rear of the building to comply with current parking and setback requirements and to increase the number of on-site parking spaces from six (6) existing spaces to twelve (12) proposed spaces.

## 2.0 Environmental Design Review Statement

In accordance with the requirements of Section 3.4.4 (A) through (L) of the Town of Arlington Zoning Bylaws, the Applicant submits the following information as it relates to their proposal and the compliance of the proposal with the following:





#### *3.4.4(A) Preservation of Landscape*

The Applicant seeks to occupy an existing commercial building along Massachusetts Avenue. The minimal disturbance to the site will increase parking on the property within the limits of the current site disturbance. A landscaping plan accompanies this application.

#### *3.4.4(B) Relation of Buildings to Environment*

The Applicant seeks to occupy existing commercial space within the B3 (Business 3) zoning district. The existing building was constructed in the mid-1970s and has existed in the neighborhood over forty-years. As such, the existing building scale and finish is in harmony with the surrounding neighborhood.

#### *3.4.4(C) Open Space*

The Applicant seeks to occupy existing commercial space within the B3 zoning district. The use of existing space eliminates the need for new construction that would otherwise reduce the available open space in the City.

#### *3.4.4(D) Circulation*

There are no anticipated changes to vehicular or pedestrian circulation at the facility. The facility currently has on-site parking for seven (7) vehicles. The Applicant proposes to reconfigure these spaces to provide parking for twelve (12) vehicles as follows:

- (8) 8.5' x 18' Parking Spaces
- (2) 8.5' x 16' Compact Parking Spaces
- (1) ADA/AAB Compliant Accessible Space

There are no proposed modifications to the curb cut locations proposed and the existing one-way traffic patterns will be maintained. Impacts to traffic patterns in the vicinity are anticipated to be minimal as the projected increase in daily traffic represents less than 1% of the average annual daily traffic along Massachusetts Avenue in the Project vicinity. The Traffic Impact Statement prepared in support of this project accompanies the report as Appendix A.

The difference of bicycle parking required for the proposed use and existing use is less than two (2) spaces. As such the Applicant is not seeking to construct additional bicycling parking currently.

#### *3.4.4(E) Surface Water Drainage*

The Applicant seeks to occupy existing commercial space within the B3 (Central Business) zoning district. The use of an existing building eliminates the need for new construction that may increase the quantity and quality of surface water runoff. Minor changes to parking configuration are proposed. The Applicant will





clean existing on-site catch basins and install gas-traps/hoods to outlet pipes if not currently installed.

#### *3.4.4(F) Utility Service*

There is no change expected to the demand on utility services by the project as proposed. The existing retail space would be converted to a retail marijuana establishment.

Water and Wastewater demands can be estimated using the flows provided in 310 CMR 15.00, The State Environmental Code, Title V. The design flow listed for Retail uses is 50 gpd per 1,000sf. of floor area. The proposed use and existing use are both considered retail uses and no change in building footprint is proposed, as such there is no increase in demand.

Solid waste disposal of non-marijuana containing materials shall be disposed of with a private toter, similar to the existing facility. Marijuana waste shall be disposed of at the off-site cultivation facility in accordance with Cannabis Control Commission (CCC) guidelines.

#### *3.4.4(G) Advertising Features*

There shall be no additional advertising features on the structure beyond the facility name and logo which shall be in accordance with CCC regulations. The Apothca logo is provided on the cover of this report.

#### *3.4.4(H) Special Features*

There are no proposed special features requiring additional screening associated with this project.

#### *3.4.4(I) Safety*

The accompanying floor plan (Appendix C) demonstrates accessibility for public safety and will be designed to incorporate surveillance cameras covering the dispensary property and points of access. Recorded footage from surveillance cameras will be available for Arlington Police Department.

#### *3.4.4(J) Heritage*

The Applicant seeks to occupy existing commercial space within the B3 zoning district. The use of an existing structure will not cause removal or disruption of historic, traditional or significant uses, structures or architectural elements on-site or at adjacent properties.

#### *3.4.4(K) Microclimate*

The project as proposed seeks to use existing infrastructure and facilities and will not have adverse impact on light, air and water resources, or on noise and temperature levels of the immediate environment.



*3.4.4(L) Sustainable Building and Site Design*

The Applicant seeks to occupy existing commercial space within the B3 zoning district. The use of existing structures is considered "sustainable." The Applicant is not contemplating the replacement of core building infrastructure at this time.

## **APPENDIX A:**

### **Traffic Impact Statement**





603 Salem Street  
Wakefield, MA 01880  
Tel: (781) 246-2800  
Fax: (781) 246-7596

## Traffic Impact Statement

Nantucket, MA 02554  
Tel: (508) 228-7909

Refer to File No. ARL-0017

**TO:** Town of Arlington  
Board of Selectmen and Redevelopment Board

**FROM:** Tony Capachietti, *Project Manager*

**DATE:** October 7, 2019

**SUBJECT:** Apothca, Inc.  
Proposed Marijuana Dispensary  
1386 Massachusetts Avenue, Arlington, MA

Hayes Engineering, Inc. (HEI) has prepared this Traffic Impact Statement pursuant to the request of the project proponent, Apothca, Inc. (Apothca), in support of the proposed co-located adult-use and medical marijuana dispensary at 1386 Massachusetts Avenue in Arlington, Massachusetts. The purpose of this Impact Statement is to evaluate the anticipated Average Daily and Peak Hour trip generation for the facility.

The existing 2,184<sup>±</sup> square foot (sf.) building at 1386 Massachusetts Avenue is occupied by *Arlington Swift Printing*, a copy, printing and shipping store. The Applicant proposes to convert the facility into a medical and adult-use marijuana dispensary within the existing footprint.



Figure 1 – 1386 Massachusetts Avenue, Arlington, MA © Google Image Capture





### **Trip Generation**

Average Daily Vehicle Trips and Peak Hour Trips for the project are calculated using data published by the Institute of Transportation Engineers (ITE) Trip Generation Manual, 10<sup>th</sup> Edition.

The prior use at the facility is best classified as Institute of Transportation Engineers (ITE) Land Use Code (LUC) 920 – Copy, Print and Express Ship Store, defined in the ITE Trip Generation Manual, 10<sup>th</sup> Edition as being:

*... a facility that offers a variety of copying, printing, binding, and shipping services. Retail sales of a limited range of office-related items including packing and shipping supplies are also commonly available. Technology services, such as computer rental and wireless Internet may also be provided.*

Estimated Trip Generation rates for the 2,184<sup>±</sup> -sf. facility under its prior use are summarized in Table 1, below. ITE Trip Generation Graphs for the above Land Use Code accompany this report as Appendix A.

**TABLE 1**  
Trip Generation, *Prior Use*  
**LUC 920 – Copy, Print**  
**and Express Ship**  
**Store**

<b><u>Time Period</u></b>	<b><u>Vehicle Trip Ends<sup>(1,2)</sup></u></b>
<b>Weekday Daily</b>	270 <sup>(3)</sup>
<b>Weekday AM Peak Hour</b>	18
<b>Weekday PM Peak Hour</b>	27
<b>Saturday Daily</b>	Not Published

<sup>(1)</sup> Based on 2,184<sup>±</sup> -sf. of floor area

<sup>(2)</sup> ITE cautions use due to small sample size

<sup>(3)</sup> Estimated as 10 times peak hour

The proposed RMD use is best classified as Institute of Transportation Engineers (ITE) Land Use Code (LUC) 882, Marijuana Dispensary, defined in the ITE Trip Generation Manual, 10<sup>th</sup> Edition as being:

*... a standalone facility where cannabis is sold to patients or consumers in a legal manner.*

Trip Generation rates for the proposed 2,184<sup>±</sup> -sf. dispensary use are summarized in Table 2, below. ITE Trip Generation Graphs for this Land Use Code accompany this report as Appendix B. It should be noted that the ITE cautions the use of its Marijuana Dispensary data as it was derived from a small sample set.



## Traffic Impact Statement

1386 Massachusetts Ave – Arlington, MA

ARL-0017

October 7, 2019

**TABLE 2**

Trip Generation, *Proposed Marijuana Establishment*

<u>Time Period/Direction</u>	<u>LUC 882 –</u>
	<u>Marijuana Dispensary</u>
	<u>Vehicle Trip Ends<sup>(1,2)</sup></u>
Weekday Daily	556
Weekday AM Peak Hour	46
Weekday PM Peak Hour	66
Saturday Daily	570

<sup>(1)</sup> Based on 2,184<sup>±</sup> -sf. of floor area

<sup>(2)</sup> ITE cautions use due to small sample size

Table 3, below, compares estimated vehicle trip ends for the previous copy facility use and proposed marijuana business use:

**TABLE 3**

Trip Generation, *Summary – Prior Use vs. Proposed RME*

<u>Time Period/Direction</u>	<u>Prior Use</u>	<u>Proposed RME</u>	<u>Change in Trip</u>
	<u>Vehicle Trip Ends</u>	<u>Vehicle Trip Ends</u>	<u>Ends</u>
Weekday Daily	270 <sup>(2)</sup>	556	+286
Weekday AM Peak Hour	18	46	+28
Weekday PM Peak Hour	27	66	+39
Saturday Daily	Not Published	570	+300 <sup>(1)</sup>

<sup>(1)</sup> As compared to weekday daily traffic for the prior use

<sup>(2)</sup> Estimated as 10 times peak hour

The proposed dispensary results in an increase to projected trip ends to the facility when compared to the previous use for all scenarios. Each vehicle represents two trip ends, one arriving and one departing from the facility. The anticipated increase in weekday daily vehicle trips to the facility is 109 vehicles. It should be noted that not all trips represent “new” or “destination” vehicles on the route; destination trips have the greatest effect on traffic conditions. Pass-by trips have minimal impacts to traffic conditions. A pass-by trip is one where a vehicle is already on the route or very close to the route and stops on the way to their ultimate destination. Studies have shown that for retail uses similar to the proposed dispensary, a substantial portion of vehicle trips are from existing traffic passing by the site or diverted from another route in the vicinity of site. Data presented in the ITE Trip Generation Handbook indicates that for the average percentage of pass-by trips for Pharmacy/Drugstores without Drive-Through Windows





## **Traffic Impact Statement**

1386 Massachusetts Ave – Arlington, MA

ARL-0017

October 7, 2019

is 49-percent during the weekday PM peak hour. HEI conducted a transportation survey of 257 patrons exiting an existing dispensary operating in Brookline, MA on June 13, 2019 identified 53.7% of patrons considered their stop to be a pass-by or diversion trip on their way to their ultimate destination. This would further reduce the number of anticipated new vehicle trips to approximately 55 vehicles on an average weekday.

HEI also evaluated customer data from three (3) dispensaries currently operating in Massachusetts in Brookline, Salem and Gardner to determine the AM peak hour occurs at 11a-noon and does not typically coincide with the AM rush hour for traffic on the adjacent roadways. Peak PM hours for these dispensaries typically occur between the hours of 6p-7p.

The Massachusetts Department of Transportation Highway Division maintains vehicle counts on Massachusetts Avenue on either side of the site (see Figure 2) at the following locations:

- Location ID: 4871 - Massachusetts Avenue North of Pleasant Street
- Location ID: 4930 - Massachusetts Avenue North of Appleton Street

Average Annual Daily Traffic (AADT), as reported by MassDOT, for these count locations indicate that approximately 20,000 vehicles per day pass the project site. The projected daily increase in vehicle trips of 143 on an average day represents less than 1% of the 17,613 vehicles reported at Location ID 4930. As such no significant changes to the prevailing traffic conditions are anticipated as a result of this project. MassDOT AADT information is included as Appendix C to this report.

The site is also located in proximity to a robust public transportation network. The project site is located within one-quarter mile of stops along the Massachusetts Bay Transit Authority (MBTA) 1, 62, 62/76, 77, 78 and 79 bus routes.

### **Parking Analysis**

The site in its existing condition provides off-site parking for 6 vehicles. The parking lot can be reconfigured to provide parking for up to 13 vehicles. The Town of Arlington Zoning By-Law section 6.1.4 requires 1 space per 300 sf. of floor area for retail uses. The parking requirement for the 2,184-sf. dispensary would be 7-spaces. Employees will be encouraged to use public transportation to avail as many spaces as possible for customers. The average transaction time for customers is between 15 and 20 minutes. This allows for the 13 parking spaces to turn over between 3 and 4 times per hour (39-52 vehicles per hour); the parking levels are adequate to handle the project PM peak hour of 33 vehicles (66 trip ends).



## Traffic Impact Statement

1386 Massachusetts Ave – Arlington, MA

ARL-0017

October 7, 2019

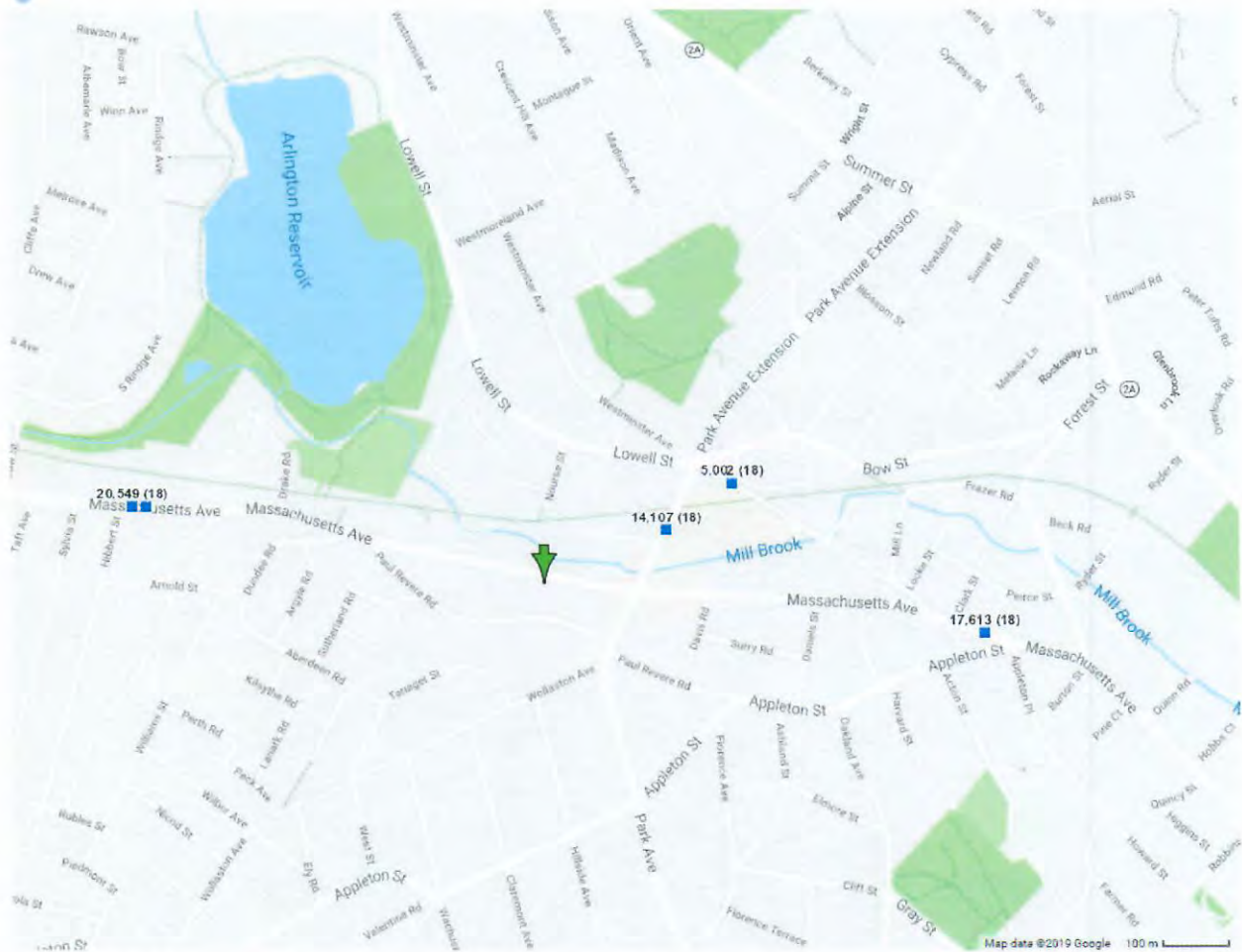


Figure 2 – 1386 Massachusetts Avenue, Alington, MA MASSDOT Traffic Count Data

### Queue Management

Customers will queue in the interior vestibule providing space for 15 people prior to entering the dispensary floor which will provide ample space for an additional 20-25 customers. The floorplate capacity of 35-40 customers, at an average transaction time of 15 minutes, will allow for approximately 105-160 customers per hour to be processed using only the interior queue.

During the initial opening period, customer levels may increase from those projected in this report as it may be the first recreational facility in the Arlington area. Apothca will incentivize the use of public transportation by its employees. Many of the current Apothca employees at its medical facility in Arlington use public transit to commute to work; this staff will transition to the new facility which is also proximate an MBTA bus route. Apothca will also allow those employees using bicycles to commute the ability to store their bicycles inside the building.

Apothca will also have temporary parking lot attendants during the initial opening phase to direct traffic into and out of the lot and manage any exterior queues that may form. The exterior



**Traffic Impact Statement**

1386 Massachusetts Ave – Arlington, MA

ARL-0017

October 7, 2019

queue will be maintained along the sidewalk that extends to the rear of the facility. At no time will customers be allowed to queue in the traveled way.

It is recommended that the Proponent work with the Arlington public safety offices to develop an opening day strategy that provides for police details, parking attendants and way-finding assistance to minimize disruptions during the initial opening period. This strategy should be reviewed on a daily, or weekly, basis to evaluate its continuing need and implemented until customer levels normalize.



**Traffic Impact Statement**

1386 Massachusetts Ave – Arlington, MA

ARL-0017

May 2, 2019

## Appendix A – Prior Land Uses

## **Land Use: 920**

### **Copy, Print, and Express Ship Store**

#### **Description**

A copy, print, and express ship store is a facility that offers a variety of copying, printing, binding, and shipping services. Retail sales of a limited range of office-related items including packing and shipping supplies are also commonly available. Technology services, such as computer rental and wireless Internet may also be provided. Copy, print, and express ship stores typically maintain long store hours 7 days a week. Some stores may be open 24 hours a day.

#### **Additional Data**

The weekday AM peak hour occurred between 10:30 and 11:30 a.m. The weekday PM peak hour occurred between 3:30 and 4:30 p.m.

The site was surveyed in the 2000s in Texas.

#### **Source Number**

608

## Copy, Print, and Express Ship Store (920)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA  
On a: Weekday,  
AM Peak Hour of Generator

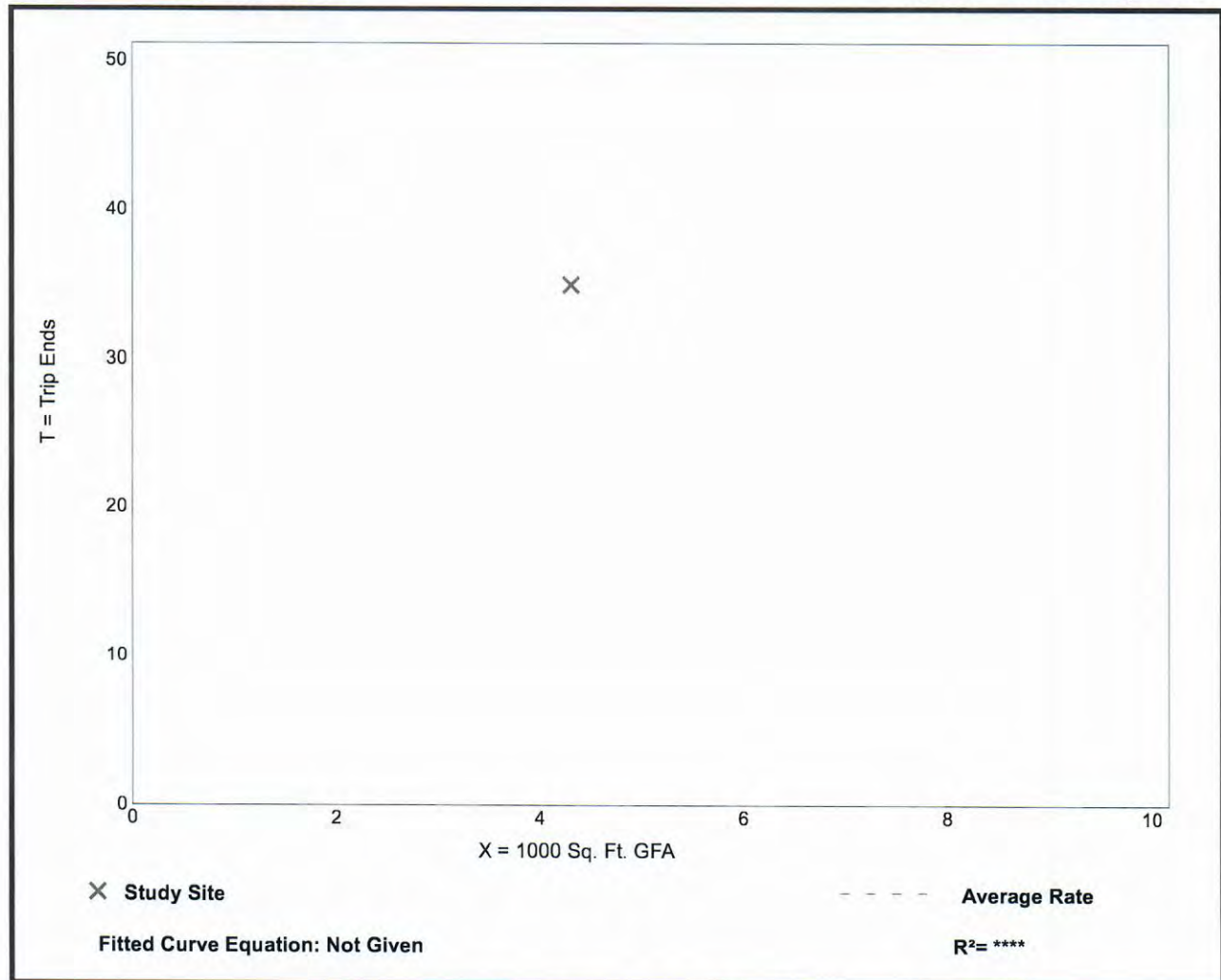
Setting/Location: General Urban/Suburban  
Number of Studies: 1  
Avg. 1000 Sq. Ft. GFA: 4  
Directional Distribution: 51% entering, 49% exiting

### Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
8.12	8.12 - 8.12	*

### Data Plot and Equation

*Caution – Small Sample Size*



*Trip Generation Manual, 10th Edition • Institute of Transportation Engineers*



## Copy, Print, and Express Ship Store (920)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA  
On a: Weekday,  
PM Peak Hour of Generator

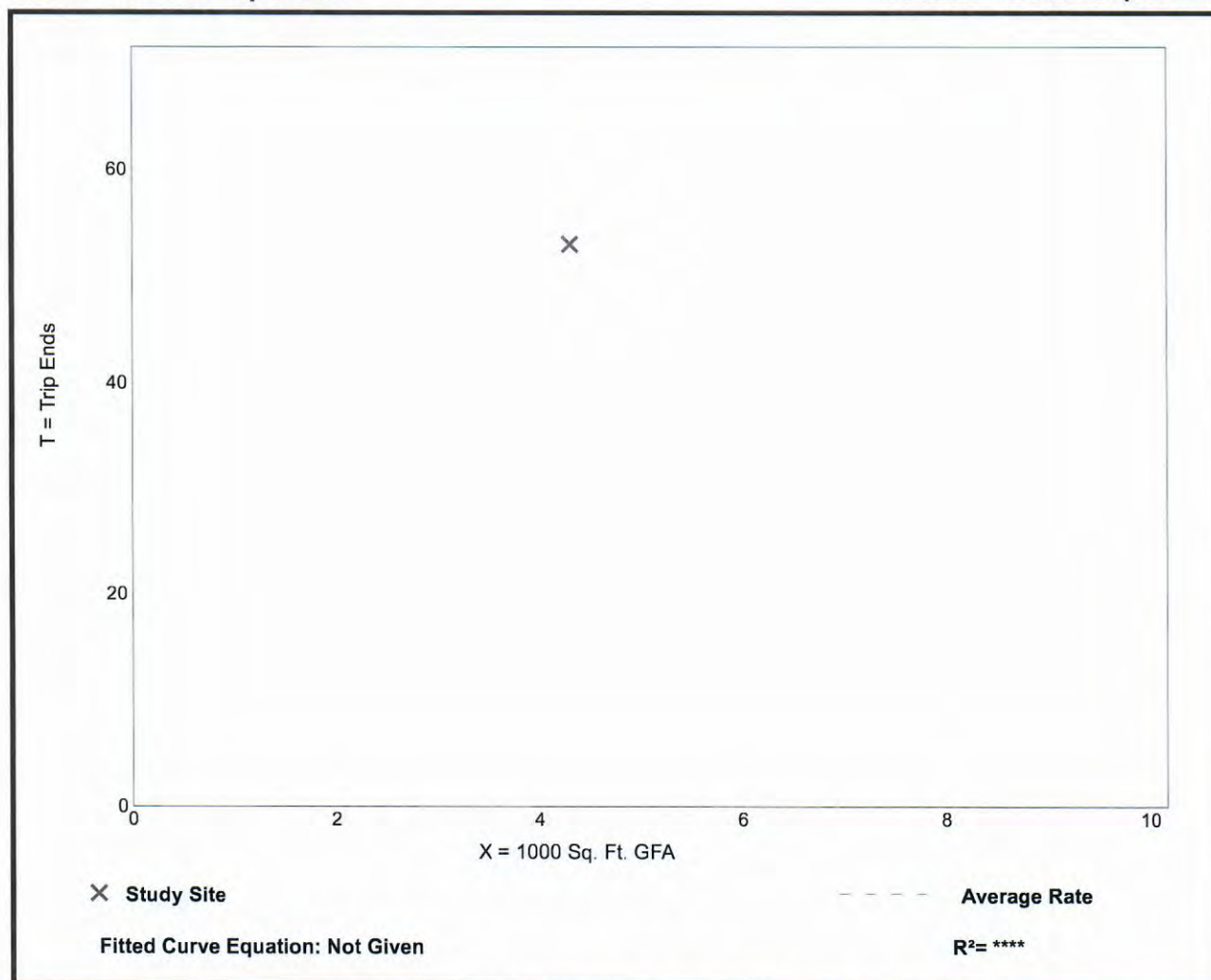
Setting/Location: General Urban/Suburban  
Number of Studies: 1  
Avg. 1000 Sq. Ft. GFA: 4  
Directional Distribution: 43% entering, 57% exiting

### Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
12.30	12.30 - 12.30	*

### Data Plot and Equation

*Caution – Small Sample Size*



*Trip Generation Manual, 10th Edition • Institute of Transportation Engineers*



**Traffic Impact Statement**

1386 Massachusetts Ave – Arlington, MA

ARL-0017

May 2, 2019

## Appendix B – Proposed Land Uses

## Land Use: 882

### Marijuana Dispensary

#### Description

A marijuana dispensary is a standalone facility where cannabis is sold to patients or consumers in a legal manner.

#### Additional Data

Time-of-day distribution data for this land use for a weekday and Saturday are presented in Appendix A. For the four general urban/suburban sites with data, the overall highest vehicle volumes during the AM and PM on a weekday were counted between 11:45 a.m. and 12:45 p.m. and 5:45 and 6:45 p.m., respectively.

The sites were surveyed in the 2010s in Colorado and Oregon.

#### Source Numbers

867, 893, 919

# Marijuana Dispensary (882)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA  
On a: Weekday

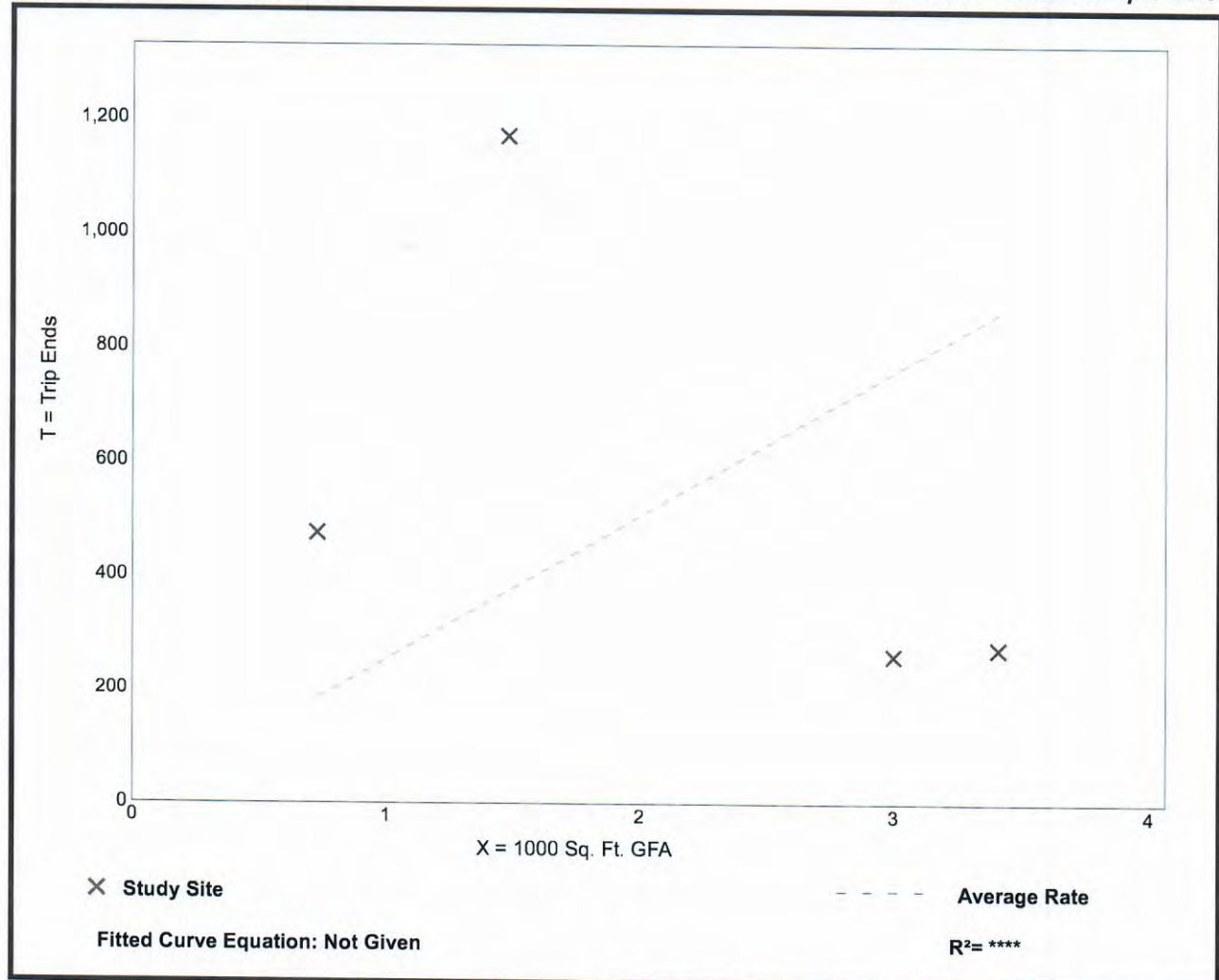
Setting/Location: General Urban/Suburban  
Number of Studies: 4  
Avg. 1000 Sq. Ft. GFA: 2  
Directional Distribution: 50% entering, 50% exiting

## Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
252.70	79.74 - 791.22	336.11

## Data Plot and Equation

*Caution – Small Sample Size*





# Marijuana Dispensary (882)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA  
On a: Weekday,  
AM Peak Hour of Generator

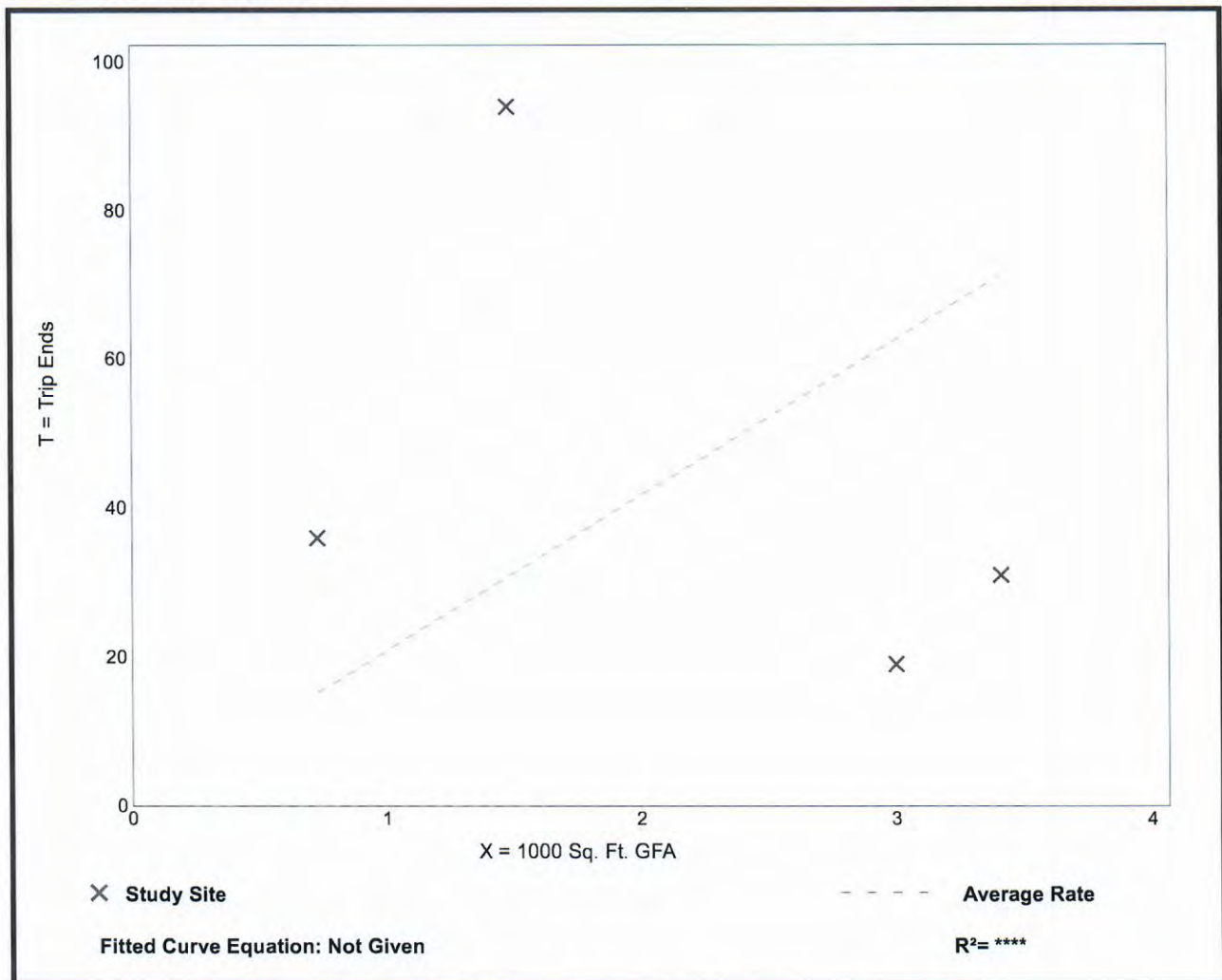
Setting/Location: General Urban/Suburban  
Number of Studies: 4  
Avg. 1000 Sq. Ft. GFA: 2  
Directional Distribution: 52% entering, 48% exiting

## Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
20.88	6.33 - 63.51	26.07

## Data Plot and Equation

*Caution – Small Sample Size*



# Marijuana Dispensary (882)

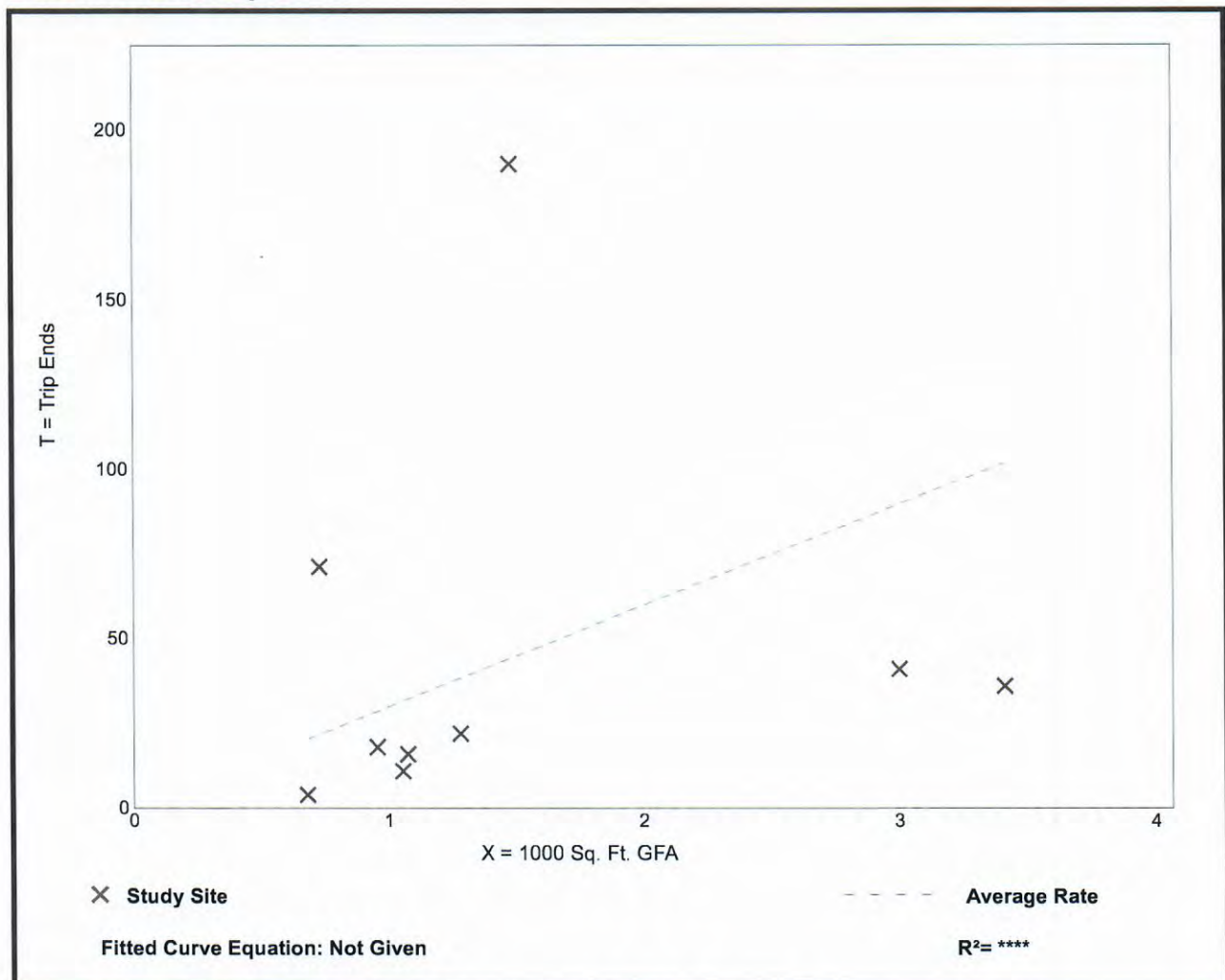
Vehicle Trip Ends vs: 1000 Sq. Ft. GFA  
On a: Weekday,  
PM Peak Hour of Generator

Setting/Location: General Urban/Suburban  
Number of Studies: 9  
Avg. 1000 Sq. Ft. GFA: 2  
Directional Distribution: 50% entering, 50% exiting

## Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
29.93	5.88 - 128.38	41.69

## Data Plot and Equation



# Marijuana Dispensary (882)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA  
On a: Saturday

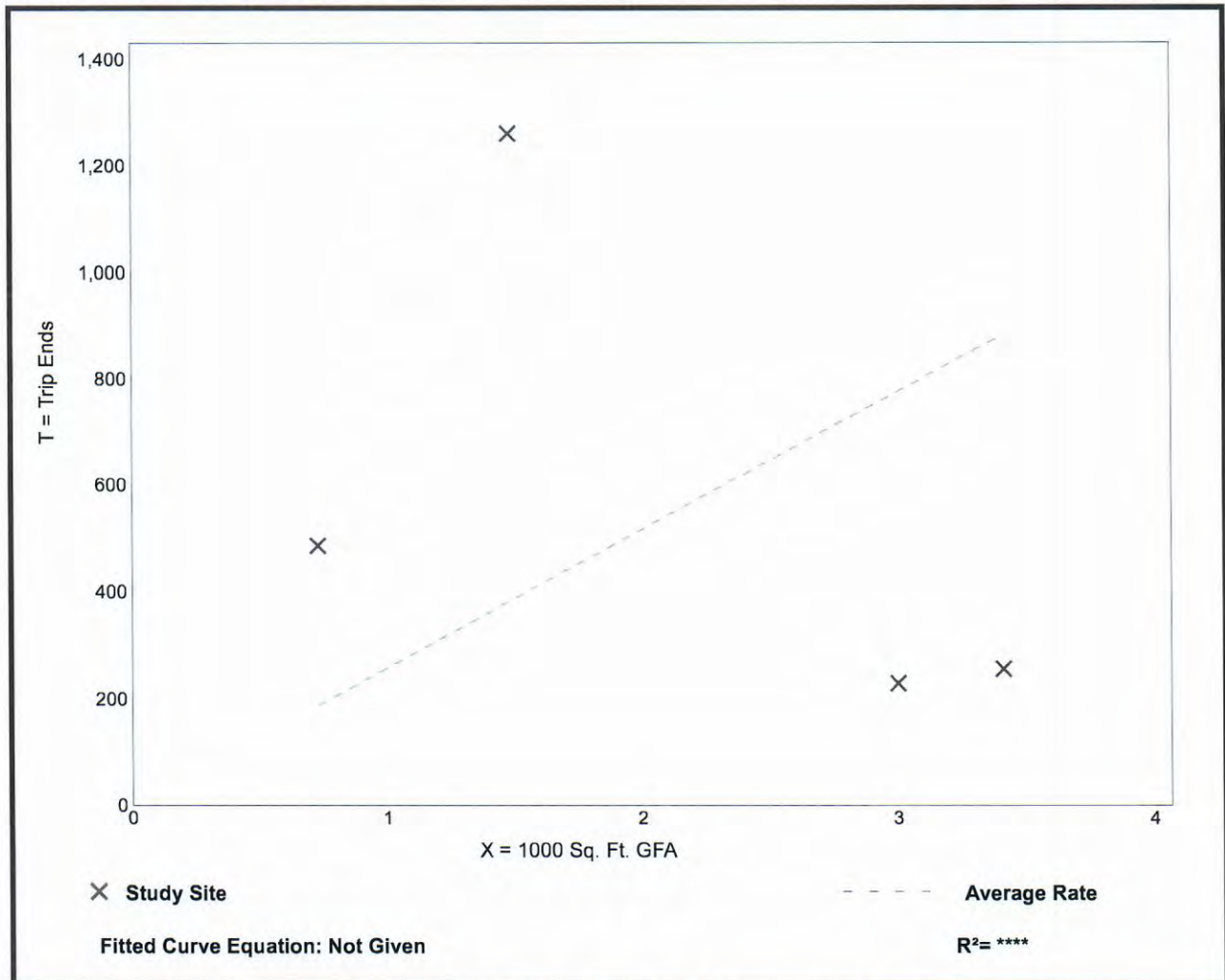
Setting/Location: General Urban/Suburban  
Number of Studies: 4  
Avg. 1000 Sq. Ft. GFA: 2  
Directional Distribution: 50% entering, 50% exiting

## Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
259.31	75.34 - 852.03	364.24

## Data Plot and Equation

*Caution – Small Sample Size*





# Marijuana Dispensary (882)

Vehicle Trip Ends vs: 1000 Sq. Ft. GFA  
On a: Saturday, Peak Hour of Generator

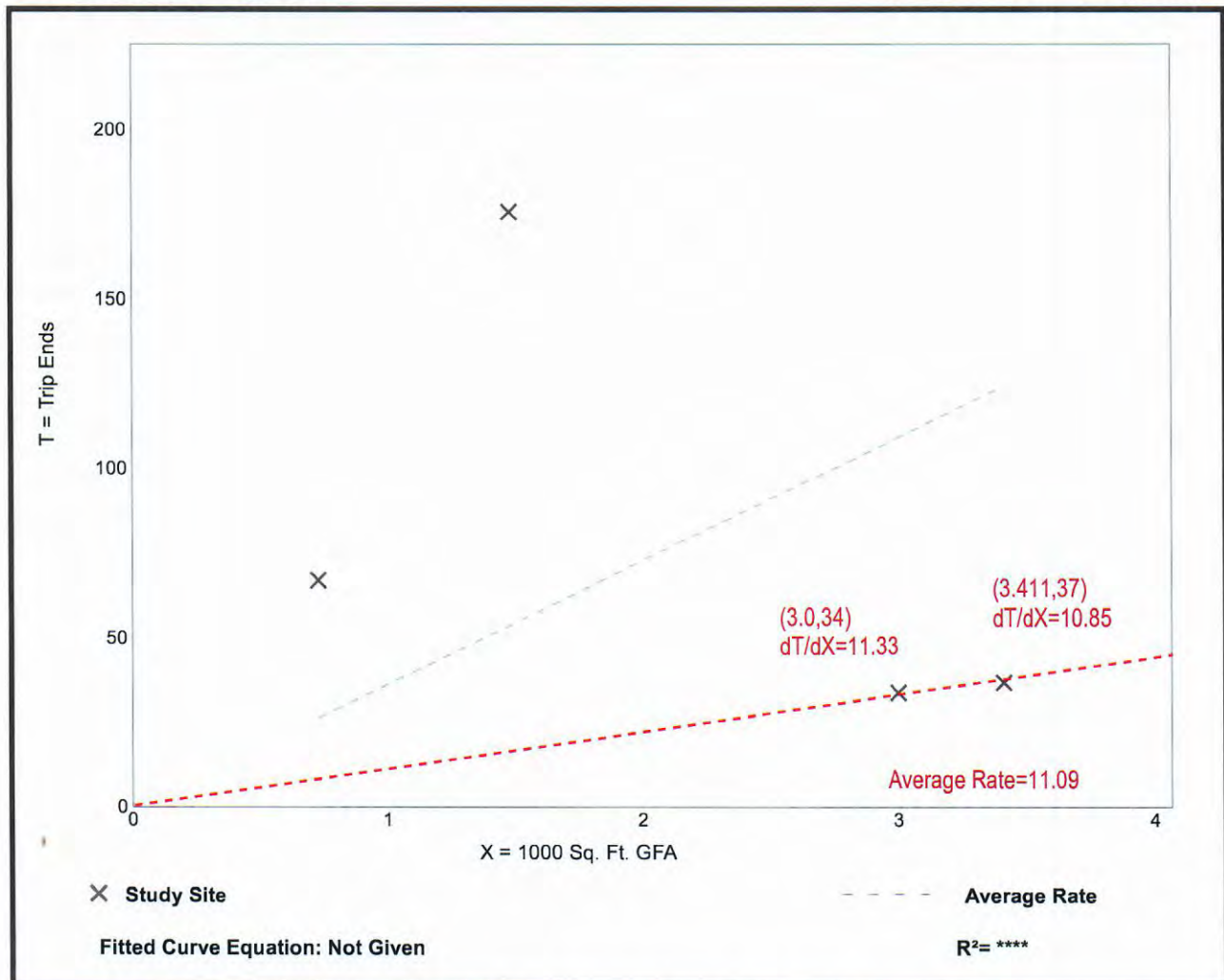
Setting/Location: General Urban/Suburban  
Number of Studies: 4  
Avg. 1000 Sq. Ft. GFA: 2  
Directional Distribution: Not Available

## Vehicle Trip Generation per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	Standard Deviation
36.43	10.85 - 118.92	50.44

## Data Plot and Equation

*Caution – Small Sample Size*



*Trip Generation Manual, 10th Edition • Institute of Transportation Engineers*

5.63 x 1000sf x 11.09 Trip Ends/1000sf = 62.4 Trip Ends = 62 Trip Ends





**Traffic Impact Statement**  
1386 Massachusetts Ave – Arlington, MA  
ARL-0017  
May 2, 2019

## Appendix C – MassDOT AADT Tables

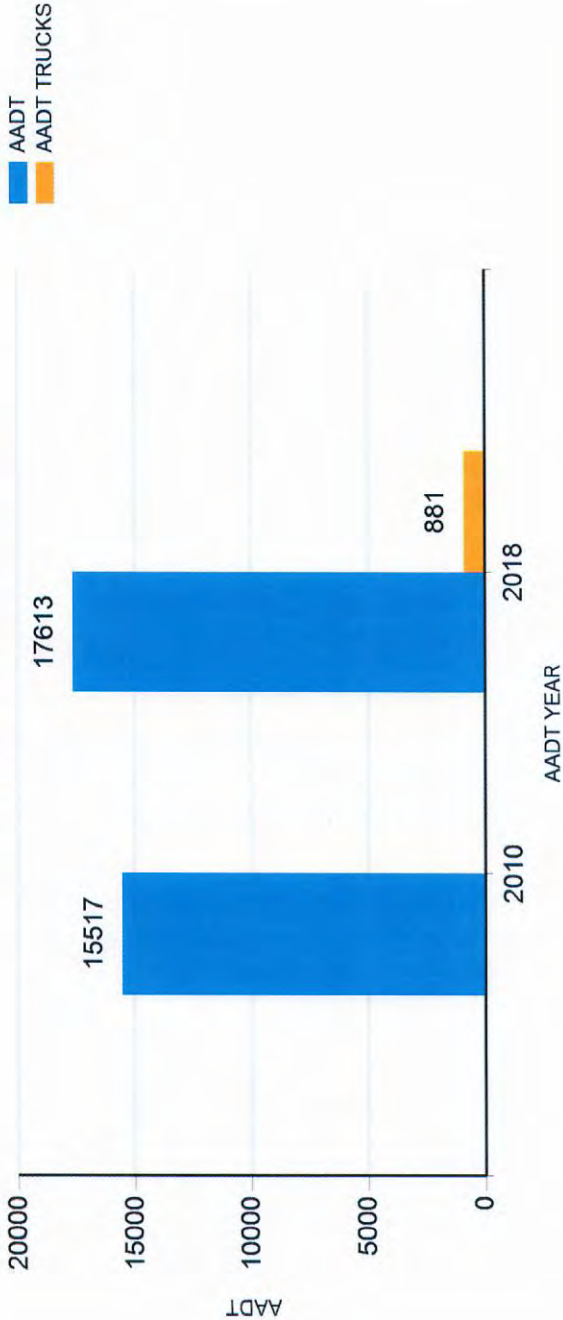
AADT and AADT Trucks by Year for 1/1/2009 - 12/31/2018

District  
County Middlesex  
Community Arlington

Location ID 4930  
Located On MASSACHUSETTS AVENUE  
LRS ID N086 EB

At APPLETON STREET  
LRS Point 1.610324

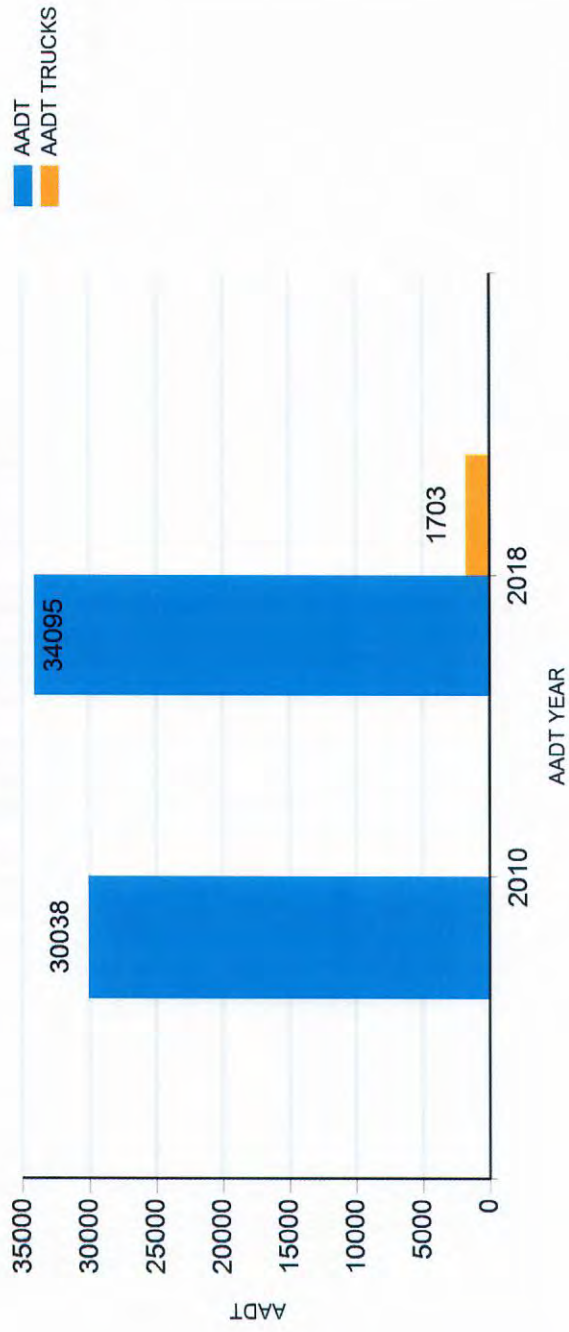
AADT AND AADT TRUCK TREND

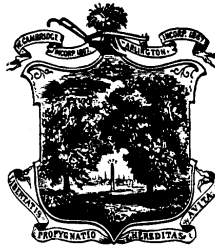


AADT and AADT Trucks by Year for 1/1/2009 - 12/31/2018

District	Location ID 4871	At PLEASANT STREET
County Middlesex	Located On MASSACHUSETTS AVENUE	
Community Arlington	LRS ID N086 EB	LRS Point 0.8033987

AADT AND AADT TRUCK TREND





**Town of Arlington, Massachusetts**  
Department of Planning & Community Development  
730 Massachusetts Avenue, Arlington, Massachusetts 02476

---

**Public Hearing Memorandum**

*The purpose of this memorandum is to provide the Arlington Redevelopment Board and public with technical information and a planning analysis to assist with the regulatory decision-making process.*

**To:** Arlington Redevelopment Board

**From:** Jennifer Raitt, Secretary Ex Officio

**Subject:** Environmental Design Review, 1386 Massachusetts Avenue, Arlington, MA  
Docket #3610

**Date:** November 12, 2019

---

**I. Docket Summary**

This is an application by Joseph Lekach for Apothca to establish a co-located marijuana retailer and a medical marijuana treatment center at 1386 Massachusetts Avenue within the B3 Village Business District. The Special Permit is to allow the Board to review and approve the proposed project, under Section 3.4, Environmental Design Review, and Section 8.3, Standards for Marijuana Uses.

The Town of Arlington adopted zoning amendments to address the sale of marijuana products to adults during Special Town Meeting on December 5, 2018. The zoning amendments created new definitions, new use categories, and standards. The standards include the buffers that are required from kindergarten through grade twelve public and private schools, public libraries, and town-owned playgrounds and recreational facilities. Additionally, the standards required a 2,000-foot distance between other recreational or medical facilities. Finally, the standards limited the number of marijuana retailers within Arlington to three.

Apothca currently operates a medical marijuana treatment center on Water Street in a multi-tenant building. In order to establish a co-located dispensary, Apothca identified and secured a lease for the building at 1386 Massachusetts Avenue where both retail and



medical sales could occur and is compliant with the standards established by the amendments adopted in December 2018.

In May, the Select Board opened a process through which the Board would determine which operators would be awarded a Host Community Agreement. Apothca applied with the intent to co-locate marijuana retail and a medical marijuana treatment center at 1386 Massachusetts Avenue. The site was deemed compliant with the zoning bylaw. The Town awarded Apothca a Host Community Agreement. Since receiving the Host Community Agreement, Apothca has started the state permitting process with the Cannabis Control Commission. In addition to seeking the EDR Special Permit from the ARB, Apothca will need to apply for an Operating Permit from the Arlington Board of Health.

Materials submitted for consideration of this application:

- Application for EDR Special Permit,
- Narrative,
- Site Plan, Landscaping Plan, and Lighting Plan dated October 7, 2019;
- Proposed Floor Plan and Elevations dated September 28, 2019;
- Original Elevations dated March 18, 1974;
- Traffic Impact Analysis dated October 7, 2019;
- Apothca Security Policies and Procedures; and,
- Memo on LEED practices and checklist dated October 15, 2019.

## II. Application of Special Permit Criteria (Arlington Zoning Bylaw, Section 3.3)

### 1. Section 3.3.3.A.

**The use requested is listed as a Special Permit in the use regulations for the applicable district or is so designated elsewhere in this Bylaw.**

The Applicant proposes a co-located marijuana retailer and a medical marijuana treatment center. Within the B3 Village Business District, marijuana uses require a Special Permit. The type of use specifically triggers the Environmental Design Review Special Permit from the Redevelopment Board per Section 3.4.2. The Board can find that this condition is met.

### 2. Section 3.3.3.B.

**The requested use is essential or desirable to the public convenience or welfare.**

Arlington, voted “yes” on the 2016 ballot question related to adult-use marijuana meaning the community supported adult-use marijuana. Although the ballot question passed statewide in 2016, the state had only established a process for reviewing and licensing medical marijuana treatment centers but not for how to process and administer new recreational facilities. While Massachusetts municipalities awaited regulations from the state, Arlington adopted a temporary moratorium in order to plan for future zoning amendments. Once regulations were

issued, Arlington formed a Marijuana Study Group to help draft zoning amendments for a Special Town Meeting in December 2018. Town Meeting adopted zoning regulations that would regulate retail marijuana establishments and medical marijuana treatment centers.

Following the desire of the community, the zoning amendments allowed both recreational and medical establishments along major corridors, in commercial centers, and accessible by public transportation. The zoning amendments placed appropriate buffers from sensitive land uses and schools on the use and limited the density of this type of use within the community.

The location of this co-located marijuana retailer and medical marijuana treatment center meets the requirements of the zoning amendments, acts on the majority vote of Arlington in 2016 regarding recreational use of marijuana, and maintains important access to medical products for those who require it. The Board can find this condition met.

**3. Section 3.3.3.C.**

**The requested use will not create undue traffic congestion or unduly impair pedestrian safety.**

The Traffic Impact Analysis provided by the Applicant seems mismatched with the likely demand that will be generated from the co-location of a marijuana retailer and medical marijuana treatment center, particularly in an area that is devoid of adult-use retailers. Further detailed discussion is provided under the Environmental Design Review criterion 4.

The analysis provided in the application materials indicates that the reconfigured parking lot and floor plan can accommodate over 100 customers per hour. However, without a better analysis of how to best utilize the project site to handle parking and customer queueing, the proposed use may create traffic congestion and impair pedestrian safety and accessibility.

The Applicant should provide a Parking and Queue Management Plan that clearly indicates how the property will be utilized and how all traffic will be managed. This also requires consultation and regular meetings with the Arlington Police Department.

**4. Section 3.3.3.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.**

While it appears that the existing ATM will remain on site, the proposed use is different than the current retail use on the project site. With proper security and

management as provided, the proposed use should not unduly subject the immediate area to hazards affecting health, safety, or the general welfare of the immediate area. Because no cultivation or processing will be taking place onsite, this co-located establishment will not demand more water or sewer usage than any other retail business. The Board can find this condition met.

**5. Section 3.3.3.E.**

**Any special regulations for the use as may be provided in the Bylaw are fulfilled.**

Section 8.3, Standards for Marijuana Uses, applies to this use. The project site is outside of any required buffers from sensitive land uses and is beyond 2,000 feet from any other marijuana retailer or medical marijuana treatment center. The Board can find that this condition is met.

**6. Section 3.3.3.F.**

**The requested use will not impair the integrity or character of the district or adjoining districts, nor be detrimental to the health or welfare.**

The December 2018 Special Town Meeting adopted regulations for marijuana establishments including allowing the use to be established in the B3 Village Business District. The proposed location at 1386 Massachusetts Avenue is located outside of any buffers around sensitive land uses as adopted by the Special Town Meeting as well. The Cannabis Control Commission has stringent requirements regarding the operation of marijuana establishments including modest signage and prohibiting the visibility of product from outside of the establishment and on-site consumption of product. The Board can find that this condition is met.

**7. Section 3.3.3.G.**

**The requested use will not, by its addition to a neighborhood, cause an excess of the use that could be detrimental to the character of said neighborhood.**

The use will not be in excess or detrimental to the character of the neighborhood. Additionally, should this co-located establishment be approved by the local permitting authorities and the Cannabis Control Commission, the Zoning Bylaw applies a 2,000-foot density buffer around this property. Therefore, future marijuana retailers or medical marijuana treatment centers will not be able to cluster within the Arlington Heights business districts. Beyond Arlington, the nearest operating co-located dispensaries are in Newton and Brookline. The Board can find that this condition is met.

III. Environmental Design Review Standards (Arlington Zoning Bylaw, Section 3.4)

1. EDR-1 Preservation of Landscape

**The landscape shall be preserved in its natural state, insofar as practicable, by minimizing tree and soil removal, and any grade changes shall be in keeping with the general appearance of neighboring developed areas.**

The existing site condition is primarily impervious. At the rear of the site, there is some vegetation growing on the slope between the rear of the parking lot and the abutters on Paul Revere Road. There is also a large retaining wall that is built into the slope. This retaining wall will remain, but some of the existing vegetation will be removed in order to reconfigure the parking lot to gain additional parking spaces. New vegetation will be planted behind and in front of the existing retaining wall. The landscaping plan lacks detail in what vegetation will be removed and what will be newly planted. The Applicant should improve the landscaping plan to include the requested details.

2. EDR-2 Relation of the Building to the Environment

**Proposed development shall be related harmoniously to the terrain and to the use, scale, and architecture of the existing buildings in the vicinity that have functional or visible relationship to the proposed buildings. The Arlington Redevelopment Board may require a modification in massing so as to reduce the effect of shadows on the abutting property in an R0, R1 or R2 district or on public open space.**

The proposed co-located marijuana retailer and medical marijuana treatment center will be established in an existing building in the Arlington Heights business district. There are no additions proposed to the existing building, although a new entry way will be installed on the front elevation. The Board can find that this condition is met.

3. EDR-3 Open Space

**All open space (landscaped and usable) shall be so designed as to add to the visual amenities of the vicinity by maximizing its visibility for persons passing by the site or overlooking it from nearby properties. The location and configuration of usable open space shall be so designed as to encourage social interaction, maximize its utility and facilitate maintenance.**

The landscaped open space requirement is 10% for this permitted use. There is no usable open space requirement for a non-residential use. The proposal will marginally improve the landscaped open space on the site from 14.4 percent to 14.6 percent. The Applicant proposes to remove existing areas of concrete and replace it with landscaping and adding plantings at the rear of the property. The Board can find that this condition is met.



**4. EDR-4 Circulation**

With respect to vehicular and pedestrian and bicycle circulation, including entrances, ramps, walkways, drives, and parking, special attention shall be given to location and number of access points to the public streets (especially in relation to existing traffic controls and mass transit facilities), width of interior drives and access points, general interior circulation, separation of pedestrian and vehicular traffic, access to community facilities, and arrangement of vehicle parking and bicycle parking areas, including bicycle parking spaces required by Section 6.1.12 that are safe and convenient and, insofar as practicable, do not detract from the use and enjoyment of proposed buildings and structures and the neighboring properties.

There are seven existing parking spaces on the site. The application materials indicate that the rear parking lot would be reconfigured in order to provide 12 parking spaces, which is in excess of the requirement for a retail use:

<b>Parking Requirement</b>			
<b>Use</b>	<b><u>Square Footage</u></b>	<b><u>Zoning Requirement</u></b>	<b><u>Total Parking Required</u></b>
<b>Retail</b>	<b>2,184 sf</b>	<b>1/300 sf*</b>	<b>8 spaces</b>
<b>Total Parking</b>			<b>8</b>
<b>Total Parking Proposed</b>			<b>12</b>

The application materials lack a clear description of how customer queuing and parking will be controlled at this facility for both recreational and medical customers. While a number of adult-use retailers have opened in the Greater Boston area, the location in Arlington is poised to have increased demand and attract customers from areas to the north of the community who may not want to travel south into Newton or Brookline or north to Lowell to purchase the products.

The Traffic Impact Analysis provided by the Applicant shows an increase in trips to the property in comparison to the existing use. The trip generation analysis found that there will be 23 weekday a.m. peak hour vehicles and 33 weekday p.m. peak hour vehicles. Based on reconnaissance done at other retailers in the Greater Boston area, the p.m. peak hour is described as 11 a.m. to noon and the p.m. peak hour is described as 6 p.m. to 7 p.m. Weekend daily trips are estimated as 570 trips.

While the Traffic Impact Analysis found that the daily increase of trips on Massachusetts Avenue would have a negligible impact due to the usage of this roadway, the limited off-street parking (even with the reconfiguration) appears inadequate to handle the flow of customers. The analysis also indicates that visits will be between 15 to 20 minutes allowing the parking spaces to turn over 3 to 4 times per hour and thereby able to accommodate the weekday p.m. peak hour of 33 vehicles.

The floor plan includes an interior vestibule that can be used for queuing. The Applicant estimates that 35 to 40 people can occupy the floorplate, and with an average transaction time of 15 minutes, 105 to 160 customers can be served each hour. It should be noted that only 15 people at a time can queue within the interior vestibule; the remaining 20 to 25 people would be on the sales floor. The application materials indicate that queuing would not be allowed on the public sidewalk, and would be accommodated on the private sidewalk leading toward the rear of the property. It should be noted that this also appears to be the accessible route to enter the building, and people queuing along this sidewalk may impede accessibility.

The Traffic Impact Analysis should more properly project demand. To that end, the Applicant should provide a more critical analysis of parking and queue demands:

1. The analysis indicates that most employees take public transportation; however, the Applicant should consider providing off-site parking for employees in order to fully utilize the on-site parking for customers. It should be noted that the sight lines for vehicles exiting the property are extremely limited, so frequent departures from the parking lot may cause conflicts between pedestrians and exiting vehicles.
2. Conversely, the Applicant should consider not using the on-site parking for customers and rather use the rear parking lot for employee parking and queue management.
3. The facility will be a co-located marijuana retailer and medical marijuana treatment center. The Applicant should specify if there is a separate queueing process for medical patients.
4. There may be a need to identify off-site parking for employees regardless of how the on-site parking is utilized. The Applicant should investigate options for long-term employee parking. The Applicant should develop a Transportation Demand Management that incentivizes employees to utilize public transportation to access the facility.
5. The other tenant in the building is a Bank of America ATM, and the application materials do not indicate whether Bank of America customers have use of the parking lot. The Applicant should provide this clarification.
6. Related to bicycle parking, in Section 6.1.12(A), when the difference in the number of bicycle parking spaces for a conversion is less than two spaces, the requirements do not apply. The Applicant should think critically about whether there is a viable location to install short-term bicycle parking on-site. The application materials did indicate that the employees would be allowed to bring their bicycles into the building, but there is no formal accommodation for indoor long-term bicycle parking.

The Applicant should be required to develop a Parking and Queue Management Plan that outlines how the facility will address parking and queue management once the above questions are answered. This Plan should be developed in coordination with the Arlington Police Department and the Department of Planning and Community Development. In addition to developing the Plan, there should be regular meetings to assess how parking and queueing is being handled.

**5. EDR-5 Surface Water Drainage**

**Special attention shall be given to proper site surface drainage so that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Available Best Management Practices for the site should be employed, and include site planning to minimize impervious surface and reduce clearing and re-grading. Best Management Practices may include erosion control and stormwater treatment by means of swales, filters, plantings, roof gardens, native vegetation, and leaching catch basins. Stormwater should be treated at least minimally on the development site; that which cannot be handled on site shall be removed from all roofs, canopies, paved and pooling areas and carried away in an underground drainage system. Surface water in all paved areas shall be collected in intervals so that it will not obstruct the flow of vehicular or pedestrian traffic and will not create puddles in the paved areas. In accordance with Section 3.3.4., the Board may require from any Applicant, after consultation with the Director of Public Works, security satisfactory to the Board to insure the maintenance of all stormwater facilities such as catch basins, leaching catch basins, detention basins, swales, etc. within the site. The Board may use funds provided by such security to conduct maintenance that the Applicant fails to do. The Board may adjust in its sole discretion the amount and type of financial security such that it is satisfied that the amount is sufficient to provide for any future maintenance needs.**

The application materials indicate that the Applicant will clean existing on-site catch basins and install gas-traps and hoods to outlet pipes. There is an opportunity for the Applicant to incorporate low-impact development techniques such as installing a rain garden or similar feature in the landscaped area in the southwest corner of the property to improve the quality of stormwater runoff from the site. Additionally, there may be the opportunity to use permeable pavement in the area of the reconfigured parking spaces to contribute to the on-site infiltration of stormwater.

**6. EDR-6 Utilities Service**

**Electric, telephone, cable TV, and other such lines of equipment shall be underground. The proposed method of sanitary sewage disposal and solid waste disposal from all buildings shall be indicated.**

There will be no cultivation or processing of marijuana at this proposed facility. Existing utility systems will be reused. Solid waste of non-marijuana material will be disposed of through a private contract. Any solid waste will be stored in large tote bins

and be placed outside for removal. Solid waste containing marijuana material will be disposed at Apothca's off-site cultivation facility in compliance with the Cannabis Control Commission's regulations. The Board can find that this condition is met.

**7. EDR-7 Advertising Features**

**The size, location, design, color, texture, lighting and materials of all permanent signs and outdoor advertising structures or features shall not detract from the use and enjoyment of proposed buildings and structures and the surrounding properties.**

The application materials include a proposed wall sign that measures approximately 24.2 square feet. A wall sign of this size is in compliance with the sign regulations. The Applicant should provide more detailed drawings including illustrating the sign material, lighting, and color, as well as how the sign would be affixed to the structure and the mounting height.

**8. EDR-8 Special Features**

**Exposed storage areas, exposed machinery installations, service areas, truck loading areas, utility buildings and structures, and similar accessory areas and structures shall be subject to such setbacks, screen plantings or other screening methods as shall reasonably be required to prevent their being incongruous with the existing or contemplated environment and the surrounding properties.**

There are no such special features proposed for the site. Deliveries will be made from the site and non-marijuana solid waste will be stored inside until pick-up by a private waste hauler. To reduce noise from deliveries or from solid waste removal, the Board may request information on anti-idling measures and time of day restrictions to ensure that these services do not impact the surrounding residential properties.

**9. EDR-9 Safety**

**With respect to personal safety, all open and enclosed spaces shall be designed to facilitate building evacuation and maximize accessibility by fire, police and other emergency personnel and equipment. Insofar as practicable, all exterior spaces and interior public and semi-public spaces shall be so designed to minimize the fear and probability of personal harm or injury by increasing the potential surveillance by neighboring residents and passersby of any accident or attempted criminal act.**

As noted in the application materials, security is important to Apothca, and surveillance cameras will be installed within the building and on the site. Footage from these cameras will also be made available to the Arlington Police Department. Additionally, a lighting plan is provided with the application materials. The lighting plan indicates that the rear parking lot will be well-illuminated providing additional safety for employees and customers. The Applicant may want to consider modifying the choice of fixtures to reduce illumination onto abutting properties, especially the residential properties at the rear of the project site.



**10. EDR-10 Heritage**

**With respect to Arlington's heritage, removal or disruption of historic, traditional or significant uses, structures or architectural elements shall be minimized insofar as practical whether these exist on the site or on adjacent properties.**

The existing structure is not listed on the *Inventory of Historically or Architecturally Significant Properties in the Town of Arlington* nor is it under the jurisdiction of the Arlington Historical Commission. As such, the site contains no historic, traditional or significant uses, structures or architectural elements. The Board can find that this condition is met.

The property to the south of the project site at 1378 Massachusetts Avenue is under the jurisdiction of the Historical Commission. The redevelopment of the subject property will not disrupt historic, traditional, or significant uses, structures, or architectural elements that exist on that adjacent property.

**11. EDR-11 Microclimate**

**With respect to the localized climatic characteristics of a given area, any development which proposes new structures, new hard surface, ground coverage or the installation of machinery which emits heat, vapor or fumes shall endeavor to minimize insofar as practicable, any adverse impacts on light, air and water resources or on noise and temperature levels of the immediate environment.**

There are no proposed changes that will impact the microclimate. The Board can find that this condition is met.

**12. EDR-12 Sustainable Building and Site Design**

**Projects are encouraged to incorporate best practices related to sustainable sites, water efficiency, energy and atmosphere, materials and resources, and indoor environmental quality. Applicants must submit a current Green Building Council Leadership in Energy and Environmental Design (LEED) checklist, appropriate to the type of development, annotated with narrative description that indicates how the LEED performance objectives will be incorporated into the project.**

The application materials include a LEED Checklist for Existing Buildings. While the proposed project does not score highly on the LEED Checklist, the Applicant has provided a list of measures that Apothca will take to incorporate best practices related to sustainability. These include encouraging the use of public transportation by employees and customers, installing interior and exterior LED light fixtures, using Energy Star appliances, installing low-flow fixtures and replacing the water meter, as well as installing gas traps on catch basins. These are reasonable measures for an existing building. The Board can find that this condition is met.

#### IV. Conditions

##### **General**

1. The final design, sign, exterior material, landscaping, and lighting plans shall be subject to the approval of the Arlington Redevelopment Board at the time when future operators are identified. Any substantial or material deviation during construction from the approved plans and specifications is subject to the written approval of the Arlington Redevelopment Board
2. Any substantial or material deviation during construction from the approved plans and specifications is subject to the written approval of the Arlington Redevelopment Board.
3. The Board maintains continuing jurisdiction over this permit and may, after a duly advertised public hearing, attach other conditions or modify these conditions as it deems appropriate in order to protect the public interest and welfare.
4. Snow removal from all parts of the site, as well as from any abutting public sidewalks, shall be the responsibility of the owner and shall be accomplished in accordance with Town Bylaws.
5. Trash shall be picked up only on Monday through Friday between the hours of 7:00 am and 6:00 pm. All exterior trash and storage areas on the property, if any, shall be properly screened and maintained in accordance with the Town Bylaws.
6. The Applicant shall provide a statement from the Town Engineer that all proposed utility services have adequate capacity to serve the development. The Applicant shall provide evidence that a final plan for drainage and surface water removal has been reviewed and approved by the Town Engineer.
7. Upon installation of landscaping materials and other site improvements, the Applicant shall remain responsible for such materials and improvement and shall replace and repair as necessary to remain in compliance with the approved site plan.
8. Upon the issuance of the building permit the Applicant shall file with the Inspectional Services Department and the Police Department the names and telephone numbers of contact personnel who may be reached 24 hours each day during the construction period.

## **Special Conditions**

1. The Applicant shall work with the Department of Planning and Community Development and the Police Department to prepare a Parking and Queue Management Plan. During the first three months of operation, the parties shall revisit the Parking and Queue Management Plan to determine whether any adjustments must be made.
2. The Applicant shall be responsible for the cost of any police details provided by the Arlington Police Department to oversee circulation of vehicles and pedestrians.
3. Queueing shall be prohibited in the public right-of-way.
4. A Transportation Demand Management Plan shall be prepared for employees and approved by the Department of Planning and Community Development.



**TOWN OF ARLINGTON**  
DEPARTMENT OF PLANNING and  
COMMUNITY DEVELOPMENT

TOWN HALL, 730 MASSACHUSETTS AVENUE  
ARLINGTON, MASSACHUSETTS 02476  
TELEPHONE 781-316-3090

**MEMORANDUM**

To: Arlington Redevelopment Board members  
From: Erin Zwirko, Assistant Director of Planning and Community Development  
Date: November 12, 2019  
RE: Review of the Apothca Special Permit Application by Marijuana Study Group

---

The Marijuana Study Group was formed in the fall of 2018 to prepare and advance zoning amendment recommendations to the Arlington Redevelopment Board to address adult-use marijuana. The Marijuana Study Group includes the Town Manager, Town Counsel, the Health and Human Services Director, the Police Chief, the Building Inspector, a member of the ARB and the Select Board, five residents, and staff from the Department of Planning and Community Development.

The Marijuana Study Group was also engaged by the Select Board to review the applications for Host Community Agreements in May 2019.

When the Apothca Special Permit application was received, the Department reached out the Marijuana Study Group to inquire whether any of the members would be interested in reviewing the Special Permit Application. Attached to this memo cover letter, please find comments from Sarah Augood and Paul Czech. We appreciate the time and thoughtful comments from these two members.



**From:** "Paul A. Czech, Esq." <paul@paulczechlaw.com>  
**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,  
P.

Paul A. Czech, Esquire  
The Law Offices of Paul A. Czech  
215-668-4722

**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 13<sup>th</sup> 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.

79 of 92

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** - 1<sup>st</sup> facility in Arlington for sale of medical marijuana, so impact unknown.
- G. **Excessive Use and impact on district** - 1<sup>st</sup> 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](mailto: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 met 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

Erin Zwirko, AICP, LEED AP  
Assistant Director  
Department of Planning and Community Development  
Town of Arlington  
direct: 781-316-3091  
[ezwirko@town.arlington.ma.us](mailto:ezwirko@town.arlington.ma.us)

81 of 92

From: "Erin Zwirko" <[EZwirko@town.arlington.ma.us](mailto:EZwirko@town.arlington.ma.us)>  
To: [AChapdelaine@town.arlington.ma.us](mailto:AChapdelaine@town.arlington.ma.us), [abunnell@town.arlington.ma.us](mailto:abunnell@town.arlington.ma.us),  
[CBongiorno@town.arlington.ma.us](mailto:CBongiorno@town.arlington.ma.us), [ddunn@town.arlington.ma.us](mailto:ddunn@town.arlington.ma.us), [DHeim@town.arlington.ma.us](mailto:DHeim@town.arlington.ma.us),  
[JRaitt@town.arlington.ma.us](mailto:JRaitt@town.arlington.ma.us), [joemoen@gmail.com](mailto:joemoen@gmail.com), [jordanweinstein@rcn.com](mailto:jordanweinstein@rcn.com),  
[JFlaherty@town.arlington.ma.us](mailto:JFlaherty@town.arlington.ma.us), [kristina.d.cairns@gmail.com](mailto:kristina.d.cairns@gmail.com), [MByrne@town.arlington.ma.us](mailto:MByrne@town.arlington.ma.us),  
[paul@paulczechlaw.com](mailto:paul@paulczechlaw.com), [sja6373@gmail.com](mailto:sja6373@gmail.com)  
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/AAAAJbnSNo5VfwADaMQYMy5Xa?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

Erin Zwirko, AICP, LEED AP  
Assistant Director  
Department of Planning and Community Development  
Town of Arlington  
730 Massachusetts Avenue  
Arlington, MA 02476  
direct: 781-316-3091  
[ezwirko@town.arlington.ma.us](mailto:ezwirko@town.arlington.ma.us)

<Memo to Marijuana Study Group Reviewers.doc>



## Town of Arlington, Massachusetts

---

### Correspondence received:

#### Summary:

Email from Patricia Worden 110119 with attachments

Attachment 1 - Guest commentary Atwood Apr 29, 2010 jlw (1)

Attachment 2 - Itr Byrne 2-5-16

Attachment 3 - Memo to ARB 7-22-10

Attachment 4 - The Atwood House part ii 2010

#### ATTACHMENTS:

Type	File Name	Description
▢ Reference Material	Correspondence_Received_-_Email_from_Patricia_Worden_110119.pdf	Correspondence received - Email from Patricia Worden 110119
▢ Reference Material	Guest_commentary_Atwood_Apr_29__2010_jlw_(1)[1].doc	Attachment 1 - Guest commentary Atwood Apr 29, 2010 jlw (1)
▢ Reference Material	Itr_Byrne_2-5-16[1].doc	Attachment 2 - Itr Byrne 2-5-16
▢ Reference Material	Memo_to_ARB_7-22-10[1].doc	Attachment 3 - Memo to ARB 7-22-10
▢ Reference Material	The_Atwood_House_part_ii_2010.pdf	Attachment 4 - The Atwood House part ii 2010

Dear Members of the Redevelopment Board, Members of the Select Board & Ms. Raitt,

Town residents who use Massachusetts Avenue (most of us) would be grateful to you if you would arrange for rehabilitation of the Atwood House in conformance with the provisions for its protection put in place with the arrival of CVS. It would be a huge improvement to have the vandalized structure brought back to its attractive appearance and hopefully to good use. It has been depressing to see blight allowed to develop with full awareness of Town officials and in an area frequented by our high school students. What does that say to them about appreciation for our historic structures, environment, and aesthetics? And what does it say to developers/landowners about complying with permit requirements? Is the Town willing to turn a blind eye to developers who have been required to preserve a valuable structure but nevertheless neglect and abandon it hoping it will just disappear? It is hoped that the current requests of the owner and his attorney which require reopening of the permit, and your Board's own prior commitment to preservation will enable rehabilitation of the Atwood House by resolution of those parts of the permit that have been ignored by the property owner for the past decade.

You might find the comment of Richard Duffy (former Arlington Historical Commission Chair) interesting:

"The Atwood House was an important point of reference when the large CVS was to be built. It was to function as a sort of visual transition from the First Baptist Church to the CVS. Moreover, the roof ridge of the CVS building was designed to be at the height of that of the Atwood house."

Very truly yours,

Patricia

P.S. You are probably already familiar with my husband's early communication on this subject but I have also attached them here for your convenience.

Patricia Barron Worden  
[pworden@post.harvard.edu](mailto:pworden@post.harvard.edu)



## **Guest commentary: CVS and the Atwood House**

Next

**By John L. Worden III**

Posted Apr 29, 2010 at 12:01 AM Updated Apr 29, 2010 at 4:12 PM

Guest commentary by John L. Worden III

In the past few days, several people have asked me about the CVS building being built at the site of the former Buick dealership on Massachusetts Avenue, between the high school and the Baptist church. Why is it so big? Why is it so close to the street? Why is such a big building being made of wood rather than masonry? Why is it progressing rapidly while the historic Atwood House appears neglected and abandoned? What about the promised affordable units in the Atwood House?

The answers, to some extent, can be found in the permit of the Arlington Redevelopment Board (ARB), issued about a year ago. Since I attended many of the hearings prior to that decision, I do know something about the project.

The size and shape came out of the process that led to the ARB decision. Originally, CVS wanted to build a typical suburban brick box, centered in a sea of asphalt, and to tear down the Atwood house, replacing it with an ATM kiosk. The ARB and the public objected strongly to these concepts — in fact, our present planning director, Carol Kowalski, speaking as a resident and prior to her present appointment, made a particularly good presentation of more suitable designs which CVS had erected in other communities.

The ARB's preference is for new commercial development to have the "street face" pretty much directly on the street, as is the case with most of the storefronts in the commercial nodes, so as to avoid parking right along the sidewalk. In this case, it would have been better set back a bit with grass and landscaping between the building and the sidewalk.

One of the only redeeming factors about the project was that the Atwood House would be preserved and redeveloped as much needed affordable housing — real affordable housing where all units have below market rents, rather than the 40B type where only 25 percent are "affordable." The Housing Corporation of Arlington (HCA) prepared preliminary plans, which included an extension to the rear, and provision was made for ten parking spaces behind the house, which would be accessed from the left (or west) of the CVS store.

The ARB's permit contains several pertinent references. For example: "The Atwood House is to remain. It is important that the current design retains the Atwood House in its current location on the site ... The Atwood House, and the current design of the CVS building itself present an appropriate streetscape for this part of Mass. Ave. in this area." (Pages 4-5). "The Atwood House

is listed as a significant building under Arlington By Laws, as is the Baptist Church next door. The applicant has stated that the Atwood House will be retained on the site, and the proposed plan reflects that.” (Page 7). “The retention of the Atwood House and the siting of the CVS building near the sidewalk have improved the presence the development makes on the avenue.” (Page 8). “The Atwood House shall remain at its present location on the site.” (Page 10).

But on that same page 10 comes this wrenching statement: “No requests to move or demolish the house by amending this special permit will be made within 24 months of the date of the issuance of this permit.” Nowhere in the foregoing nine pages of the permit is there any reference to demolition or moving — this phrase seems to have come out of thin air.

HCA is prepared and committed to going ahead with the conversion of the Atwood House for affordable housing in an historically appropriate manner. Since the land is being leased rather than sold, they need a land lease — at a nominal price, which would provide a nice charitable deduction for the Noyes property owners — for a substantial period in order to justify the investment they are prepared to make and to satisfy perpetuity requirements. However, the developer has made no moves toward the promised restoration.

The ARB retains jurisdiction over the project. They should immediately amend the permit to require redevelopment of the Atwood House to proceed simultaneously with the CVS construction, with no occupancy permit being given for the latter until the former is also complete. In that way, the promises of the developer and the decision of the ARB will be honored, the developer will get a charitable deduction, and the town will get some affordable housing units in a restored historic house — what some call a “win-win-win” solution.

**27 JASON STREET  
ARLINGTON, MASSACHUSETTS 02476**

TELEPHONE (781) 646-8303

[JWORDEN@SWWALAW.COM](mailto:JWORDEN@SWWALAW.COM)

February 6, 2016

Mr. Michael Byrne, Director of Inspectional Services  
51 Grove Street  
Arlington, Massachusetts 02476

Atwood House

Dear Michael,

It has come to my attention that several windows of the Atwood House – the historic building adjacent to the new CVS store – have been boarded up. Since this has persisted for far longer than seven days, it would seem to be in violation of the By-Laws, Title V, Article 7.

I recall, and perhaps you do too, when Town Meeting amended the By-Laws to add this provision. There was a lot of concern about the unfortunate aspect that boarded-up buildings created, particularly along major thoroughfares, and it is mandated that this should only be done temporarily and for the most serious reasons.

If the boarding-up is under one of the exceptions to that provision, then it would seem to be a change in the building, which, under the EDR permit for the CVS store would require application to the Historical Commission and/or a reopening of the hearing by the Arlington Redevelopment Board for an application to amend the permit. Boarded-up windows are certainly not the “present condition” required by the permit.

Here are the relevant paragraphs from the Redevelopment Board’s Decision of April 13, 2009, regarding the development of the CVS store on the former Hodgden-Noyes automobile dealership (Docket No. 3348)

**EDR-10 Heritage: with respect to Arlington’s heritage, removal or disruption of historic, traditional, or significant uses, structures or architectural elements shall be minimized insofar as practical, whether these exist on the site or on adjacent properties.**

The site has no historical structure, and the site has no historical significance. Before it became an auto dealership, there were three or four houses on the site, including the Atwood House, which remains today. The Atwood House is listed as a significant building under Arlington Town Bylaws, as is the Baptist Church next door. The applicant has stated that the Atwood House will be retained on the site, and the proposed plan reflects that. Any addition or modification of the Atwood House would have to respect Town bylaws regarding significant structures. Any modification of the Atwood House will require an amendment of this special permit. The Board finds that the proposal meets this standard.

5. The Atwood House shall remain at its present location on the site, and reasonable and diligent efforts shall be used to maintain its present condition to prevent any damage from the elements or otherwise, until it is redeveloped. It is acknowledged that ten parking spaces behind the Atwood House are reserved for its use. It is further acknowledged that the plan of the site leaves space behind the Atwood House to accommodate a possible future expansion of the structure, and that no use of that portion of the site will preclude such an expansion. Redevelopment of the house will require the amendment of this special permit, regardless of whether the proposed use of the structure is allowed by right or by special permit (as such are listed in the Arlington Zoning Bylaw). No requests to move or demolish the house by amending this special permit will be made within 24 months of the date of issuance of this permit.

Your early attention to this matter would be much appreciated.

Sincerely yours,

John L. Worden III

JLW/st

cc: Town Manager  
Arlington Redevelopment Board chairman  
Dept. of Planning & Community Development  
Historical Commission chairman  
Town Counsel  
Carol Kowalski  
John Atwood



## THE ATWOOD HOUSE

*With respect to Arlington's heritage, removal or disruption of historic, traditional, or significant uses, structures, or architectural elements shall be minimized insofar as practicable, whether these exist on the site or on adjacent properties. - Arlington Zoning By-Law, Section 11.06 (f) (10)*

The Atwood House at 821 Massachusetts Avenue, built in 1897, and occupied by prominent Arlington physician Dr. Charles D. Atwood from 1913 until 1954, unquestionably qualifies for protection under this criterion. The historical significance is particularly outlined in my second article in *The Arlington Advocate* (June 25, 2010) copy attached.

Protection of the house is prominently and repeatedly mentioned as a condition in the Environmental Design Review Permit issued by the Board on April 13, 2009. The principal part of the permit, the members will recall, was for the construction of a large CVS drugstore. This structure, it is plain to see from the street, is now nearing completion. The following are quotations from the Board's decision:

"The Atwood House will not be demolished but will remain. . . . The applicant has indicated that it wishes to *complete the permitting* of the CVS drugstore, and will return to modify the special permit when the use of the Atwood House is determined. The proposed site plan includes the Atwood House, parking spaces that are dedicated to it, and space for an addition to the rear of the structure." - page 1 (emphasis supplied)

"The Atwood House is to remain. It is important that the current design retains the Atwood House in its current location on the site, and accommodates the possible future expansion at the rear of the structure." - page 5

"The Atwood House is listed as a significant building under Arlington Town Bylaws, as is the Baptist Church next door. The applicant has stated that the Atwood House will be retained on the site, and the proposed plan reflects that." - page 7

"The Atwood House *shall remain at its present location on the site*. And reasonable and diligent efforts shall be used to maintain its present condition and prevent damage from the elements or otherwise, until it is redeveloped. (emphasis supplied) It is acknowledged that ten parking spaces behind the Atwood House are reserved for its use. It is further acknowledged that the plan of the site leaves space to accommodate a possible future expansion of the structure, and that no use of that portion of the site will preclude such an expansion." - page 10

At the end of the paragraph immediately above quoted in principal part comes an extraordinary sentence, seemingly out of the air, and in apparent contradiction to all that

has gone before: “No requests to move or demolish the house by amending this special permit will be made within 24 months of the date of issuance of this permit.”

Since the Board retains jurisdiction of the project, it should take two steps at this point:

- (1) amend the permit to strike out the last quoted sentence.
- (2) Since the permitting of the CVS drugstore has long since been competed, demand that the applicant proceed with plans for appropriate redevelopment of the Atwood House.

Respectfully submitted.

John L. Worden III

July 20, 2010

## The Atwood House – Part II

A few weeks ago, the Advocate was good enough to print my guest column on the rather appalling situation of the ever-growing new CVS store and its overshadowed neighbor, the ever more neglected looking Atwood House. The Atwood House, readers will recall, was cited by the Arlington Redevelopment Board, which issued the permit for the CVBS store, as an important aspect of the site and of that section of Massachusetts Avenue.

As the result of my column, I was contacted by an interested reader, John F. Atwood, the grandson of the namesake of the house, and with his help I am able to fill in some of the background, showing how this house is significant not only architecturally, but historically.

According to the Arlington Historical Commission's records, the house was built in 1897 and originally was waterfront property, the backyard overlooking the now-vanished Cutter Mill Pond. According to tradition, the interior main staircase was executed by "Mr. Bilafer the woodworker."

Dr. Charles Fenner Atwood, a graduate of Harvard College (1896) and Harvard Medical School (1900), married Adah C. Gorton, like him, a Rhode Island native. Following initial medical practice in Hyde Park, Dr. Atwood moved to Arlington in 1904 upon accepting the position of town physician, which was followed by nine years as the doctor for the Arlington public schools. In 1911, the Atwoods purchased the house at 821 Massachusetts Avenue, where he established – as was customary in those days – both his office and his residence. Dr. Atwood was one of the original admitting physicians when Symmes Arlington Hospital opened in 1912, and he served a term as chief of the medical staff. He was a member of the Arlington Board of Health for a combined period of 25 years, with notable service during the Great Influenza pandemic of 1918.

Adah Gorton Atwood was active in many local clubs and organizations. After women received the right to vote, she was among the early female members of Arlington's Representative Town Meeting.

Dr. Atwood was in medical practice for nearly a half century. He died in 1954 at the age of eighty. Mrs. Atwood, hoping that the family home/office would continue as a medical facility, sold the property to Dr. William F. McCarty, Jr. (son of the legendary Arlington High School track coach William "Doc"

McCarty). Arlington native Dr. Michael Foley also had his medical office there for a number of years.

John Atwood retains the apartment of his late mother Leila MacAllister Atwood, and after a career as an attorney in federal government service, frequently returns to Arlington, and feels strongly about the importance of preserving and restoring the home. Houses like this, he feels, contribute to the community's sense of place and present an attractive appearance for the Town.

It's evident that the Atwood House is an architectural ornament to the Avenue and provides a fine visual transition element between the First Baptist Church and the new CVS building. But we know that it is also an historic site pertaining to a respected community leader of the first half of the 20th century. When I left the last of the ARB hearings on the CVS project, it was with the understanding, based on what was said by the proponents and the Board that the Atwood House – converted and added to for affordable housing by the Housing Corporation of Arlington – would be an integral and essential element of the project.

Why then does it appear to linger in an increasingly forlorn state as the massive CVS building nears completion? It is time, indeed past time, for the ARB and the developer to step up to the plate and fulfill the promises made.