

CITY OF MARLBOROUGH MEETING POSTING

Meeting Name: City Council Urban Affairs Committee

Date: Wednesday, June 24, 2020

Time: 7:30 PM

Location: City Council Chamber, 2nd Floor, City Hall, 140 Main Street

RECEIVED
CITY CLERK'S OFFICE
CITY OF MARLBOROUGH
2020 JUN 12 P 4:43

This meeting will be held virtually with Councilors attending in person and/or remotely. **NO PUBLIC ATTENDANCE WILL BE PERMITTED.** This meeting will be televised on WMCT-TV (Comcast Channel 8 or Verizon/Fios Channel 34) or you can view the meeting using the link under the Meeting Videos tab on the city website (www.marlborough-ma.gov).

Order No.2019-1007881: Application for Special Permit by Vedi Naturals, LLC, 505 Boston Post Road West (Twin Boro Crossing) to operate an Adult Use Marijuana Facility
-In Urban Affairs
Public Hearing: January 27, 2020

THE LISTING OF TOPICS THAT THE CHAIR REASONABLY ANTICIPATES WILL BE DISCUSSED AT THE MEETING IS NOT INTENDED AS A GUARANTEE OF THE TOPICS THAT WILL HAVE BEEN DISCUSSED. NOT ALL TOPICS LISTED MAY IN FACT BE DISCUSSED, AND OTHER TOPICS NOT LISTED MAY ALSO BE BROUGHT UP FOR DISCUSSION TO THE EXTENT PERMITTED BY LAW.

The public should take due notice that the Marlborough City Council may have a quorum in attendance due to Standing Committees of the City Council consisting of both voting and non-voting members. However, members attending this duly posted meeting are participating and deliberating only in conjunction with the business of the Standing Committee.

Electronic devices, including laptops, cell phones, pagers, and PDAs must be turned off or put in silent mode upon entering the City Council Chamber, and any person violating this rule shall be asked to leave the chamber. Express authorization to utilize such devices may be granted by the President for recordkeeping purposes.

COMMENTS FROM MANAGERS

SPECIAL PERMIT APPLICATION
TO OPERATE ADULT USE
MARIJUANA FACILITY

VEDI NATURALS, LLC

505 BOSTON POST ROAD WEST

City Council

From: Thomas DiPersio
Sent: Wednesday, June 17, 2020 10:02 AM
To: City Council; Priscilla Ryder; David Giorgi; Kevin Breen; John Garside; Jeffrey Cooke
Cc: Susan Brown; Krista Holmi; Tina Nolin; Kathleen Robey
Subject: RE: Urban Affairs to meet June 24, 2020 at 7:30PM regarding Application for Special Permit by Vedi Naturals, LLC, 505 Boston Post Road West (Twin Boro Crossing) to operate an Adult Use Marijuana Facility

To Urban Affairs Committee,

My only comment relative to this application is regarding the site access point on Boundary Street. The sight distance for drivers leaving the site looking north on Boundary is limited. Although this is an existing condition which is inherent to the site due to the curve in the road, I believe sight distance could be improved with some minor work such as clearing of vegetation and possibly some regrading of the shoulder area. In my opinion the increase in traffic to the site that this proposed use may cause, warrants some minor work if it will help.

This comment was relayed to the applicant at yesterday's Site Plan Review Committee meeting, and they indicated that they would look into it.

Please contact me with any questions.
Thank you

Thomas DiPersio, Jr., PE, PLS
City Engineer
Department of Public Works
135 Neil Street
Marlborough, MA 01752
Phone:(508)624-6910x33200
tdipersio@marlborough-ma.gov



From: City Council <citycouncil@marlborough-ma.gov>
Sent: Friday, June 12, 2020 6:30 PM
To: Priscilla Ryder <pryder@marlborough-ma.gov>; Thomas DiPersio <tdipersio@marlborough-ma.gov>; David Giorgi <dgiorgi@marlborough-ma.gov>; Kevin Breen <kbreen@marlborough-ma.gov>; John Garside <jgarside@marlborough-ma.gov>; Jeffrey Cooke <jcooke@marlborough-ma.gov>
Cc: Susan Brown <sbrown@marlborough-ma.gov>; Krista Holmi <kholmi@marlborough-ma.gov>; Tina Nolin <tnolin@marlborough-ma.gov>; Kathleen Robey <atlarge_4@marlborough-ma.gov>
Subject: Urban Affairs to meet June 24, 2020 at 7:30PM regarding Application for Special Permit by Vedi Naturals, LLC, 505 Boston Post Road West (Twin Boro Crossing) to operate an Adult Use Marijuana Facility

To Managers:

City Council

From: Priscilla Ryder
Sent: Wednesday, June 17, 2020 11:06 AM
To: City Council
Cc: Susan Brown; Thomas DiPersio; Jeffrey Cooke; David Giorgi
Subject: RE: Urban Affairs to meet June 24, 2020 at 7:30PM regarding Application for Special Permit by Vedi Naturals, LLC, 505 Boston Post Road West (Twin Boro Crossing) to operate an Adult Use Marijuana Facility

To Urban Affairs Committee,

I have no comments regarding this project as it's not near wetlands and they are not proposing any landscaping changes. The issues raised during the site plan review committee meeting were related to traffic which Tom DiPersio and Chief Giorgi will address.

Thanks!

*Priscilla Ryder
Conservation/ Sustainability Officer
140 Main St., City Hall
Marlborough, MA 01752
508-460-3768*

"Whenever there's a large spill of solar energy, it's just called a nice day" northern sun

From: City Council <citycouncil@marlborough-ma.gov>
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Cc: Susan Brown <sbrown@marlborough-ma.gov>; Krista Holmi <kholmi@marlborough-ma.gov>; Tina Nolin <tnolin@marlborough-ma.gov>; Kathleen Robey <atlarge_4@marlborough-ma.gov>
Subject: Urban Affairs to meet June 24, 2020 at 7:30PM regarding Application for Special Permit by Vedi Naturals, LLC, 505 Boston Post Road West (Twin Boro Crossing) to operate an Adult Use Marijuana Facility

To Managers:

I have attached the posting for the June 24th Urban Affairs Committee meeting. By way of reminder your comments will assist the committee in its deliberations on the Vedi Naturals adult use marijuana facility.

I understand Atty. Falk will address the site plan at your meeting next Tuesday.

Thank you.

KB

Karen A. Boule
City Council Secretary

City Council

From: David Giorgi
Sent: Monday, June 22, 2020 2:29 PM
To: City Council; Priscilla Ryder; Thomas DiPersio; Kevin Breen; John Garside; Jeffrey Cooke
Cc: Susan Brown; Krista Holmi; Tina Nolin; Kathleen Robey
Subject: RE: Urban Affairs to meet June 24, 2020 at 7:30PM regarding Application for Special Permit by Vedi Naturals, LLC, 505 Boston Post Road West (Twin Boro Crossing) to operate an Adult Use Marijuana Facility

Good Afternoon Urban Affairs Committee Members,

As with the Garden Remedies location on Boston Post Road east, my concern with the Vedi Naturals location on Boston Post Road west covers three areas: security of the business; the impact on traffic conditions in the area; and the parking concerns for the property and other tenants.

With reference to the security of the business, I have spoken to the owners and Attorney Falk and, has been indicated, adjustments have been made to the entry/exit point of the business which should improve the ability to maintain security of the facility. Additional exterior cameras and the presence of a police detail/security officer will also benefit other tenants in the plaza.

Secondly, with respect to the impact on traffic in the area, the addition of a successful business in the more compact plaza will increase traffic volume on Boundary St. and Boston Post Rd. west. However, the Twin Boro Crossing Plaza does have two points of entry/egress onto Rt.20 and Boundary St. which should help minimize possible traffic back-ups. Having been at the site today, I would agree with the City Engineer's assessment of the access point on Boundary St. as the shoulder area looks to be overgrown and impedes the site distance for a motorist looking to exit the parking lot and turn North or South on Boundary Street. The applicant did express an interest in looking at this issue and this would help.

Lastly, the parking concerns within the property should be looked at. Presently, the Westender has outside seating for its customers and a small area directly behind the restaurant is being used. This use displaces some of their customers to other areas of the property, although this may be resolved as COVID restrictions ease. In looking to maximize parking on the property, there is a fenced area in the north-west corner of the lot which appears to have been a playground area and which could be removed to add additional spaces. Any effort to maximize the available parking spaces in the lot could benefit Vedi Naturals as well as the other tenants.

Should there be any questions or concerns, please let me know.

Thank you,
D. Giorgi

From: City Council <citycouncil@marlborough-ma.gov>
Sent: Friday, June 12, 2020 6:30 PM
To: Priscilla Ryder <pryder@marlborough-ma.gov>; Thomas DiPersio <tdipersio@marlborough-ma.gov>; David Giorgi <dgiorgi@marlborough-ma.gov>; Kevin Breen <kbreen@marlborough-ma.gov>; John Garside <jgarside@marlborough-ma.gov>; Jeffrey Cooke <jcooke@marlborough-ma.gov>
Cc: Susan Brown <sbrown@marlborough-ma.gov>; Krista Holmi <kholmi@marlborough-ma.gov>; Tina Nolin

City Council

From: John Garside
Sent: Monday, June 22, 2020 5:39 PM
To: City Council
Subject: RE: Urban Affairs to meet June 24, 2020 at 7:30PM regarding Application for Special Permit by Vedi Naturals, LLC, 505 Boston Post Road West (Twin Boro Crossing) to operate an Adult Use Marijuana Facility
Attachments: bohmarjuanaregs.pdf

Hello, Attached for reference are the Board of Health Marijuana regulations and the application for a permit can be found on our website. Compliance with these regulations is required, I do not anticipate however that complying with these regulations will be an issue for this facility as currently proposed. --John

From: City Council <citycouncil@marlborough-ma.gov>
Sent: Friday, June 12, 2020 6:30 PM
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Cc: Susan Brown <sbrown@marlborough-ma.gov>; Krista Holmi <kholmi@marlborough-ma.gov>; Tina Nolin <tnolin@marlborough-ma.gov>; Kathleen Robey <atlarge_4@marlborough-ma.gov>
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To Managers:

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I understand Atty. Falk will address the site plan at your meeting next Tuesday.

Thank you.

KB

Karen A. Boule
City Council Secretary

REGULATION TO ENSURE THE SANITARY AND SAFE OPERATION OF MARIJUANA ESTABLISHMENTS AND THE SALE OF MARIJUANA

A. Statement of Purpose and Authority:

Whereas, Massachusetts voters approved the regulation of the use and distribution of marijuana not medically prescribed on November 8, 2016, pursuant to Chapter 344 of the Acts of 2016, as amended by Chapter 55 of the Acts of 2017, an Act to Ensure Safe Access to Marijuana; and

Whereas, the prevention of the illegal sale and use of marijuana, particularly involving youth is a public health priority; and

Whereas, the state regulation at 935 CMR 500.000 allows for lawful local oversight and regulation, including local fee requirements; and

Whereas, Chapter 55 of the Acts of 2017 specifically allows municipalities to “adopt ordinances and by-laws that impose reasonable safeguards on the operation of marijuana establishments” specifically related to “the time, place, and manner of marijuana establishment operations and of any business dealing in marijuana accessories” provided that such restriction “is not unreasonably impracticable and are not in conflict” with the state statute or regulations regulating marijuana sales; and

Whereas, local oversight and inspection of marijuana establishments are within the legal authority of local boards of health to protect public health, safety and welfare; and

Whereas the Massachusetts Supreme Judicial Court had held that “. . . [t]he right to engage in business must yield to the paramount right of government to protect public health by any rational means.”¹

Therefore, in furtherance of its mission to protect, promote, and preserve the health and well-being of all City of Marlborough residents and pursuant to the authority granted to it pursuant to M.G.L. c. 111, §31, the Board of Health of Marlborough enacts a Regulation to ensure the sanitary and safe operation of marijuana establishments and the sale of marijuana.

B. Definitions:

Unless otherwise indicated, terms used throughout this regulation shall be defined as they are in 935 CMR 500.000 and in General Law, MGL c. 94G, 94I.

In addition, for the purposes of this regulation, the following words shall have the following meanings:

Adult-Use only retail tobacco store: An establishment that is not required to possess a retail food permit whose primary purpose is to sell or offer for sale but not for resale, tobacco products and tobacco paraphernalia, in which the sale of other products or offer of services is merely incidental, and in which the entry of persons under the minimum legal sales age is prohibited at all times, and maintains a valid permit for the retail sale of tobacco products as required to be issued by the Marlborough Board of Health.

Person: Any individual, firm, partnership, association, corporation, company or organization of any kind, including but not limited to an owner, operator, manager, proprietor or person in charge of any establishment, business, cultivation property or retail store.

Registered Marijuana Dispensary (RMD): A not-for-profit entity as defined in Chapter 369 of the Acts of 2012 with a registration in good standing that submitted an application for a registration to operate a medical marijuana treatment center to the Department of Public Health before July 28, 2017. Also known in accordance with Chapter 650-32 of the ordinances of the City of Marlborough as "Medical Marijuana Treatment Center".

Self-Service Displays: Any display from which customers may select marijuana or a marijuana-infused product without assistance from an establishment.

Vending Machine: Any automated or mechanical self-service device, which upon insertion of money, tokens or any other form of payment, dispenses or makes marijuana products.

C. Medicinal and Adult-use Marijuana Sales to Persons Under the Minimum Legal Sales Age Prohibited:

1. No Person shall sell Marijuana or Marijuana Products or permit Marijuana or Marijuana Products to be sold to an Individual under the minimum legal sales age unless a qualifying patient; or give Marijuana or Marijuana Products or permit Marijuana or Marijuana Products to be given to an Individual under the minimum legal sales age unless a qualifying patient. The minimum legal sales age for adult-use Marijuana, not medically prescribed, in Marlborough is 21.
2. Each Person selling or distributing Marijuana or Marijuana Products for adult use, not medically prescribed, shall verify the age of the Individual by means of a valid government-issued photographic identification containing the bearer's date of birth that the Individual is 21 years of age or older.
3. All retail sales of Marijuana or Marijuana Products for adult use, not medically prescribed, shall be face-to-face between the seller and the buyer and occur at the permitted location unless and until delivery of adult-use Marijuana Products is authorized and licensed under state regulation and then, in strict compliance with all applicable rules and regulations as well as the age limitation set forth herein. Medical Marijuana delivery shall be in accordance with state law and governing regulations

D. Marijuana Operating Permit:

1. No person shall sell, cultivate, deliver or otherwise commercially distribute marijuana products, as defined herein, within the City of Marlborough without first obtaining a Marijuana Operating Permit issued annually by the Marlborough Board of Health. Only owners of establishments with a permanent, non-mobile location in City of Marlborough are

11. A retail marijuana establishment shall sell primarily marijuana and marijuana accessories. The sale of other products must be merely incidental. A retail marijuana establishment is prohibited from applying for or otherwise holding a tobacco sales permit. A retail marijuana establishment is also prohibited from holding a liquor license or selling or distributing any alcoholic beverage in any form.
12. All Marijuana Operating Permits expire annually on December thirty-first (31st). No permit renewal will be denied based on the requirements of this subsection except any permit holder who has failed to renew his or her permit within thirty (30) days of expiration will be treated as a first-time permit applicant.

E. Incorporation of 105 CMR 500.000 and 105 CMR 590.000:

The manufacture of all edible marijuana products and food products containing marijuana shall be conducted in a state-licensed marijuana manufacturing facility and in accordance with all applicable state regulations. Marijuana establishments and agents shall comply with 105 CMR 500.000, "Good Manufacturing Practices for Food" and 105 CMR 590.000, "Minimum Sanitation Standards for Food Establishments" relative to edible marijuana products.

F. Incorporation of 935 CMR 500.00:

Marijuana establishments and agents shall comply with 935 CMR 500.000.

G. Out-of-Package Sales:

The sale or distribution of edible marijuana products in any form other than an original factory wrapped package is prohibited, including the repackaging or dispensing of any edible marijuana product for retail sale.

H. Self-Service Displays:

All self-service displays of marijuana products are prohibited.

I. Vending Machines:

All vending machines containing marijuana products are prohibited.

J. Compliance with All Laws:

1. All cultivation, processing, manufacturing, delivery, sale and use of marijuana shall be conducted in compliance with all laws, ordinances, regulation or policies applicable to similar activities. This shall include, but not be limited to compliance with food service permit requirements, secondhand smoke regulations, electronic cigarette regulations, nuisance laws and all requirements associated with zoning and other local permitting.

5. Any permit holder or any person or entity charged with violation of any provision of this regulation shall receive a notice of violation from the Marlborough Board of Health or its designated agent. Unless waived by the permit holder, the Board of Health shall conduct a hearing to determine the facts of the violation, the appropriate corrective actions, the terms of suspension, if any, and/or issue a permit revocation order.
6. Prior to issuing any suspension or revocation, the Marlborough Board of Health shall provide the permit holder with notice of the intent to suspend or revoke a permit, which notice shall contain the reasons therefor and establish a time and date for a hearing which date shall be no earlier than 7 days after the date of said notice. The permit holder shall have an opportunity to be heard at such hearing and shall be notified of the Board of Health's decision and the reasons therefor in writing. After a hearing, the Marlborough Board of Health shall suspend or revoke the permit if the Board of Health finds that a violation of this regulation occurred.
7. Each day any violation exists shall be deemed to be a separate offense.

L. Variances:


1. A variance from this regulation may be requested in writing to the Marlborough Board of Health. A variance may be granted by the Marlborough Board of Health after a hearing at which time the applicant establishes the following:
 - a. Strict enforcement of this regulation would do manifest injustice; and
 - b. The granting of a variance shall not in any way impair the public health and safety or the environment.
1. The Board of Health may impose any conditions, safeguards and other limitations on a variance when it deems it appropriate to protect the public health and safety or the environment.

M. Severability:

If any provision of this regulation is declared invalid or unenforceable, the provisions shall not be affected thereby but shall continue in full force and effect.

N. Effective Date:

This regulation shall take effect immediately upon passage by the Board of Health.


Joseph T. Davidson, MD, Chair


James Griffin, Vice Chair


Robin Williams

¹ Druzik et al v. Board of Health of Haverhill, 324 Mass. 129 (1949).

**DECISION FOR SPECIAL PERMIT
IN CITY COUNCIL**

**NOTICE OF DECISION
GRANT OF SPECIAL PERMIT**

Special Permit Application of:
Vedi Naturals LLC
Order No. 19-1007881

Locus:
505 Boston Post Road West
Marlborough, MA 01752
Assessors Map 88, Parcel 3

DECISION

The City Council of the City of Marlborough hereby **GRANTS** the Application for a Special Permit to Vedi Naturals LLC with mailing address of P.O. Box 303, Clinton, MA 01510, as provided in this Decision and subject to the following Findings of Fact and Conditions.

Decision date: _____, **2020**.

The Decision of the City Council was filed in the Office of the City Clerk of the City of Marlborough on the ____ day of _____, **2020**.

This is to certify that twenty (20) days have passed since the filing of the within decision and no appeal has been filed with this office.

Given at Marlborough this the ____ day of _____, **2020**.

Given under Chapter 40A Section 17 of the General Laws.

A TRUE COPY
ATTEST

City Clerk

DECISION ON A SPECIAL PERMIT

Application of:
Vedi Naturals LLC

Locus:
505 Boston Post Road West
Assessors Map 88, Parcel 3

DECISION ON A SPECIAL PERMIT ORDER NO. 19-1007881

The City Council of the City of Marlborough hereby GRANTS the Application for a Special Permit to Vedi Naturals LLC (the "Applicant") to build and operate an Adult Use Marijuana Retail Establishment at 505 Boston Post Road West, Marlborough, Massachusetts, as provided in this Decision and subject to the following Findings of Fact and Conditions.

FINDINGS OF FACT

1. The Applicant is a duly organized and existing limited liability company having a business address of P.O. Box 303, Clinton, MA 01510.
2. The Applicant is the prospective tenant of a commercial retail unit located at 505 Boston Post Road West, Marlborough, Massachusetts, as shown on Marlborough Assessors Map 88, Parcel 3 (the "Site"). The Site's owner is Sparte II Realty Trust, Dino Karalis, Trustee with a business address of 160 Edgell Road, Framingham, MA 01701.
3. In accordance with Article VI, § 650-17, § 650-18(46), and § 650-32 of the Zoning Ordinance of the City of Marlborough, the Applicant proposes to operate an Adult Use Marijuana Retail Establishment at the Site (the "Use").
4. The Site is located in the Business Zoning District with frontage on Boston Post Road West (Route 20).
5. The overall Site has an area of 87,555.6 +/- square feet.
6. The Use will occupy an existing retail unit at the Site with an area of 2,350 +/- square feet.
7. The Applicant, by and through its counsel, filed with City Clerk of the City of Marlborough an Application for a Special Permit ("Application") for the Use, as provided in this Decision.

8. In connection with the Application, the Applicant submitted a certified list of abutters, filing fees, existing site plans for the Site in accordance with Rule 5 of the Rules and Regulations promulgated by the City Council for the issuance of a Special Permit, and a set of drawings of the exterior and interior of the unit associated with the Use (collectively the "Plans").

9. The Application was certified by the Building Commissioner of the City of Marlborough, acting on behalf of the City Planner for the City of Marlborough, as having complied with Rule 4, items (a) through (m), of the Rules and Regulations promulgated by the City Council for the issuance of a Special Permit.

10. Pursuant to the Rules and Regulations of the City Council and applicable statutes of the Commonwealth of Massachusetts, the City Council established a date for a public hearing on the Application and the City Clerk for the City of Marlborough caused notice of the same to be advertised and determined that notice of the same was provided to abutters entitled thereto in accordance with applicable regulations and law.

11. The Marlborough City Council, pursuant to Massachusetts General Laws Chapter 40A, opened a public hearing on the Application on January 27, 2020. The hearing was closed on that date.

12. The Applicant, through its representatives, presented testimony at the public hearing detailing the Use, describing its impact upon municipal services, the neighborhood, and traffic.

13. At the public hearing, one member of the public spoke in favor of the Use and one member of the public spoke in opposition to the Use.

**BASED ON THE ABOVE, THE CITY COUNCIL MAKES THE FOLLOWING
FINDINGS AND TAKES THE FOLLOWING ACTIONS**

A. The Applicant has complied with the Rules and Regulations promulgated by the City Council for the issuance of a Special Permit.

B. The City Council finds that the proposed Use of the Site is an appropriate use and in harmony with the general purpose and intent of the Zoning Ordinance of the City of Marlborough when subject to the appropriate terms and conditions as provided herein. The City Council makes these findings subject to the completion and adherence by the Applicant, its successors and/or assigns to the conditions more fully set forth herein.

C. The City Council finds that the Site is located in the portion of the Business District along Massachusetts State Highway 20 (Boston Post Road West) between the Northborough town line and Massachusetts State Highway Route 495 with frontage along Massachusetts State Highway 20 (Boston Post Road), in accordance with § 650-18(46)(a) and

(b) of the Zoning Ordinance, and that the Site is not located within 500 feet of a school or daycare center, in accordance with§ 650-32.F and§ 650-32.F.1 of the Zoning Ordinance.

D. In accordance with§ 650-32.C of the Zoning Ordinance, the City Council hereby determines that any adverse effects of the Use will not outweigh its beneficial impacts to the City or the neighborhood, in view of the particular characteristics of the Site and of the proposal in relation to the Site, based upon consideration of the following:

1. Social, economic, or community needs which are served by the proposal:

Finding: The Use will provide a safe and convenient location adults to obtain marijuana and marijuana-infused products.

2. Traffic flow and safety, including parking and loading:

Finding: The Site will safely accommodate expected traffic flow from the Use and provide adequate parking and loading capacity.

3. Adequacy of utilities and other public services:

Finding: The Site provides adequate utilities and public services for the Use.

4. Neighborhood character and social structures:

Finding: The Use is consistent with the established retail area in the vicinity of the Site.

5. Impacts on the natural environment:

Finding: The Use will have no greater impact than the established retail uses in the area.

6. Potential fiscal impact, including impact on City services, tax base, and employment:

Finding: The Use will be revenue positive, with additional revenues coming from a local sales tax and host community agreement impact fees.

7. Hours of operation:

Finding: The hours of operation of the Use are specifically conditioned below.

8. Requiring that contact information be provided to the Chief of Police, the Building Commissioner, and the Special Permit Granting Authority:

Finding: The provision of contact information is specifically conditioned below.

9. Requiring payment of a community impact fee:

Finding: The City and the Applicant have entered a host community agreement that requires the payment of impact fees in accordance with statutory requirements.

10. Requiring the submission to the Special Permit Granting Authority of the same annual reports that must be provided to the Commonwealth of Massachusetts Department of Public Health and/or the Massachusetts Cannabis Control Commission:

Finding: This requirement is specially conditioned below.

11. Requiring regular inspections by City officials or their agents, and access to the same records which are available for inspection to the Commonwealth of Massachusetts Department of Public Health and/or the Massachusetts Cannabis Control Commission:

Finding: This requirement is specially conditioned below.

12. Requiring employees to undergo a criminal background check, including but not limited to CORI and an additional background .check, by the Chief of Police who shall have the authority to disapprove the employment of any person(s) as a result of said background check:

Finding: This requirement is specially conditioned below.

13. Requiring surveillance cameras, capable of 24-hour video .recording, archiving recordings and ability to immediately produce images, in, on, around or at the premises:

Finding: This requirement is specially conditioned below.

14. Prohibiting the sale of any materials or items unrelated to the purposes of registration by the Commonwealth of Massachusetts Department of Public Health and/or the Massachusetts Cannabis Control Commission, including, without limitation, tobacco products, clove cigarettes, or e-cigarettes:

Finding: This requirement is specially conditioned below.

15. The ability for the Business to:

- a. provide a secure indoor waiting area for clients;

- b. provide an adequate and secure pick-up/drop-off area for clients, customers and products;
- c. provide adequate security measures to ensure that no individual participant will pose a direct threat to the health or safety of other individuals;
- d. adequately address issues of traffic demand, parking, and queuing, especially at peak periods at the Business, and its impact on neighboring uses; and
- e. provide opaque exterior windows;

Finding: These requirements are specially conditioned below.

16. Signs and signage:

Finding: The signage shown on the Plans is appropriate for the Use.

17. Names of businesses, business logos and symbols, subject to state and federal law and regulations:

Finding: The name of the business, logos, and symbols associated with the Use, as provided in the Application and shown on the Plans, are appropriate for the Use.

E. The City Council, pursuant to its authority under Massachusetts General Laws Chapter 40A and the Zoning Ordinance of the City of Marlborough hereby GRANTS the Applicant a Special Permit to operate an Adult Use Marijuana Retail Establishment, SUBJECT TO THE FOLLOWING CONDITIONS, which conditions shall be binding on the Applicant, its successors and/or assigns:

1. Construction in Accordance with Applicable Laws. Construction is to be in accordance with all applicable Building Codes and Zoning Regulations in effect in the City of Marlborough and the Commonwealth of Massachusetts.

2. Compliance with Applicable Laws. The Applicant, its successors and/or assigns agrees to comply with all municipal, state, and federal rules, regulations, and ordinances as they may apply to the construction, maintenance, and operation of the Use.

3. Site Plan Review. The issuance of the Special Permit is further subject to detailed Site Plan Review in accordance with the City of Marlborough site plan review ordinance prior to the issuance of the building permit, as required by § 650-32.E of the Zoning Ordinance. Any additional changes, alterations, modifications or amendments, as required during the process of Site Plan Review, shall be further conditions attached to the building permit, and no occupancy permit shall be issued until the Applicant has complied with all conditions. Subsequent Site Plan Review shall be consistent with the conditions of this Special Permit and the Plans submitted, reviewed and approved by the City Council as the Special Permit Granting Authority.

4. Incorporation of Submissions. All plans, photo renderings, site evaluations, briefs and other documentation provided by the Applicant as part of the Application, and as amended or revised during the application/hearing process before the City Council and/or the City Council's Urban Affairs Committee, are herein incorporated into and become a part of this Special Permit and become conditions and requirements of the same, unless otherwise altered by the City Council.

5. Compliance with State Requirements. In accordance with §650-18(46)(c) of the Zoning Ordinance, the Use shall comply with all statutes and regulations of the Commonwealth of Massachusetts for the licensure and operation of an Adult Use Marijuana Retail Establishment.

6. Security.

- a. As shown on the Plans, the Applicant, its successors and/or assigns, shall maintain a secure entrance lobby and waiting area providing a physical separation between the exterior door of the unit and interior areas of the unit where marijuana and marijuana infused products are dispensed and sold, with security personnel available during operating hours to screen individuals arriving at the unit, to ensure that interior areas of the unit are only accessible to persons over the age of 21 and to ensure that no individuals pose a direct threat to the health or safety of others.
- b. The Applicant, its successors and/or assigns, shall maintain a secure pick-up / drop-off area for customers and products.
- c. The Use shall have opaque exterior windows.
- d. The Applicant, its successors and/or assigns, shall maintain adequate staffing so that customers may make purchases in an efficient manner to avoid queuing and impacts on neighboring uses.
- e. The Applicant, its successors and/or assigns, shall maintain surveillance cameras capable of 24-hour video recording, archiving recordings, and the ability to immediately produce images, in, on, around, or at the Use.

7. Processing and Odors. There shall be no processing or manufacturing of marijuana or marijuana infused products as part of the Use. Marijuana and marijuana products shall be pre-packaged and sealed prior to arriving at the Site. Any odors associated with marijuana and marijuana infused products shall be limited to the interior of the unit. There shall be no onsite consumption or use of marijuana or marijuana infused products associated with the Use.

8. Hours. The maximum hours of operation of the Use shall be Monday through Saturday, 10:00 a.m. to 8:00 p.m., and Sunday from 10:00 a.m. to 5:00 p.m.

9. Contact Information. The Applicant, its successors and/or assigns, shall provide current contact information of management and staff to the Chief of Police, the Building Commissioner, and the City Council.

10. Annual Reports. The Applicant, its successors and/or assigns, shall submit to the City Council the same annual reports that must be provided to Massachusetts Cannabis Control Commission.

11. Inspections and Records. The Applicant, its successors and/or assigns, shall make the Use available for regular inspections by City officials or their agents, and shall provide City officials or their agents with access to the same records which are available for inspection to the Massachusetts Cannabis Control Commission.

12. Background Checks. The Applicant, its successors and/or assigns, shall require that employees undergo a criminal background check, including but not limited to CORI and an additional background check, by the Chief of Police, who shall have the authority to disapprove the employment of any person(s) as a result of said background check.

13. Unrelated Materials. The Applicant, its successors and/or assigns, shall not make available for sale as part of the Use any materials or items unrelated to the purposes of licensure by the Massachusetts Cannabis Control Commission, including, without limitation, tobacco products, clove cigarettes, or e-cigarettes.

14. Police Detail. The Applicant, its successors and/or assigns, shall employ a City of Marlborough Police detail at the Site during all operating hours for the first sixty (60) days after the commencement of operations, unless the Chief of Police determines in a letter filed with the City Council that a police detail is not necessary during certain times of the day. At the end of the 60-day period, if the Chief of Police determines in a letter filed with the City Council that a police detail is still necessary during all operating hours or at certain times, then the Applicant, its successors and/or assigns, shall continue to employ a City of Marlborough Police detail until deemed unnecessary by the Chief of Police in a letter filed with the City Council. In the event a City of Marlborough Police detail is not available when required, the Applicant, its successors and/or assigns, shall obtain a private detail.

15. Recording of Decision. In accordance with the provisions of Massachusetts General Laws, Chapter 40A, § 11, the Applicant, its successors and/or assigns, at its expense shall record this Special Permit in the Middlesex County South Registry of Deeds after the City Clerk has certified that the twenty-day period for appealing this Special Permit has elapsed with no appeal having been filed, and before the Applicant has applied to the Building Commissioner for a building permit. Upon recording, the Applicant shall forthwith provide a copy of the recorded Special Permit to the City Council's office, the Building Department, and the City Solicitor's office.

Yea: ____ - **Nay:** ____ - **Absent:** ____

Yea: _____, _____, _____, _____, _____, _____, _____, _____,

Nay: _____, _____,

Absent: _____, _____,

Signed by City Council President
Michael H. Ossing

ADOPTED
In City Council
Order No. 19-1007881

DECISION FOR SPECIAL PERMIT
IN CITY COUNCIL

NOTICE OF DECISION
GRANT OF SPECIAL PERMIT

Special Permit Application of:

~~Garden Remedies, Inc.~~

Vedi Naturals LLC

Order No. ~~18-1007318E~~19-1007881

Locus:

~~416505~~ Boston Post ~~Rd.~~Road West

Marlborough, MA 01752

Assessors Map ~~7388~~, Parcel ~~303~~

DECISION

The City Council of the City of Marlborough hereby GRANTS the Application for a Special Permit to ~~Garden Remedies, Inc.~~Vedi Naturals LLC with mailing address of ~~307 Airport Rd., Fitchburg~~P.O. Box 303, Clinton, MA 0142001510, as provided in this Decision and subject to the following Findings of Fact and Conditions.

Decision date: November 5, 2018, 2020.

The Decision of the City Council was filed in the Office of the City Clerk of the City of Marlborough on the 13th day of November, 2018, 2020.

This is to certify that twenty (20) days have passed since the filing of the within decision and no appeal has been filed with this office.

Given at Marlborough this 4th day of December, 2018, 2020.

Given under Chapter 40A Section 17 of the General Laws.

A TRUE COPY

ATTEST

City Clerk

Marginal reference to Book 29928, Page 375

| ~~Property owner: Marlboro Square, LLC~~

DECISION ON A SPECIAL PERMIT

Application of:

~~Garden Remedies, Inc.~~
Vedi Naturals LLC

Locus:

~~416505~~ Boston Post Road West
Assessors Map ~~7388~~, Parcel ~~303~~

DECISION ON A SPECIAL PERMIT ORDER NO. ~~18-1007318E~~19-1007881

The City Council of the City of Marlborough hereby GRANTS the Application for a Special Permit to ~~Garden Remedies, Inc.~~Vedi Naturals LLC (the "Applicant") to build and operate a ~~Medical Marijuana Treatment Center and~~ an Adult Use Marijuana Retail Establishment at ~~416505~~ Boston Post Road West, Marlborough, Massachusetts, as provided in this Decision and subject to the following Findings of Fact and Conditions.

FINDINGS OF FACT

1. The Applicant is a duly organized and existing ~~corporation~~limited liability company having a business address of ~~307 Airport Road, Fitchburg~~P.O. Box 303, Clinton, MA 0142001510.
2. The Applicant is the prospective tenant of a commercial retail unit located at ~~416505~~ Boston Post Road West, Marlborough, Massachusetts, as shown on Marlborough Assessors Map ~~73-as88~~, Parcel ~~303~~ (the "Site"). The Site's owner is ~~Marlboro Square, LLC~~Sparte II Realty Trust, Dino Karalis, Trustee with a business address of ~~449 Boston Post~~160 Edgell Road, Marlborough Framingham, MA 0175201701.
3. In accordance with Article VI, § 650-17, ~~§ 650-18(45)~~, § 650-18(46), and § 650-32 of the Zoning Ordinance of the City of Marlborough, the Applicant proposes to operate a ~~Medical Marijuana Treatment Center and~~ an Adult Use Marijuana Retail Establishment at the Site (the "Use").
4. The Site is located in the Business Zoning District with frontage on Boston Post Road West (Route 20).
5. The overall Site has an area of ~~174,240~~87,555.6 +/- square feet ~~(4 acres)~~.

6. The Use will occupy an existing retail unit at the Site with an area of ~~3,100~~2,350 +/- square feet.

7. The Applicant, by and through its counsel, filed with City Clerk of the City of Marlborough an Application for a Special Permit ("Application") for the Use, as provided in this Decision.

8. In connection with the Application, the Applicant submitted a certified list of abutters, filing fees, existing site plans for the Site in accordance with Rule 5 of the Rules and Regulations promulgated by the City Council for the issuance of a Special Permit, and a set of drawings of the exterior and interior of the unit associated with the Use (collectively the "Plans").

9. The Application was certified by the Building Commissioner of the City of Marlborough, acting on behalf of the City Planner for the City of Marlborough, as having complied with Rule 4, items (a) through (m), of the Rules and Regulations promulgated by the City Council for the issuance of a Special Permit.

10. Pursuant to the Rules and Regulations of the City Council and applicable statutes of the Commonwealth of Massachusetts, the City Council established a date for a public hearing on the Application and the City Clerk for the City of Marlborough caused notice of the same to advertised and determined that notice of the same was provided to abutters entitled thereto in accordance with applicable regulations and law.

11. The Marlborough City Council, pursuant to Massachusetts General Laws Chapter 40A, opened a public hearing on the Application on ~~Monday, August~~January 27, ~~2018~~2020. The hearing was closed on that date.

12. The Applicant, through its representatives, presented testimony at the public hearing detailing the Use, describing its impact upon municipal services, the neighborhood, and traffic.

13. At the public hearing, ~~eight members~~one member of the public spoke in favor of the Use. ~~Two members and one member~~ of the public spoke in opposition to the Use.

**BASED ON THE ABOVE, THE CITY COUNCIL MAKES THE FOLLOWING
FINDINGS AND TAKES THE FOLLOWING ACTIONS**

A. The Applicant has complied with the Rules and Regulations promulgated by the City Council for the issuance of a Special Permit.

B. The City Council finds that the proposed Use of the Site is an appropriate use and in harmony with the general purpose and intent of the Zoning Ordinance of the City of Marlborough when subject to the appropriate terms and conditions as provided herein. The City

Council makes these findings subject to the completion and adherence by the Applicant, its successors and/or assigns to the conditions more fully set forth herein.

C. The City Council finds that the Site is located in the portion of the Business District along Massachusetts State Highway 20 (Boston Post Road West) between the ~~Sudbury~~Northborough town line and ~~Phelps Street~~Massachusetts State Highway Route 495 with frontage along Massachusetts State Highway 20 (Boston Post Road), in accordance with § 650-18(45)(a) and (b) and ~~§ 650-18~~(46)(a) and (b) of the Zoning Ordinance, and that the Site is not located within 500 feet of a school or daycare center, in accordance with § 650-32.F and § 650-32.F.1 of the Zoning Ordinance.

D. In accordance with § 650-32.C of the Zoning Ordinance, the City Council hereby determines that any adverse effects of the Use will not outweigh its beneficial impacts to the City or the neighborhood, in view of the particular characteristics of the Site and of the proposal in relation to the Site, based upon consideration of the following:

1. Social, economic, or community needs which are served by the proposal:

Finding: The Use will provide a safe and convenient location ~~for patients and adults to obtain medication and~~ marijuana ~~and marijuana-infused~~ products.

2. Traffic flow and safety, including parking and loading:

Finding: The Site will safely accommodate expected traffic flow from the Use and provide adequate parking and loading capacity.

3. Adequacy of utilities and other public services:

Finding: The Site provides adequate utilities and public services for the Use.

4. Neighborhood character and social structures:

Finding: The Use is consistent with the established retail area in the vicinity of the Site.

5. Impacts on the natural environment:

Finding: The Use will have no greater impact than the established retail uses in the area.

6. Potential fiscal impact, including impact on City services, tax base, and employment:

Finding: The Use will be revenue positive, with additional revenues coming from a local sales tax and host community agreement impact fees.

7. Hours of operation:

Finding: The hours of operation of the Use are specifically conditioned below.

8. Requiring that contact information be provided to the Chief of Police, the Building Commissioner, and the Special Permit Granting Authority:

Finding: The provision of contact information is specifically conditioned below.

9. Requiring payment of a community impact fee:

Finding: The City and the Applicant have entered a host community agreement that requires the payment of impact fees in accordance with statutory requirements.

10. Requiring the submission to the Special Permit Granting Authority of the same annual reports that must be provided to the Commonwealth of Massachusetts Department of Public Health and/or the Massachusetts Cannabis Control Commission:

Finding: This requirement is specially conditioned below.

11. Requiring regular inspections by City officials or their agents, and access to the same records which are available for inspection to the Commonwealth of Massachusetts Department of Public Health and/or the Massachusetts Cannabis Control Commission:

Finding: This requirement is specially conditioned below.

12. Requiring employees to undergo a criminal background check, including but not limited to CORI and an additional background check, by the Chief of Police who shall have the authority to disapprove the employment of any person(s) as a result of said background check:

Finding: This requirement is specially conditioned below.

13. Requiring surveillance cameras, capable of 24-hour video recording, archiving recordings and ability to immediately produce images, in, on, around or at the premises:

Finding: This requirement is specially conditioned below.

14. Prohibiting the sale of any materials or items unrelated to the purposes of registration by the Commonwealth of Massachusetts Department of Public Health and/or the Massachusetts Cannabis Control Commission, including, without limitation, tobacco products, clove cigarettes, or e-cigarettes:

Finding: This requirement is specially conditioned below.

15. The ability for the Business to:

- a. provide a secure indoor waiting area for clients;
- b. provide an adequate and secure pick-up/drop-off area for clients, customers and products;
- c. provide adequate security measures to ensure that no individual participant will pose a direct threat to the health or safety of other individuals;
- d. adequately address issues of traffic demand, parking, and queuing, especially at peak periods at the Business, and its impact on neighboring uses; and
- e. provide opaque exterior windows;

Finding: These requirements are specially conditioned below.

16. Signs and signage:

Finding: The signage shown on the Plans is appropriate for the Use.

17. Names of businesses, business logos and symbols, subject to state and federal law and regulations:

Finding: The name of the business, logos, and symbols associated with the Use, as provided in the Application and shown on the Plans, are appropriate for the Use.

E. The City Council, pursuant to its authority under Massachusetts General Laws Chapter 40A and the Zoning Ordinance of the City of Marlborough hereby GRANTS the Applicant a Special Permit to operate ~~a Medical Marijuana Treatment Center and~~ an Adult Use Marijuana Retail Establishment, SUBJECT TO THE FOLLOWING CONDITIONS, which conditions shall be binding on the Applicant, its successors and/or assigns:

1. Construction in Accordance with Applicable Laws. Construction is to be in accordance with all applicable Building Codes and Zoning Regulations in effect in the City of Marlborough and the Commonwealth of Massachusetts.

2. Compliance with Applicable Laws. The Applicant, its successors and/or assigns agrees to comply with all municipal, state, and federal rules, regulations, and ordinances as they may apply to the construction, maintenance, and operation of the Use.

3. Site Plan Review. The issuance of the Special Permit is further subject to detailed Site Plan Review in accordance with the City of Marlborough site plan review ordinance prior to the issuance of the building permit, as required by § 650-32.E of the Zoning Ordinance. Any additional changes, alterations, modifications or amendments, as required during the process of Site Plan Review, shall be further conditions attached to the building permit, and no occupancy permit shall be issued until the Applicant has complied with all conditions. Subsequent Site Plan Review shall be consistent with the conditions of this Special Permit and the Plans submitted, reviewed and approved by the City Council as the Special Permit Granting Authority.

4. Incorporation of Submissions. All plans, photo renderings, site evaluations, briefs and other documentation provided by the Applicant as part of the Application, and as amended or revised during the application/hearing process before the City Council and/or the City Council's Urban Affairs Committee, are herein incorporated into and become a part of this Special Permit and become conditions and requirements of the same, unless otherwise altered by the City Council.

5. Compliance with State Requirements. In accordance with ~~§ 650-18(45)(e) and § 650-18(46)(c)~~ of the Zoning Ordinance, the Use shall comply with all statutes and regulations of the Commonwealth of Massachusetts for the licensure and operation of ~~a Medical Marijuana Treatment Center and/or~~ an Adult Use Marijuana Retail Establishment.

6. Security.

- a. As shown on the Plans, the Applicant, its successors and/or assigns, shall maintain a secure entrance lobby ~~and~~ waiting area providing a physical separation between the exterior door of the unit and interior areas of the unit where marijuana and marijuana infused products are dispensed and sold, with security personnel available during operating hours to screen individuals arriving at the unit, to ensure that interior areas of the unit are only accessible to ~~qualified patients / caregivers or~~ persons over the age of 21 and to ensure that no individuals pose a direct threat to the health or safety of others.
- b. The Applicant, its successors and/or assigns, shall maintain a secure pick-up / drop-off area for ~~patients,~~ customers, and products.
- c. ~~As shown on the Plans, the~~ The Use shall have opaque exterior windows.
- d. The Applicant, its successors and/or assigns, shall maintain adequate staffing so that ~~patients and~~ customers may make purchases in an efficient manner to avoid queuing and impacts on neighboring uses.
- e. The Applicant, its successors and/or assigns, shall maintain surveillance cameras capable of 24-hour video recording, archiving recordings, and the ability to immediately produce images, in, on, around, or at the Use.

7. Processing and Odors. There shall be no processing or manufacturing of marijuana or marijuana infused products as part of the Use. Marijuana and marijuana products shall be pre-packaged and sealed prior to arriving at the Site. Any odors associated with marijuana and marijuana infused products shall be limited to the interior of the unit. There shall be no onsite consumption or use of marijuana or marijuana infused products associated with the Use.

8. Hours. The maximum hours of operation of the Use shall be Monday through Saturday, 10:00 a.m. to 8:00 p.m., and Sunday from 10:00 a.m. to 5:00 p.m.

9. Contact Information. The Applicant, its successors and/or assigns, shall provide current contact information of management and staff to the Chief of Police, the Building Commissioner, and the City Council.

10. Annual Reports. The Applicant, its successors and/or assigns, shall submit to the City Council the same annual reports that must be provided to ~~the Commonwealth of Massachusetts Department of Public Health and/or the~~ Massachusetts Cannabis Control Commission.

11. Inspections and Records. The Applicant, its successors and/or assigns, shall make the Use available for regular inspections by City officials or their agents, and shall provide City officials or their agents with access to the same records which are available for inspection to the ~~Commonwealth of Massachusetts Department of Public Health and/or the~~ Massachusetts Cannabis Control Commission.

12. Background Checks. The Applicant, its successors and/or assigns, shall require that employees undergo a criminal background check, including but not limited to CORI and an additional background check, by the Chief of Police, who shall have the authority to disapprove the employment of any person(s) as a result of said background check.

13. Unrelated Materials. The Applicant, its successors and/or assigns, shall not make available for sale as part of the Use any materials or items unrelated to the purposes of ~~registration by the Commonwealth of Massachusetts Department of Public Health and/or licensure by~~ the Massachusetts Cannabis Control Commission, including, without limitation, tobacco products, clove cigarettes, or e-cigarettes.

14. Police Detail. The Applicant, its successors and/or assigns, shall employ a City of Marlborough Police detail at the Site during all operating hours for the first sixty (60) days after the commencement of operations, unless the Chief of Police determines in a letter filed with the City Council that a police detail is not necessary during certain times of the day. At the end of the 60-day period, if the Chief of Police determines in a letter filed with the City Council that a police detail is still necessary during all operating hours or at certain times, then the Applicant, its successors and/or assigns, shall continue to employ a City of Marlborough Police detail until deemed unnecessary by the Chief of Police in a letter filed with the City Council. In the event a City of Marlborough Police detail is not available when required, the Applicant, its successors and/or assigns, shall obtain a private detail.

~~15. — Partial Use: The Applicant, its successors and/or assigns, is not required to operate all portions of the Use simultaneously. The Applicant, its successors and/or assigns, may commence either the Medical Marijuana Treatment Center portion of the Use or the Adult Use Marijuana Retail Establishment portion of the Use upon receipt of all local and state permits and licenses for the respective portion of the Use, and commence the other portion of the Use at a later date. Similarly, if either the Medical Marijuana Treatment Center portion of the Use or the Adult Use Marijuana Retail Establishment portion of the Use ceases, either temporarily or permanently, the Applicant, its successors and/or assigns, may operate the other portion of the Use.~~

16.15. Recording of Decision. In accordance with the provisions of Massachusetts General Laws, Chapter 40A, § 11, the Applicant, its successors and/or assigns, at its expense shall record this Special Permit in the Middlesex County South Registry of Deeds after the City Clerk has certified that the twenty-day period for appealing this Special Permit has elapsed with no appeal having been filed, and before the Applicant has applied to the Building Commissioner for a building permit. Upon recording, the Applicant shall forthwith provide a copy of the recorded Special Permit to the City Council's office, the Building Department, and the City Solicitor's office.

Yea: 10 - Nay: 0 - Absent - 1

~~Yea: Delano, Doucette, Dumais, Tunnera, Irish, Clancy, Landers, Juare, Oram, & Robey.~~

~~Yea: _____~~

~~Nay: _____~~

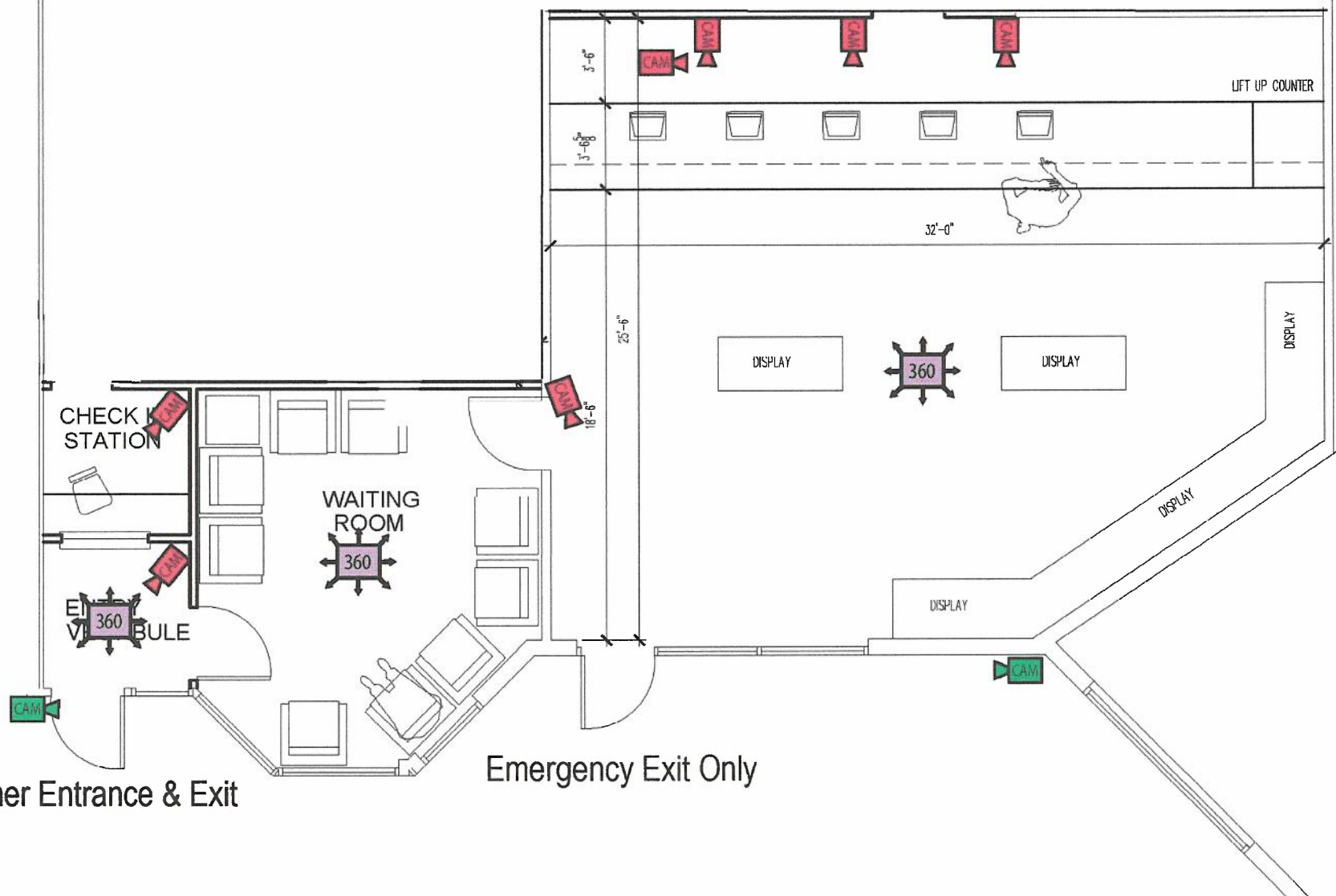
~~Absent: _____, Ossing~~

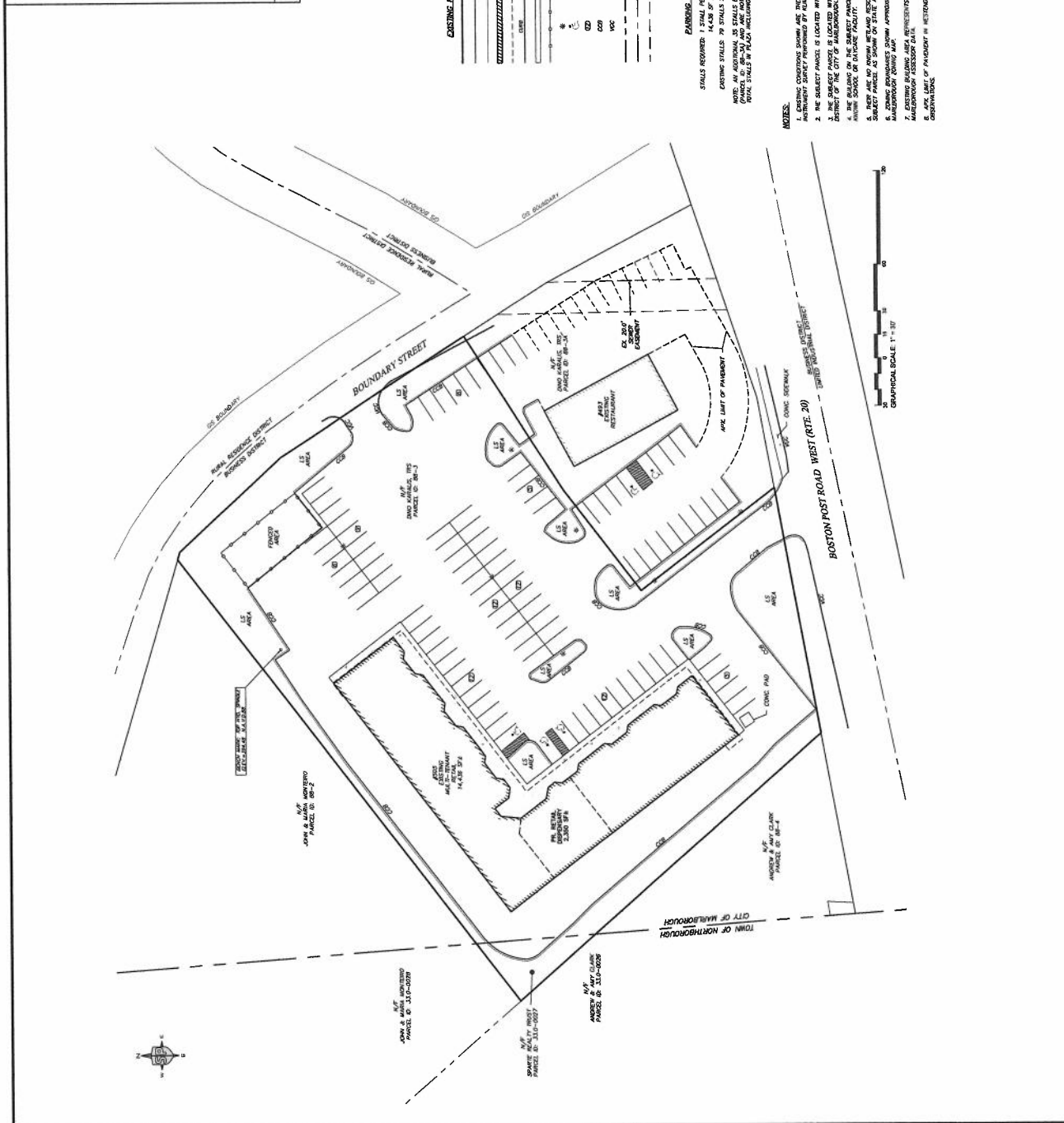
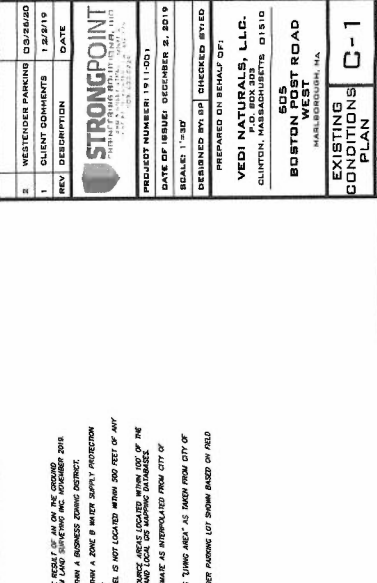
Signed by City Council President
Michael H. Ossing ~~Edward J. Clancy~~

ADOPTED
In City Council
~~18-1007318E~~ Order No. 19-1007881

Customer Entrance & Exit

Emergency Exit Only







McMAHON ASSOCIATES
350 Myles Standish Boulevard, Suite 103
Taunton, MA 02780
p 508-823-2245 | f 508-823-2246

PRINCIPALS

Joseph J. DeSantis, P.E., PTOE
John S. DePalma
Casey A. Moore, P.E.
Gary R. McNaughton, P.E., PTOE
Christopher J. Williams, P.E.

ASSOCIATES

John J. Mitchell, P.E.
R. Trent Ebersole, P.E.
Matthew M. Kozsuch, P.E.
Maureen Chlebek, P.E., PTOE
Dean A. Carr, P.E.
Jason T. Adams, P.E., PTOE
Christopher K. Bauer, P.E., PTOE

FOUNDER

Joseph W. McMahon, P.E.

MEMORANDUM

TO: Eric Dias, Strong Point Engineering
FROM: Phil Viveiros, P.E., PTOE
DATE: March 26, 2020
RE: 505 Boston Post Road West (Route 20), Marlborough, MA

McMahon Associates has completed a traffic assessment for the proposed Marijuana Retail Establishment (MRE) to be located at 505 Boston Post Road West (Route 20), Marlborough, MA, in the Twin Boro Crossing Plaza. Based on the "Existing Conditions Plan" prepared by Strong Point Engineering Solutions, Inc. and dated December 2, 2019, the project calls to reconstruct two of the units located in the plaza into a proposed 2,350 square foot (s.f.) MRE. Access to the proposed site is to be provided through the two existing driveways that provide access to the Twin Boro Crossing Plaza; one on Boston Post Road West (Route 20), and one on Boundary Street. This memorandum outlines the proposed project trip generation, available daily traffic volume data, and a review of project access.

Site Location

The proposed development is to be located at 505 Boston Post Road West (Route 20) as shown in Figure 1. The site is located within the existing Twin Boro Crossing Plaza, located in the northwest corner of the signalized intersection of Boston Post Road West (Route 20) and Boundary Street, just east of the Marlborough/Northborough town line.

Boston Post Road West (Route 20) generally runs in the east-west direction and is classified as an urban principal arterial under Massachusetts Department of Transportation (MassDOT) jurisdiction. Adjacent to the project site, Boston Post Road West (Route 20) provides one travel lane in each direction, each measuring 13 feet wide with six-foot wide shoulders on both sides of the roadway. In the immediate vicinity of Boundary Street, a sidewalk is provided along the northerly side of Boston Post Road West (Route 20).

Boundary Street runs in a northwest-southeast direction and is classified as a major collector under City of Marlborough jurisdiction, connecting Robin Hill Street in the northwest, to Boston Post Road West (Route 20) in the southeast. South of Boston Post Road West (Route 20), the roadway is named Hayes Memorial Drive. In the vicinity of the project site, Boundary Street is a two-way roadway varying in width with no pavement markings. There are no sidewalks provided along Boundary Street.

The Twin Boro Crossing Plaza is located at the northwest corner of the signalized intersection of Boston Post Road West (Route 20) at Boundary Street and Hayes Memorial Drive. The eastbound approach on Boston Post Road West (Route 20) includes a left-turn lane, a through lane, and a shared through and right turn lane. The westbound approach on Boston Post Road West (Route 20) includes a left-turn lane, a through lane, a striped bicycle lane, and a right-turn lane. The northbound approach on Hayes Memorial Drive includes a shared left-turn and through lane and a right-turn lane, and the southbound approach on Boundary Street includes a left-turn lane and a shared through and right-turn lane. A signalized crosswalk is provided across the Boundary Street southbound approach.

Traffic Volumes

Historical count data collected by MassDOT was used to estimate traffic volumes along Boston Post Road West (Route 20) and Boundary Street within the vicinity of the project site. Historical traffic data collected on Wednesday, June 12, 2019 on Boston Post Road West (Route 20) (Site ID 251267) just south of the project site, and traffic volumes collected on Wednesday, June 28, 2017 on Boundary Street (Station ID 3328) just northwest of the project site were reviewed. Saturday traffic data was not collected at either of the MassDOT count stations.

Based on the 2017 MassDOT seasonal factors, traffic volumes collected in June on principal arterials and major collectors are generally higher than the average month. Therefore, the traffic volumes that were reviewed were not seasonally adjusted downward to reflect an average month. The Average Daily Traffic (ADT) on the two study area roadways is shown below in Table 1.

Table 1: MassDOT Count Station Data

Location	ADT (vpd)
Boston Post Road West (Route 20)	12,917
Boundary Street	5,288

Crash Analysis

Crash data for the existing site driveway locations was obtained from MassDOT for the most recent five-year period available. This data includes complete yearly crash summaries for 2013 through 2017. A summary of the crash data is attached. Based on a review of the available crash data, there was one reported crash along at the intersection of Boston Post Road West (Route 20) and the existing Twin Boro Crossing Plaza driveway the over the five-year period analyzed. This crash was reported as a sideswipe collision resulting in property damage only.

There were a total of four reported crashes at the intersection of Boundary Street at the existing Twin Boro Crossing Plaza driveway over the five-year period analyzed. These consisted of an angle collision, a single vehicle collision, and a collision with a deer. The manner of the fourth crash was unreported. All four crashes resulted in property damage only.

Both driveway locations had crash rates below the MassDOT and District 3 averages of 0.57 and 0.61 crashes per MEV, respectively, for unsignalized intersections. Based on this data, there are not expected to be any safety concerns for vehicles accessing the project site.

Site-Generated Traffic

Vehicle trip estimates for the proposed development were generated based on two data sources. These include data presented in the Institute of Transportation Engineers' (ITE) publication, *Trip Generation Manual, 10th Edition*, for Land Use Code (LUC) 882 (Marijuana Dispensary), as well as observed trip generation data presented as part of a "Traffic Study for the Proposed Marijuana Dispensary" in Franklin, MA, prepared by BETA Group, Inc. and dated July 31, 2019.

ITE is a national research organization of transportation professionals, and the *Trip Generation Manual, 10th Edition* provides traffic generation information for various land uses compiled from studies conducted by members nationwide. ITE data establishes vehicle trip rates (in this case, expressed in vehicle trips per square foot) based on actual traffic counts conducted at similar existing land uses.

The ITE trip generation estimates were compared to a trip generation data for existing nearby marijuana dispensaries as presented in the study prepared for the proposed Franklin marijuana dispensary. As part of that trip generation study, observations at two existing marijuana dispensaries were conducted during the weekday afternoon peak period and the Saturday midday peak period. The observed sites included Caroline's Cannabis in Uxbridge, MA, and Garden Remedies in Marlborough, MA.

Based on the reported findings, the observed trip generation for the existing marijuana dispensaries was as much as 81% higher than the ITE data during the weekday afternoon peak hour, while the observed trip generation was lower than the ITE data during the Saturday midday peak hour. Weekday daily trip generation was not observed as part of the study for the Franklin dispensary, therefore only ITE data is provided for the proposed Marlborough MRE.

The vehicle trips expected to be generated by the proposed site based on both sources is shown in Table 2.

Table 2: Vehicular Trip Generation for proposed MRE

<u>Source</u>	Weekday PM Peak Hour			Saturday Peak Hour			Daily Weekday Trips		
	<u>In</u>	<u>Out</u>	<u>Total</u>	<u>In</u>	<u>Out</u>	<u>Total</u>	<u>In</u>	<u>Out</u>	<u>Total</u>
ITE, Trip Generation Manual, 10th Edition ⁽¹⁾	35	35	70	43	43	86	297	297	594
Observed Trip Generation ⁽²⁾	63	63	126	33	33	66	-	-	-

(1) ITE Lane Use Code 882 (Marijuana Dispensary) based on 2,350 square feet of retail area

(2) Based on Traffic Study data for Franklin, MA dispensary, observed trip generation was approximately 81% higher than ITE data during the weekday afternoon peak hour, and approximately 23% lower than ITE data during the Saturday midday peak hour.

As shown in Table 2, based on ITE data, the proposed development is estimated to generate approximately 70 vehicle trips (35 entering and 35 exiting) during the weekday afternoon peak hour of the site, and approximately 86 vehicle trips (43 entering and 43 exiting) during the Saturday midday peak hour of the site. Based on the observed trip generation rates, the proposed RME would generate approximately 126 vehicle trips (63 entering and 63 exiting) during the weekday afternoon peak hour of the site, and approximately 66 vehicle trips (33 entering and 33 exiting) during the Saturday midday peak hour of the site. The proposed site is projected to generate a total of 594 trips (297 entering and 297 exiting) during a typical weekday. ITE data indicates that no vehicle trips associated with the LUC's related to the proposed site are attributed to pass-by trips.

Based on a conservative use of the trip generation estimates (i.e., using observed trip generation rates for weekday afternoon trips and ITE data for Saturday midday trips), the additional vehicle trips associated with the project would not be expected to have a noticeable impact to the operations along Boston Post Road West (Route 20) or Boundary Street. Based on the weekday daily trip generation, the projected 594 daily trips would result in an approximate 5% increase to the estimated existing ADT on Boston Post Road West (Route 20), and an approximate 11% increase to the estimated existing ADT on Boundary Street. With the site providing access along both Boston Post Road West (Route 20) and Boundary Street, it can be assumed that traffic accessing the site would not be limited to just one driveway. Therefore, the actual increase in traffic along each roadway would be expected to be lower than the above percentages, with the generated trips shared between the two site driveways.

Project Observations

Parking observations were completed during the weekday afternoon, and Saturday midday peak hours of the site, during hours of operation of the existing plaza tenants. Parking utilization was observed every ten minutes during the weekday afternoon peak hour (5:00 PM to 6:00 PM) on Wednesday, February 26, 2020, and Thursday, March 5, 2020, and during the Saturday midday peak hour (12:00 PM to 1:00 PM) on Saturday, February 29, 2020.

Based on the parking inventory completed during the observations, there are a total of 114 existing parking spaces provided within the Twin Boro Crossing Plaza. A total of 35 of these spaces are intended for customers of the Westender restaurant, leaving 79 available spaces for other businesses within the plaza. These 79 spaces were split into five zones during the parking utilization observations, as shown in Figure 2. During the observations, three of the parking spaces located in Zone E were blocked by snow. These spaces were removed from the number of available spaces, leaving a total of 76 available spaces. A summary of the observed utilization of each zone during the peak hours is shown below in Table 3. The parking utilization data is attached.

Table 3: Observed Parking Utilization

Zone	Supply	Wednesday, 02/26		Saturday, 02/29		Thursday, 03/05	
		Peak Util.¹	Peak Util. %	Peak Util.	Peak Util. %	Peak Util.	Peak Util. %
A	26	9	35%	6	23%	11	42%
B	3	2	67%	2	67%	0	0%
C	15	0	0%	0	0%	1	7%
D	24	10	42%	14	58%	11	46%
E ²	8	3	38%	2	25%	1	13%
Lot	76	24	32%	24	32%	24	32%

1 Utilization by zone for the combined peak utilization of the parking lot across all zones.

2 Although Zone E has 11 striped parking spaces, three were blocked by snow during all observation periods.

As shown in Table 3, during both the weekday afternoon and Saturday midday peak hours, the 76 existing available parking spaces had a maximum utilization of 32% (24 spaces). Therefore during these peak periods there were approximately 52 vacant spaces within the plaza parking lot.

Based on the City of Marlborough's Zoning Ordinance, the site is zoned as "Business". The Zoning Ordinance indicates that a minimum of one parking space per each 225 square feet of leasable area for shopping plazas be provided. Based on these requirements, the proposed 2,350 s.f. MRE would require a minimum of eleven spaces. Based on the parking utilization results, this requirement is expected to be met within the existing parking supply provided by the Twin Boro Crossing Plaza site.

Conclusions

The proposed development located at 505 Boston Post Road West (Route 20), Marlborough, MA, includes the reconstruction of one of the vacant properties located in the Twin Boro Crossing Plaza into a proposed 2,350 square foot (s.f.) MRE. Access to the proposed site is to be provided through the two existing Twin Boro Crossing Plaza driveways, one on Boston Post Road West (Route 20) and one on Boundary Street. Based on a review of both observed trip generation data from nearby dispensaries and ITE trip generation data, the additional vehicle trips expected to be generated by the development would result in an insignificant increase in traffic along the study area roadways. Overall, the proposed development is not expected to impact the traffic operations along Boston Post Road West (Route 20) or Boundary Street.

Please do not hesitate to contact me should you require any further information.

Attachments:

Figures

Traffic Count Data

Crash Summary

Parking Utilization Data

Existing Conditions Plan

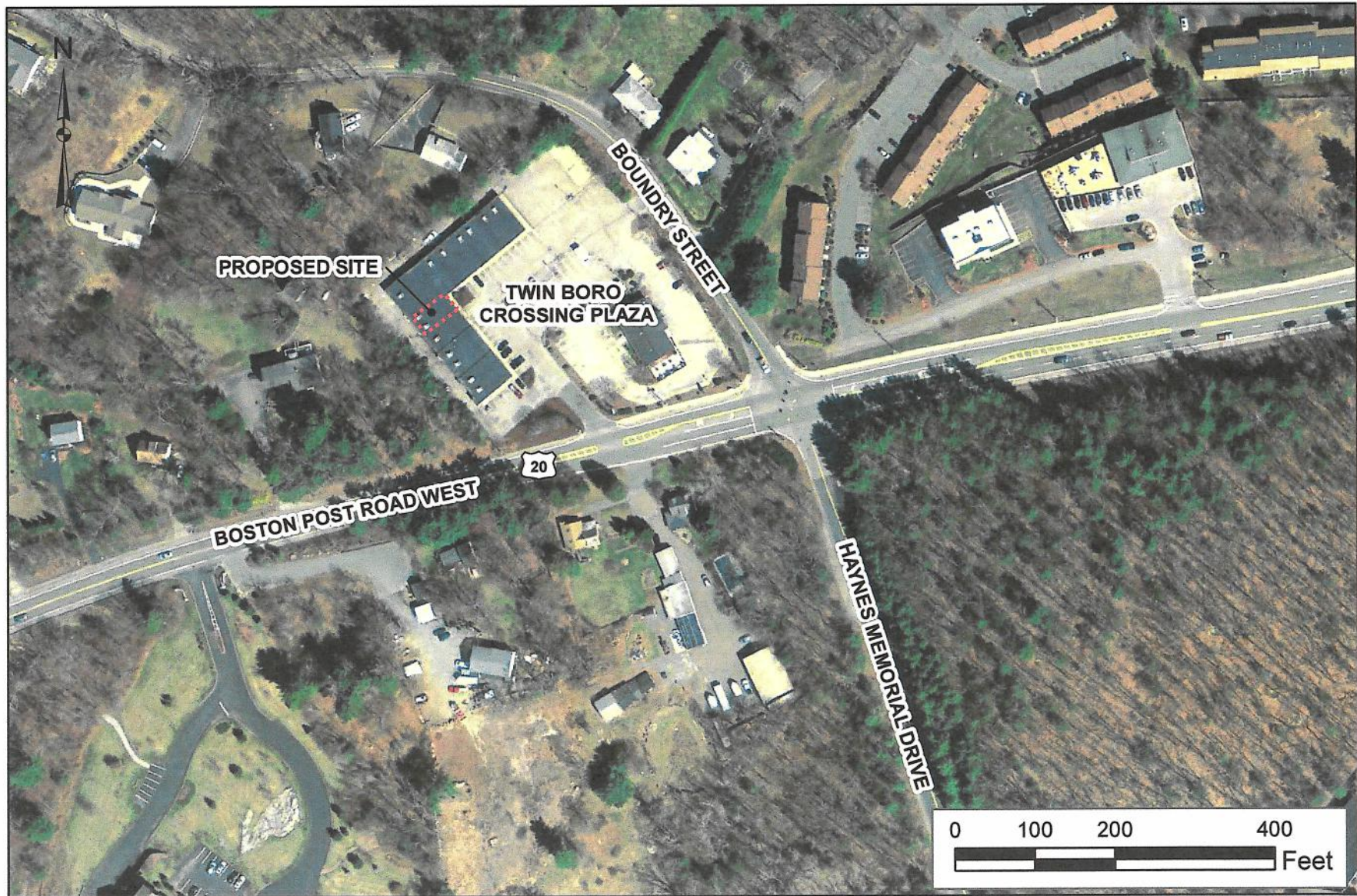


Figure 1
Project Location
Marijuana Retail Establishment
Marlborough, MA



Figure 2
Parking Zones
Marijuana Retail Establishment
Marlborough, MA

* - Three spaces in this zone were obstructed by snow during all three observation periods.

Location Info					
Location ID	3328				
Type	I-SECTION				
Functional Class	MAJOR COLLECTOR				
Located On	BOUNDARY STREET				
Between	NORTH OF RTE 20				
Direction	2-WAY				
Community	Northborough				
Agency	Massachusetts Highway Department				
Interval: 15 mins					
Time	15 Min				Hourly Count
	1st	2nd	3rd	4th	
00:00 - 01:00	9	8	5	3	25
01:00 - 02:00	3	0	2	5	10
02:00 - 03:00	1	6	4	2	13
03:00 - 04:00	0	2	1	3	6
04:00 - 05:00	4	2	3	12	21
05:00 - 06:00	8	17	25	35	85
06:00 - 07:00	33	59	77	98	267
07:00 - 08:00	77	94	118	120	409
08:00 - 09:00	142	134	122	87	485
09:00 - 10:00	79	63	47	45	234
10:00 - 11:00	47	59	64	53	223
11:00 - 12:00	49	66	73	70	258
12:00 - 13:00	67	85	68	84	304
13:00 - 14:00	26	0	0	0	26
14:00 - 15:00	65	60	82	68	275
15:00 - 16:00	100	80	104	100	384
16:00 - 17:00	112	118	171	163	564
17:00 - 18:00	180	174	175	164	693
18:00 - 19:00	110	101	85	66	362
19:00 - 20:00	69	64	39	71	243
20:00 - 21:00	47	41	49	38	175
21:00 - 22:00	35	22	27	25	109
22:00 - 23:00	20	15	14	13	62
23:00 - 24:00	22	7	20	6	55
TOTAL					5,288

Count Data Info	
Start Date	6/28/2017
End Date	6/29/2017
Start Time	2:00 PM
End Time	2:00 PM
Count Source	3328

Location Info					
Location ID	251267				
Type	I-SECTION				
Functional Class	PRINCIPAL ARTERIAL				
Located On	MAIN STREET (ROUTE 20)				
Between	WEST OF BOUNDARY STREET				
Direction	2-WAY				
Community	Northborough				
Agency	Massachusetts Highway Department				
Interval: 15 mins					
Time	15 Min				Hourly Count
	1st	2nd	3rd	4th	
00:00 - 01:00	19	14	7	12	52
01:00 - 02:00	5	4	5	7	21
02:00 - 03:00	5	4	3	7	19
03:00 - 04:00	2	1	9	11	23
04:00 - 05:00	6	16	12	33	67
05:00 - 06:00	28	38	53	76	195
06:00 - 07:00	70	87	126	191	474
07:00 - 08:00	183	206	194	247	830
08:00 - 09:00	241	240	230	215	926
09:00 - 10:00	200	196	172	156	724
10:00 - 11:00	184	150	162	173	669
11:00 - 12:00	162	164	184	180	690
12:00 - 13:00	202	202	231	215	850
13:00 - 14:00	198	187	215	197	797
14:00 - 15:00	198	197	206	201	802
15:00 - 16:00	209	225	223	227	884
16:00 - 17:00	232	240	240	277	989
17:00 - 18:00	283	281	284	282	1130
18:00 - 19:00	248	227	237	185	897
19:00 - 20:00	202	163	161	151	677
20:00 - 21:00	166	129	120	100	515
21:00 - 22:00	106	103	85	66	360
22:00 - 23:00	66	73	45	35	219
23:00 - 24:00	32	32	26	17	107
TOTAL					12,917

Count Data Info	
Start Date	6/11/2019
End Date	6/12/2019
Start Time	11:00 AM
End Time	11:00 AM
Count Source	251267

CRASH ANALYSIS

MRE

Marlborough, MA

	Twin Boro Crossing Plaza Driveway at Boston Post Road West (Route 20)	Twin Boro Crossing Plaza Driveway at Boundary Street
Year		
2013	0	0
2014	0	2
2015	1	1
2016	0	1
2017	0	0
Total	1	4
Type		
Angle	0	1
Rear-end	0	0
Sideswipe	1	0
Head-on	0	0
Pedestrian	0	0
Bicycle	0	0
Single Vehicle	0	1
Animal	0	1
Unknown	0	1
Total	1	4
Severity		
Property Damage	1	4
Personal Injury	0	0
Fatality	0	0
Unknown	0	0
Total	1	4
Weather		
Clear	1	1
Cloudy	0	0
Rain	0	1
Snow	0	1
Sleet	0	0
Fog	0	1
Unknown	0	0
Total	1	4
Time		
7:00 AM to 9:00 AM	1	1
9:00 AM to 4:00 PM	0	1
4:00 PM to 6:00 PM	0	0
6:00 PM to 7:00 AM	0	2
Total	1	4
Crash Rate	0.04	0.41
District 3 Unsignalized Average	0.61	0.61
Statewide Unsignalized Average	0.57	0.57

PARKING UTILIZATION OBSERVATIONS

Wednesday, February 29, 2020

Zone	Supply	Occupancy										Utilization									
		5:00 PM	5:10 PM	5:20 PM	5:30 PM	5:40 PM	5:50 PM	6:00 PM	Average	Local Max	Lot Max	5:00 PM	5:10 PM	5:20 PM	5:30 PM	5:40 PM	5:50 PM	6:00 PM	Average	Local Max	Lot Max
A	26	8	9	7	8	8	10	10	8.6	10	9	31%	35%	27%	31%	31%	38%	38%	33%	38%	35%
B	3	2	2	2	1	1	1	1	1.4	2	2	67%	67%	67%	33%	33%	33%	33%	48%	67%	67%
C	15	0	0	0	0	0	0	0	0.0	0	0	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
D	24	8	10	7	7	8	9	8	8.1	10	10	33%	42%	29%	29%	33%	38%	33%	34%	42%	42%
E ¹	8	3	3	2	3	2	2	3	2.6	3	3	38%	38%	25%	38%	25%	25%	38%	32%	38%	38%
X	0	0	0	0	0	0	1	1	0.3	1	0	-	-	-	-	-	-	-	-	-	-
Lot	76	21	24	18	19	19	23	23	Lot Max:			28%	32%	24%	25%	25%	30%	30%	Lot Max:		
									21.0	24	5:10 PM								28%	32%	5:10 PM

Saturday, February 29, 2020

Zone	Supply	Occupancy										Utilization									
		12:00 PM	12:10 PM	12:20 PM	12:30 PM	12:40 PM	12:50 PM	1:00 PM	Average	Local Max	Lot Max	12:00 PM	12:10 PM	12:20 PM	12:30 PM	12:40 PM	12:50 PM	1:00 PM	Average	Local Max	Lot Max
A	26	7	6	7	5	7	7	6	6.4	7	6	27%	23%	27%	19%	27%	27%	23%	25%	27%	23%
B	3	2	2	2	2	2	2	2	2.0	2	2	67%	67%	67%	67%	67%	67%	67%	67%	67%	67%
C	15	0	0	0	0	0	0	0	0.0	0	0	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
D	24	7	7	8	8	8	8	14	8.6	14	14	29%	29%	33%	33%	33%	33%	58%	36%	58%	58%
E ⁱ	8	2	2	2	2	2	2	2	2.0	2	2	25%	25%	25%	25%	25%	25%	25%	25%	25%	25%
Lot	76	18	17	19	17	19	19	24	Lot Max:			24%	22%	25%	22%	25%	25%	32%	Lot Max:		
									19.0	24	1:00 PM								25%	32%	1:00 PM

Thursday, March 5, 2020

Zone	Supply	Occupancy										Utilization									
		5:00 PM	5:10 PM	5:20 PM	5:30 PM	5:40 PM	5:50 PM	6:00 PM	Average	Local Max	Lot Max	5:00 PM	5:10 PM	5:20 PM	5:30 PM	5:40 PM	5:50 PM	6:00 PM	Average	Local Max	Lot Max
A	26	6	5	7	10	9	10	11	8.3	11	11	23%	19%	27%	38%	35%	38%	42%	32%	42%	42%
B	3	0	0	0	0	0	0	0	0.0	0	0	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
C	15	1	1	1	1	1	1	1	1.0	1	1	7%	7%	7%	7%	7%	7%	7%	7%	7%	7%
D	24	7	9	10	10	9	10	11	9.4	11	11	29%	38%	42%	42%	38%	42%	46%	39%	46%	46%
E ¹	8	1	1	2	1	1	1	1	1.1	2	1	13%	13%	25%	13%	13%	13%	13%	14%	25%	13%
Lot	76	15	16	20	22	20	22	24	19.9	24	6:00 PM	20%	21%	26%	29%	26%	29%	32%	26%	32%	6:00 PM

1 - Although Zone E has 11 striped parking spaces, three were blocked by snow during all observation periods.

[illegible]



CITY OF MARLBOROUGH
Office of the City Council
140 Main Street
Marlborough, Massachusetts 01752
(508) 460-3711 TDD (508) 460-3610


**AGREEMENT TO EXTEND
TIME LIMITATIONS**

Order No.2019-1007881
Application for Special Permit by Vedi Naturals, LLC
505 Boston Post Road West (Twin Boro Crossing)
To Operate an Adult Use Marijuana Facility

The Decision of the Special Permit granting authority shall be made within ninety days following the date of such public hearing. The required time limits for a public hearing and said action may be extended by written agreement between the petitioner and the special permit granting authority. A copy of such agreement shall be filed in the office of the City Clerk.

Pursuant to Mass. General Laws, c.40A, s.9, as amended, the required time limits for action by the Marlborough City Council, as it is the special permit granting authority in the above referenced matter, is hereby extended, by agreement, until 10:00 p.m. on July 21, 2020

By: _____
Michael H. Ossing, City Council President,
acting on behalf of, and at the direction of,
the special permit granting authority:
Marlborough City Council

By: 
Brian R. Falk, Esq.
For Petitioner

Vedi Naturals LLC Community Outreach Meeting Summary

Meeting on November 8th, 2019 @ 6PM, held at the Embassy Suites by Hilton Boston Marlborough - 123 Boston Post Road West, Marlborough, MA 01752 in the Bennington Room

Proposed Adult-Use Marijuana Retailer to be located at 505 Boston Post Road West

Hosted by Vedi Naturals LLC manager: Jigar Patel

Mr. Patel presented a Power Point that summarized the proposed location, his anticipated business practices and the licensing process in general. There were about 20 individuals in attendance, consisting mostly of abutting property owners and commercial tenants, along with Councilor Donald R. Landers Sr. and Chamber of Commerce Director Robert Schlacter. The audience could be divided into three groups based on their opinions and viewpoints.

1) Attendees who were firmly opposed to the use in general:

This group was small, consisting of one or two individuals, based upon the comments and questions received. One individual was concerned about the proximity of Algonquin High School to the proposed establishment and the possibility of high school students buying marijuana.

Mr. Patel explained that, unlike a liquor store, a person under the age of 21, would not be permitted to access the establishment, and there is no chance of a minor obtaining product at the establishment. All the products would be locked behind the sales counter, and the floor space displays would contain only empty packaging inside for browsing purposes

2) Attendees who were opposed to the use based on the location:

A. Abutting Tenants

During the presentation Mr. Patel described the level of security that the establishment would have and the opportunity to expand camera coverage of the property, subject to the landlord's permission to prevent illicit activities to occur. One tenant's concern was that Mr. Patel's business would attract more "junkies" to the plaza, and their current issue would continue and grow—no matter the level of security the dispensary utilized.

Mr. Patel explained that Marlborough Police Department would have oversight access to the camera systems for officers to see what is going on and when. This will enable the Police Department to take the appropriate action in a timely manner.

B. Local Business Owners

The owner of the local daycare center expressed concern that his business may be within the required buffer zone for marijuana establishments. He provided copies of Massachusetts General Laws Chapter 94G, Section 5, which establishes the necessary buffer between marijuana establishments and pre-existing public or private schools. He also handed out printed documents of Google Maps to show the crowd. He was under the impression that his daycare center was within the buffer zone.

Mr. Patel stated that the local zoning ordinance specified the distance between the establishment and the daycare is measured “building point to building point”, and that the buffer wasn’t between property line to property line. Hence, the measurements conducted by Mr. Patel through AXIS GIS, and the distance measured by the Mayor’s office and the Building Inspector using the same online tool, were found to be the same, about 515 to 516 feet between the two closest points between the buildings: (505 Boston Post Road W, and 497 Northboro Rd. W.)

An attendee expressed concern that a child at the daycare center may obtain marijuana. Mr. Patel stated that the establishment only allows entry to individuals who are 21 and older, and the products are sold in childproof packaging.

The owner of Funway Bark suggested Mr. Patel get a back-up generator for CCTV and power in general, because the plaza occasionally loses power. Andy Wilder, the Setronics’ security contractor, described to him that in the event of a power outage, the 24-hour battery would start up. The suggestion was helpful to become aware of the infrequent power issues.

3) People who were there to listen, learn, observe, support or for multiple reasons:

A. Landlord and Property Manager

They were asked by a member in the audience if they permitted the use and why would they allow this type of establishment in the plaza. The Property Manager responded that he does not discriminate against any legal businesses or anyone trying to propose a legal business at his establishment. The Property Manager and Landlord stated that they are willing to work with Mr. Patel for the long run.

B. Interested Attendees

Multiple attendees had questions regarding the overall local and state licensing process. Attorney Ian Hedges discussed both the local and state requirements: Special Permit, Site Plan Review, Local Permits from the Board of Health, and the Provisional and Final License with the State’s Cannabis Control Commission before commencing operations. Attorney Hedges and Mr. Patel also spoke to how the establishment won’t constitute nuisance. The noise, lighting, fumes, smells, etc. are all the same as the pre-existing tenant. Any traffic or parking issues would be discussed with the Police Chief and/or Landlord to determine an effective solution.

C. Attendees in Support.

One attendee supported Mr. Patel’s endeavor and backed Mr. Patel as a capable and competent entrepreneur with relevant experience to bring this project successfully to market. He shared a personal story with the audience about his relative who was hospitalized at Marlborough Union Hospital for some sort of health condition in his later years. He wished there was an alternative at that time so his relative in fragile condition didn’t have to endure the harmful impacts of painkillers. He asked Mr. Patel how his business could contribute to situations like that. Mr. Patel provided information on his background as a caregiver for medical marijuana, and that hospitalized patient’s family members could seek advice and input from their relative’s doctors to seek alternative therapies, even recreational product, if deemed an appropriate measure for a hospitalized patient to consume and try to heal with.