

1730 Mass Ave, Inc. DBA Boston Garden
Volume I, Narrative: Table of Contents

Special Permit Cover Sheet	2
Ownership Certificate	3
Fee Schedule	4
Dimensional Form	5
Narrative	6
<i>Project Overview</i>	6-13
<i>Zoning Compliance</i>	6
<i>Urban Design Narratives</i>	7-13
<i>Compliance with Criteria for Special Permit Sought</i>	13-14
<i>Compliance with General Special Permit Criteria</i>	14-17
<i>Community Engagement Summary</i>	17-21



CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

SPECIAL PERMIT APPLICATION • COVER SHEET

In accordance with the requirements of the City of Cambridge Zoning Ordinance, the undersigned hereby petitions the Planning Board for one or more Special Permits for the premises indicated below.

Location of Premises: 1730 Massachusetts Ave, Cambridge

Zoning District: BA-2

Applicant Name: 1730 Mass Ave, Inc. DBA The Boston Garden

Applicant Address: 111 Wellington Hill Street, Boston, MA 02126

Contact Information: 610-675-5958 rebecca@vicentesederberg.com

Telephone # Email Address Fax #

List all requested special permit(s) (with reference to zoning section numbers) below. *Note that the Applicant is responsible for seeking all necessary special permits for the project. A special permit cannot be granted if it is not specifically requested in the Application.*

1730 Mass Ave, Inc. DBA The Boston Garden seeks a Special Permit to operate a Cannabis Retail Store at 1730 Massachusetts Avenue, Cambridge, MA pursuant to Sections 10.40 and 11.800, et al., of the City of Cambridge's Zoning Ordinance.

List all submitted materials (include document titles and volume numbers where applicable) below.

Enclosed, please find: Special Permit Cover Sheet, Fee Schedule, Ownership Certificate, Dimensional Form, project narrative, site plans, floor plans, elevations, traffic and logistics materials, and documentation evidencing the applicant's qualifications as a Cannabis Control Commission-certified Economic Empowerment Applicant.

DocuSigned by:

Signature of Applicant:

656E10A013694CC...

For the Planning Board, this application has been received by the Community Development Department (CDD) on the date specified below:

Date

Signature of CDD Staff

OWNERSHIP CERTIFICATE

Project Address: 1730 Massachusetts Avenue

Application Date: 10/24/22

This form is to be completed by the property owner, signed, and submitted with the Special Permit Application:

I hereby authorize the following Applicant: 1730 Mass Ave, Inc.
at the following address: 111 Wellington Hill St, Boston, MA 02126
to apply for a special permit for: Cannabis Retail Store
on premises located at: 1730 Massachusetts Avenue
for which the record title stands in the name of: Harvard Square Holdings LLC
whose address is: 166 Harvard Street, Brookline, MA 02446

by a deed duly recorded in the:

Registry of Deeds of County: Middlesex S. Book: 67171 Page: 421

OR Registry District of the Land Court,
Certificate No.: _____ Book: _____ Page: _____

Rachna D. Balakrishna, Agent for Harvard Square
Signature of Land Owner (If authorized Trustee, Officer or Agent, so identify) Holdings LLC

To be completed by Notary Public:

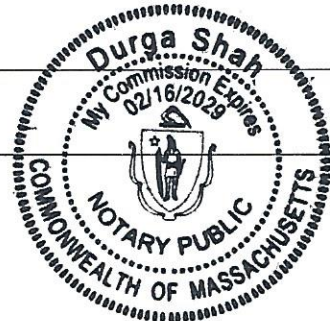
Commonwealth of Massachusetts, County of Norfolk

The above named Rachna D. Balakrishna, personally appeared before me,

on the month, day and year October 13th, 2022 and made oath that the above statement is true.

Notary: Durga Shah

My Commission expires: February 16th, 2024



FEE SCHEDULE

Project Address:

Application Date:

The Applicant must provide the full fee (by check or money order) with the Special Permit Application. Depending on the nature of the proposed project and the types of Special Permit being sought, the required fee is the larger of the following amounts:

- If the proposed project includes the creation of new or substantially rehabilitated floor area, or a change of use subject to Section 19.20, the fee is ten cents (\$0.10) per square foot of total proposed Gross Floor Area.
- If a Flood Plain Special Permit is being sought as part of the Application, the fee is one thousand dollars (\$1,000.00), unless the amount determined above is greater.
- In any case, the minimum fee is one hundred fifty dollars (\$150.00).

Fee Calculation

New or Substantially Rehabilitated Gross Floor Area (SF): × \$0.10 =

Flood Plain Special Permit Enter \$1,000.00 if applicable:

Other Special Permit Enter \$150.00 if no other fee is applicable:

TOTAL SPECIAL PERMIT FEE **Enter Larger of the Above Amounts:**

DIMENSIONAL FORM

Project Address:

Application Date:

	Existing	Allowed or Required (max/min)	Proposed	Permitted
Lot Area (sq ft)				
Lot Width (ft)				
Total Gross Floor Area (sq ft)				
Residential Base				
Non-Residential Base				
Inclusionary Housing Bonus				
Total Floor Area Ratio				
Residential Base				
Non-Residential Base				
Inclusionary Housing Bonus				
Total Dwelling Units				
Base Units				
Inclusionary Bonus Units				
Base Lot Area / Unit (sq ft)				
Total Lot Area / Unit (sq ft)				
Building Height(s) (ft)				
Front Yard Setback (ft)				
Side Yard Setback (ft)				
Side Yard Setback (ft)				
Rear Yard Setback (ft)				
Open Space (% of Lot Area)				
Private Open Space				
Permeable Open Space				
Other Open Space (Specify)				
Off-Street Parking Spaces				
Long-Term Bicycle Parking				
Short-Term Bicycle Parking				
Loading Bays				

Use space below and/or attached pages for additional notes:

1730 Mass Ave, Inc. (“**Boston Garden**”) seeks a Special Permit from the City of Cambridge Planning Board to operate a Cannabis Retail Store (the “**Store**”) engaged in the retail sale of marijuana and marijuana products within a tenanted portion of an existing commercial building located at 1730 Massachusetts Avenue in Porter Square (the “**Property**”) within the BA-2 Zoning District. Pursuant to Section 11.803.1 of the Cambridge Zoning Ordinance (the “**Ordinance**”), the use of the Property for these purposes is permitted for Economic Empowerment Applicants subject to the issuance of a Special Permit from the Planning Board. Boston Garden only intends to utilize this Property for the retail sale of cannabis to eligible consumers. Absolutely no cultivation, manufacturing, or social consumption uses will occur on site.

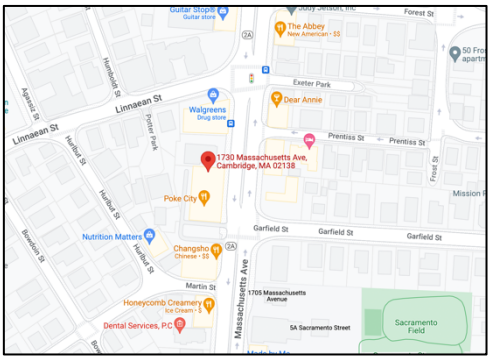
Please be advised that in compliance with the City of Cambridge’s Cannabis Business Permitting Ordinance Section 5.50.040, Boston Garden is applying for a license to operate a Cannabis Retail Store as a Group A Priority Applicant by virtue of its status as an Economic Empowerment Applicant. Boston Garden is a Massachusetts limited liability company with the following schedule of members:

Name of Member	Affiliated Manager	Percentage of Ownership	Commission Designation
OneEleven LLC (sole owner: Leah Samura)	Leah Samura	51%	Cannabis Control Commission-certified Economic Empowerment Priority Applicant as evidenced by Exhibit A
Vertical Fields Green Co., LLC (sole owner: Frederick McCarthy)	Frederick McCarthy	49%	N/A

In accordance with the Cambridge Zoning Ordinance Section 11.803.3, the Property is not located within 300 feet of a pre-existing public or private school providing education in kindergarten or any grades one through 12, public children’s playground, public youth athletic field, or public youth athletic recreation field. Full compliance is demonstrated in the context map provided within Boston Garden’s Site Plans, enclosed hereto as **Volume II**.

I. Project Context

Located along an existing commercial stretch of Massachusetts Avenue, the Property is an existing 11,040 square foot commercial building with numerous tenanted uses, including a 5,748 SF section proposed for use by Boston Garden spanning the first floor and the basement. The Property has an existing accessory parking lot comprised of 36 parking spaces, of which seven are exclusively for the use of Boston Garden. Boston Garden proposes modest modifications to the interior of the existing building in conformance with the performance



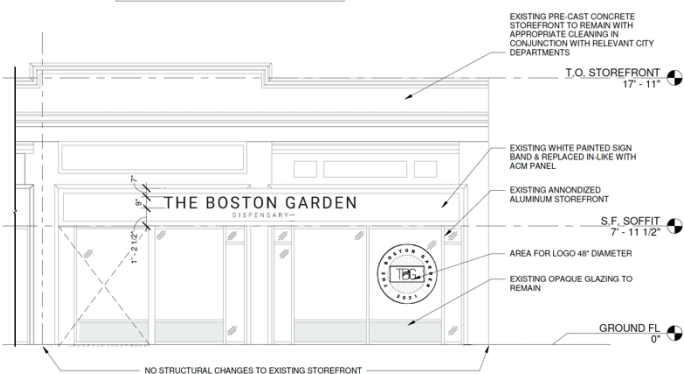
standards set forth in the Ordinance. Exterior renovations of the facility site plan are proposed to enhance the security of the site, encourage the use of sustainable transit alternatives, and comport with the City of Cambridge’s urban design objectives. Please see the enclosed site plans, floor plans, exterior renderings, and exterior elevations (collectively, the “Plans”), attached hereto as **Volume II**, which were designed in full compliance with the standards set forth by the Ordinance.

II. Project Narrative

With a focus on safe, sustainable, and efficient operations, Boston Garden has identified the Property as an ideal and important location for an Economic Empowerment Applicant to open, contribute and participate in one of the State’s more prosperous marketplaces. The Property is located in an area designated by local zoning for the aforementioned use; is surrounded by similarly situated commercial buildings providing local services to the surrounding community; and allows for easy access for customers and employees by vehicle, bicycle, public transit, and by foot.

A. Project Exterior

Facility Signage and Windows: Boston Garden has designed its facility so that the entire storefront will be comprised of transparent windows that look into the customer entry area. There are no existing windows that provide public visibility into the sales floor, so no visual screening is required to restrict public view from the front façade. Please see the below plan to incorporate interesting signage in compliance with the City of Cambridge’s urban design objectives while maintaining the existing transparency of the windows. Boston Garden will not utilize signs or printed materials advertising marijuana products or any logo or symbols with images of marijuana.



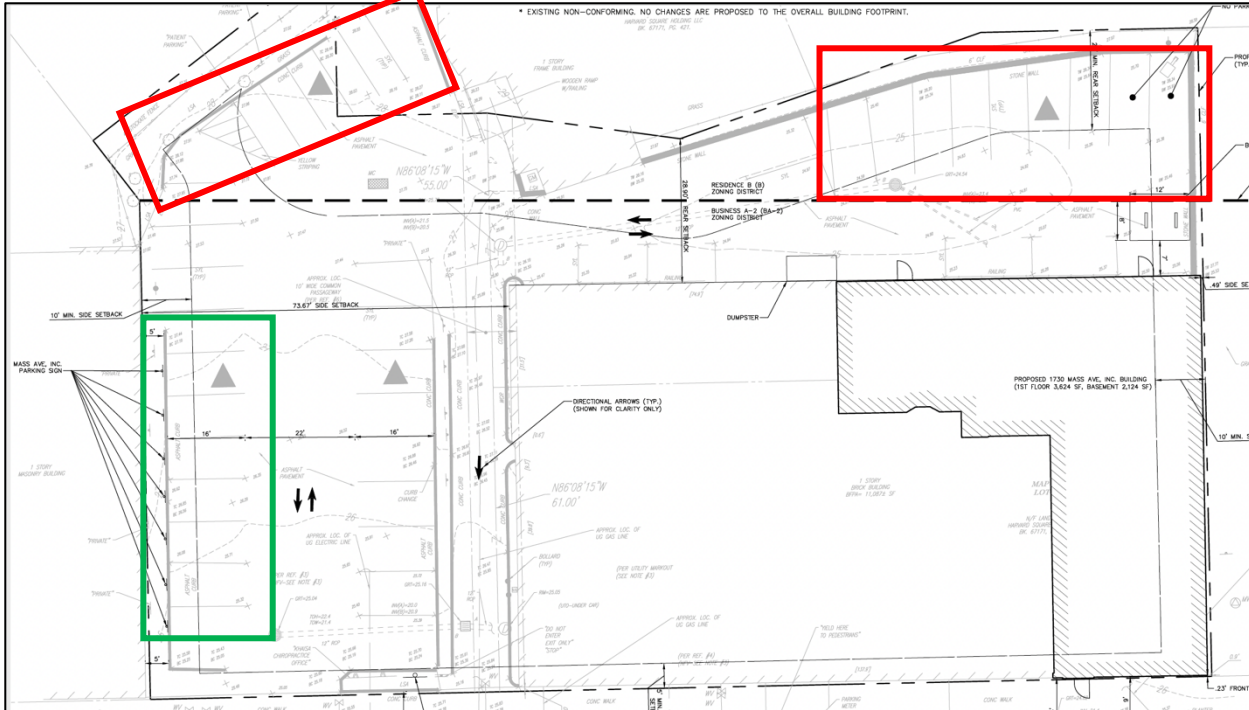
As shown on the enclosed elevations, all proposed signage comports with the dimensional and illumination standards as outlined in Article Seven. Boston Garden intends to strip the existing storefront bays of paint and expose the original cast stone material clad including parapet details-cornice and dentils. The company will also replace the existing sign band which is currently in poor condition.

Landscaping: At the suggestion of the City, Boston Garden proposes the planting of a new 12” caliper tree along the perimeter of the Property near the parking area and will work collaboratively

with the Department of Public Works during continuing design review to identify locations for other trees. No other landscaping modifications are proposed.

Site Access: Access to the premises is currently gained through an existing entry only curb cut along Massachusetts Avenue. Vehicles leave the parking lot through the drive through bank access aisle that is marked for exit only. Boston Garden does not propose any changes to the existing access points.

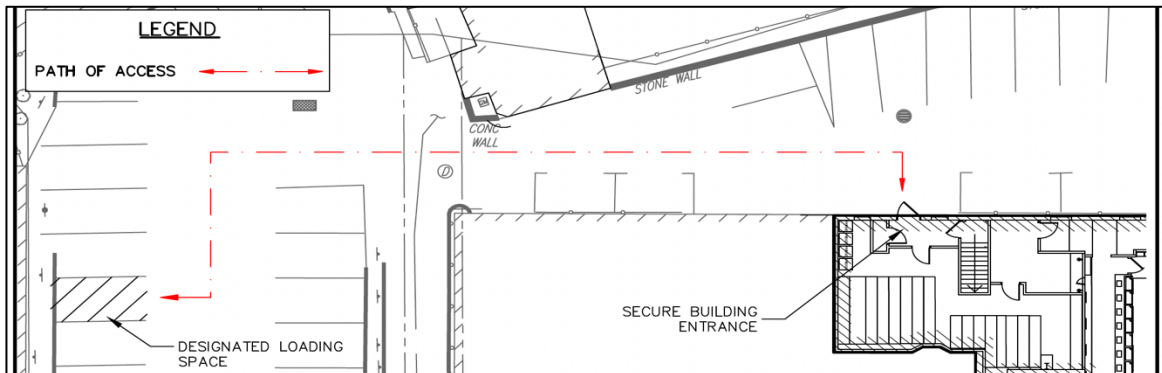
Parking: As shown in the enclosed site plans outlining the existing accessory parking lot that is adjacent to the building, the subject parcel is split-zoned between the Business A-2 Commercial zoning district and the Residence B zoning district. Several parking spaces within the accessory parking lot are located within the residential portion of the premises. As shown below, the parking spaces designated below in red squares are within the residential district. All of Boston Garden’s assigned parking spaces are in the commercial zoning district.



Boston Garden proposes the installation of onsite signage at its designated parking spots to indicate that they are for the exclusive use of Boston Garden patrons.

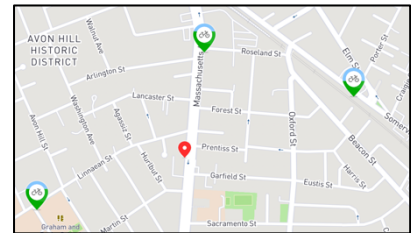
Loading: During off hours, Boston Garden will utilize one of its existing parking spaces for loading. Registered agents will transport the product to the rear employee door and take it directly to the secure receiving area. The company’s loading and delivery protocols will strictly comply with the Massachusetts Cannabis Control Commission’s (“**Commission**”) regulations.

The loading space shown in the diagram to follow is intended for use for cannabis deliveries to the store and non-cannabis deliveries to the store exclusively during off-hours. It will not be used as a parking space for courier vehicles or any trash storage.



Transit Access: The Property is located along a commercial stretch of Massachusetts Avenue with bicycle lanes. In conformance with the Ordinance, Boston Garden proposes the installation of both long term and short-term bicycle parking. Long term bicycle parking will be provided inside of the facility. Short-term bicycle parking racks will be provided at the rear of the property near the back entry.

The Property is merely blocks away from three existing BlueBikes hubs with 45 stalls. A map featuring the location of the nearest BlueBikes location is featured to the right. Employees will receive Gold Level BlueBike membership subsidies. Bike repair tools and an air pump will be accessible to both staff and customers by asking within the facility.



Massachusetts Avenue has sidewalks along the side of the facility. The facility is located near a signalized intersection providing designated pedestrian crossing of Massachusetts Avenue across from where it intersects with Garfield Street. Streetlights are installed along Massachusetts Avenue illuminating the sidewalk and crosswalks.

In addition to being just blocks away from the Porter Square MBTA, the Property is within 100 feet of the 77, 83, and 96 bus lines which collectively provide access throughout Somerville, Cambridge, and Medford. Employees will receive MBTA transit subsidies as a benefit of employment. Bus schedules will be available to both employees and customers by asking within the facility.

Trash Storage: The parking lot includes an existing trash receptacle adjacent to the rear of the building. Boston Garden intends to continue the use of the dumpster with the addition of a lock to ensure it is secured in accordance with Cannabis Control Commission security preferences. No marijuana waste will be stored within the exterior waste receptacles under any circumstances.

Lighting: New sconced lighting fixtures are proposed that are downcast dark sky compliant fixtures. Boston Garden’s exterior security cameras utilize infrared capabilities and do not require external sources of light to operate effectively.

Rooftop Screening: Please see the enclosed rooftop elevations which outline the proposed addition of new visual and acoustic screening of rooftop units from abutting properties. Information about proposed mechanical additions is included within Volume II.

B. Project Interior

Customers will only have access to designated portions of the facility, including (1) a secure entry vestibule in which customers must demonstrate proof that they have the appropriate credentials to enter the facility; (2) a general sales floor with point-of-sale terminals; and (3) restrooms. The secure entry vestibule and general sales floor will be appropriately sized to ensure the facility can accommodate all customers seeking entry to the facility to prevent exterior queuing. The rest of the facility will only be accessible to staff on a tiered basis.

In accordance with 935 CMR 500.140(2)(a), access to the facility is limited to individuals that are 21 years of age or older that can provide a valid government-issued identification. Upon a customer's entry into the premises, an agent will immediately inspect their proof of identification and determine the individual's age and the validity of their identification card. Failing this confirmation, an individual will be required to leave the facility utilizing the same door in which they entered.

Once inside the sales area, customers will enter a queue to obtain individualized service where they may select any of the products available to them with the help of an agent. Once a customer has selected a product for purchase, an agent will collect the chosen items from the designated product storage area. An agent will then scan each product barcode into the point-of-sale system. Upon checkout, customers will be required to confirm their identities and age a second time. In the event an agent determines an individual would place themselves or the public at risk, the agent will refuse to sell any marijuana products to the consumer.

Customers will promptly exit the facility utilizing the same secured vestibule from which they entered.

III. Property Operations

A. Trash

Marijuana Waste: All waste containing marijuana will be quarantined in a separate portion of the facility and returned to the licensed cultivation or manufacturing facility from which it was originally purchased wholesale. Absolutely no waste will be disposed of on site. When marijuana waste is disposed or handled, Boston Garden will create and maintain a written or electronic record of the date, the type and quantity disposed or handled, the manner of disposal or other handling, the location of disposal or other handling, and the names of the two Boston Garden agents present during the disposal or other handling, with their signatures.

Non-marijuana Waste: Waste that does not contain marijuana will be stored in the locked dumpster to the rear of the building and picked up weekly by a commercial trash vendor.

B. Traffic Impact

Boston Garden respectfully submits that there is appropriate parking to accommodate its projected customers. The company will take great care to develop, implement, and refine operational procedures that ensure that customer visits are short and will not result in congestion within the parking lot or the store. Operational procedures will be continually evaluated and adjusted as necessary to ensure optimal function of the facility.

Boston Garden respectfully submits that its proposed use of the Property will not disturb the existing right of way, pedestrian access, and will not cause a hazard to vehicle or pedestrian traffic. Traffic generated and patterns of access and egress will not cause congestion, hazard, or a substantial change to the neighborhood character. Please see a traffic and logistics memoranda attached hereto as **Exhibit B**, which is inclusive of a robust operations plan.

Although Boston Garden does not anticipate that the proposed use will result in any adverse traffic impacts as a result of its appointment only operations and its offsite parking plan, Boston Garden is willing to undertake any of the following traffic mitigation efforts to protect against adverse effects:

- Provide 100% MBTA T-Pass subsidies, up to the federal fringe benefit, to all employees, with a pro-rated incentive for any part-time employees;
- Provide lockers in the break room for employees that walk or bike to work;
- Compile and provide to all employees, including during employee orientation, up to date transportation information explaining all commuter options;
- Provide employees a gold level Bluebikes membership to encourage employee use of alternatives to single-occupancy vehicles for commuting
- Provide customers with information regarding transportation options to access the facility;
- Provide and maintain information on the Applicant's website and other distributed material on how to access the facility by all modes of transportation, with an emphasis on non-automobile modes;
- Participate in transportation-related training offered by the City of Cambridge or a local Transportation Management Association; or
- Designate a Transportation Coordinator to develop and manage the implementation of a Transportation Demand Management plan.

C. Security

Boston Garden prioritizes ensuring the safety and security of its customers, staff, neighbors, and the surrounding community. Boston Garden's security measures will exceed the requirements set forth in 935 CMR 500.00 *et seq.* Boston Garden will submit confidential information about its security plans and operating procedures to the Cambridge Police Department for review and feedback.

Boston Garden will employ live on-site security during all opening hours to ensure the safety of the perimeter and maintain access control to the facility. Boston Garden will also invest in state-of-the-art security infrastructure to prevent and detect potential loss and diversion of marijuana.

This equipment will include perimeter alarms, failure notification systems, panic alarms connected to local law enforcement, and video cameras in all areas that contain marijuana as well as all points of entry and exit that are instantly accessible to local law enforcement. Redundant alarm systems will be installed to ensure that security features will remain operational in instances of power outages or system failure.

Staff access within the facility will be monitored by a keycard program, with different levels of access granted to different staff members. Only essential staff will be granted access within limited access areas such as the vault.

Security personnel will be trained in the security industry and crime prevention standards and will have experience in the surveillance of highly regulated retail operations. All staff will receive comprehensive training relative to standard operating procedures in the unlikely case of a security incident. Boston Garden's operating policies and procedures ensure the prevention of diversion, theft, and illegal or unauthorized conduct.

D. Customer Education

Boston Garden's customers will receive substantive educational materials relative to compliant and safe storage, use, and transport of their products. The educational material must include at least the following:

- (a) A warning that marijuana has not been analyzed or approved by the FDA, that there is limited information on side effects, that there may be health risks associated with using marijuana, and that it should be kept away from children;
- (b) A warning that when under the influence of marijuana, driving is prohibited by M.G.L. c. 90, § 24, and machinery should not be operated;
- (c) Information to assist in the selection of marijuana, describing the potential differing effects of various strains of marijuana, as well as various forms and routes of administration;
- (d) Materials offered to consumers to enable them to track the strains used and their associated effects;
- (e) Information describing proper dosage and titration for different routes of administration. Emphasis shall be on using the smallest amount possible to achieve the desired effect. The impact of potency must also be explained;
- (f) A discussion of tolerance, dependence, and withdrawal;
- (g) Facts regarding substance abuse signs and symptoms, as well as referral information for substance abuse treatment programs;
- (h) A statement that consumers may not sell marijuana to any other individual;

(i) Information regarding penalties for possession or distribution of marijuana in violation of Massachusetts law; and

(j) Any other information required by the Cannabis Control Commission.

Boston Garden's agents will receive substantial training about how to appropriately and effectively educate customers during a point-of-sale transaction. Employee training subjects will range from the types of products that are available; safe and compliant use, transport, and storage of products; and the consequences of diversion of products to unauthorized parties.

E. Odor Control

All marijuana and marijuana products will be packaged off-site and odor impacts are not expected. Nevertheless, Boston Garden will utilize state-of-the-art technology in the facility vault to ensure that odor does not unintentionally permeate throughout the facility.

IV. Compliance with Cambridge Zoning Ordinance Section 11.80: Application Requirements.

(a) Description of Activities: a narrative providing information about the type and scale of all activities that will take place on the proposed site, including but not limited to cultivating and processing of Cannabis Products, on-site sales, off-site deliveries, distribution of educational materials, and other programs or activities.

Please see the above sections of Boston Garden's application.

(b) Context Map: A map identifying, at a minimum, the location of the proposed establishment, the locations of all other Cannabis Uses in the vicinity, the locations of all public or private schools providing education in kindergarten or any of grades one through 12, and the locations of all children's playgrounds, youth athletic fields, or other youth recreation facilities, with measured distances provided to demonstrate whether the location complies with the standards of Section 11.803 above.

Please see **Volume II** which includes a Context Map that identifies the location of the proposed establishment, the locations of all other Cannabis Uses in the vicinity, the locations of all public or private schools providing education in kindergarten or any of grades one through 12, and the locations of all children's playgrounds, youth athletic fields, or other youth recreation facilities, with measured distances provided to demonstrate whether the location complies with the standards of Section 11.803 above.

(c) Site Plan: A plan or plans depicting all existing and proposed development on the property, including the dimensions of the building, the detailed layout of automobile and bicycle parking, the location of pedestrian, bicycle and vehicular points of access and egress, the location and design of all loading, refuse and service facilities, the location, type and direction of all outdoor lighting on the site, and any landscape design.

Please see **Volume II** which includes plans depicting all existing and proposed development on the property, including the dimensions of the building, the detailed layout of automobile and bicycle parking, the location of pedestrian, bicycle, and vehicular points of access and egress, the location and design of all loading, refuse and service facilities, the location, type and direction of all outdoor lighting on the site, and any landscape design.

(d) Building Elevations and Signage: Architectural drawings of all exterior building facades and all proposed signage, specifying materials and colors to be used. Perspective drawings and illustrations of the site from public ways and abutting properties are recommended but not required.

Please see **Volume II** for architectural drawings of all exterior building facades and all proposed signage, specifying materials and colors to be used.

(e) Initial Operations and Logistics Plan

Please see the Operations Plan affixed hereto as **Exhibit B**.

(f) License or Registration Materials: Copies of all materials submitted to applicable state and local agencies for the purpose of licensing and/or registration, and any certification or license issued by any such agency, excluding any information required by law to be kept confidential.

Please see Boston Garden's application for a Cannabis Business License attached hereto as **Exhibit C**. Boston Garden has not submitted an application to the Cannabis Control Commission at this time.

I. Compliance with Cambridge Zoning Ordinance Section 11.805

(a) The site is designed such that it provides convenient, safe and secure access and egress for customers and employees arriving to and leaving from the site using all modes of transportation, including drivers, pedestrians, bicyclists and public transportation users.

Boston Garden's plan has been designed to ensure convenient, safe, and secure access and egress for customers and employees arriving to and leaving from the site using all modes of transportation, including drivers, pedestrians, bicyclists, and public transportation users. While Boston Garden believes that the proposed facility is located on a commercial stretch that supports retail establishments of this scale, proactive actions taken by Boston Garden will include:

- The implementation of programmatic strategies to reduce undesired queuing;
- The use of designated parking spots within the accessory parking lot;
- The installation of short term and long term bicycle parking; and
- A commitment to implementing both transportation demand management measures and a monitoring program to mitigate any unexpected impacts.

(b) On-site loading, refuse and service areas are designed to be secure and shielded from abutting uses.

The parking lot includes an existing trash receptacle adjacent to the rear of the building. Boston Garden intends to continue the use of the dumpster with the addition of screening mechanisms surrounding the sides and a lock to ensure it is secured in accordance with Cannabis Control Commission security preferences.

(c) The building and site have been designed to be compatible with other buildings in the area and to mitigate any negative aesthetic impacts that might result from required security measures and restrictions on visibility into the building's interior.

The Cannabis Retail Store is sited in an existing retail building adjacent to other commercial uses. The proposed storefront design will retain the existing look and feel of the property. The proposed treatment of the windows will provide visibility into the storefront.

(d) In retail areas, the location and design of the Cannabis Use will not detract from the sense of activity with opaque, unwelcoming façades at the ground floor. Where interior activities must be screened from public view, such areas should be screened by transparent, publicly accessible active business uses where possible. Opaque façades should be minimized, and where they are necessary they should include changing public art displays or other measures to provide visual interest to the public.

Boston Garden has proactively designed its storefront such that interior activities need not be screened from public view.

(e) If the proposed Cannabis Retail Store or Cannabis Production Facility is not proposed to include a Medical Marijuana Treatment Center, it will nevertheless provide programs to assist qualifying patients within the city or neighborhood who are registered through the Massachusetts Medical Use of Marijuana Program in obtaining services under that program.

Although Boston Garden's proposed Cannabis Retail Store does not currently seek to include a Medical Marijuana Treatment Center, Boston Garden will assist qualifying patients within the city or neighborhood who are registered through the Massachusetts Medical Use of Marijuana Program in obtaining services under that program.

II. Compliance with Cambridge Zoning Ordinance Section 10.43

Special permits will normally be granted where specific provisions of this Ordinance are met, except when particulars of the location or use, not generally true of the district or of the uses permitted in it, would cause granting of such permit to be to the detriment of the public interest because:

(a) It appears that requirements of this Ordinance cannot or will not be met.

With the requested special permit, the requirements of the Ordinance will be met.

(b) Traffic generated or patterns of access or egress would cause congestion, hazard, or substantial change in established neighborhood character.

Porter Square is a neighborhood characterized by local retail uses and the addition of Boston Garden's Cannabis Retail Store will not cause congestion, hazard, or substantial change in the established character of the neighborhood. As set forth above, the proposed use is not expected to adversely impact traffic patterns or the retail-oriented character of the area in general. Although Boston Garden's proposed onsite parking is otherwise sufficient pursuant to the requirements outlined in the City of Cambridge's Zoning Ordinance Section 6.36.5(s), Boston Garden has taken proactive measures to mitigate traffic on the site through operational measures.

The proposed site is also serviced by MBTA rail, bus, bike, and on street metered parking. Boston Garden will promote and encourage customers, visitors, and agents to use public transportation, ride sharing, and bicycle transportation when possible.

In addition, customers will have the ability to order ahead and pick up their purchases, limiting the time they spend onsite and the need for lines or queuing.

(c) The continued operation of or the development of adjacent uses as permitted in the Zoning Ordinance would be adversely affected by the nature of the proposed use.

The proposed Cannabis Retail Store will be operated in accordance with applicable state and local regulations. The use will generate pedestrian and vehicular traffic that is equal to or less than that generated by a similarly sized allowed retail use. The use will be complimentary to the adjacent retail, restaurant, and other commercial uses.

(d) Nuisance or hazard would be created to the detriment of the health, safety and/or welfare of the occupant of the proposed use or the citizens of the City.

The proposed Cannabis Retail Store will be operated in accordance with applicable health and safety regulations, as well as state and local regulations particular to Cannabis Retail Stores, which are specifically intended to prevent nuisance or hazard.

(e) For other reasons, the proposed use would impair the integrity of the district or adjoining district, or otherwise derogate from the intent and purpose of this Ordinance.

The site is located within the Business A-2 Zoning District, which allows Cannabis Retail Stores. The Applicant is also an Economic Empowerment Applicant, which the zoning is intended to support.

(f) The new use or building construction is inconsistent with the Urban Design Objectives set forth in Section 19.30.

The proposed new use will minimally impact the design of the building and all exterior alterations will be conducted in accordance with applicable zoning and other regulations for Cannabis Retail Stores. All exterior alterations will be subject to ongoing review by Community Development Department staff.

The proposed use of the building is consistent with the Urban Design Objectives as set forth in Section 19.30 of the Ordinance. Boston Garden has spent considerable time and resources designing a ground floor facility that will match and improve the aesthetic of the surrounding community. Boston Garden's proposal does not involve the development of a new building and will not affect the anticipated pattern of development. In addition, the entire sales area and products will be shielded from the public view, buffered by a customer waiting vestibule. The site has limited frontage and therefore lighting and or security requirement will have minimal impact on the public way similar to the other restaurants and retail shops currently existing on Massachusetts Ave. In addition, the design and use of the proposed facility will be consistent with and maintain the form and character desirable for the Porter Square neighborhood.

Community Engagement Summary

1730 Mass Ave, Inc. held a Community Outreach meeting on October 25, 2022, which was available to community members via Zoom. Pursuant to the Massachusetts Cannabis Control Commission's outreach guidelines and the City of Cambridge's requirements, the meeting was:

- Advertised 14 days in advance in the Cambridge Chronicle;
- Submitted to the Cambridge City Clerk and other municipal offices as an official meeting notice; and
- Noticed 7 days in advance to all abutters within 300 ft of the proposed property via mailing of public meeting notice.

The applicant utilized a neutral moderator to facilitate questions. Closed captioning was in place.

The outreach notice advertised the meeting, permitted recipients to submit questions via email, and encouraged recipients to contact the project team via email to schedule a video chat or telephone call if they had questions about the project. During the virtual community outreach meeting, the following questions were asked/comments were made:

1. "I just want to let Leah and her people know that my 3 year old daughter is the closest residential neighbor. Any socialization in the back parking lot will be met with resistance."
2. "I own a business locally and have a concern." "Love what you're doing. I am a COO in mental health practice next door and want to be thoughtful on how we are neighbors."
 - a. *This individual was instructed to contact the project team to discuss.*
3. "How is this business allowed to open when many local businesses have gone under due to COVID and our neighborhood is in need of essential businesses"

Comments were additionally submitted via email and are enclosed.

The company reached out to the Porter Square Neighbors Association but did not receive a response.

NOTICE OF COMMUNITY OUTREACH MEETING

Notice is hereby given that 1730 Mass Ave, Inc. will hold a Virtual Community Outreach Meeting on **October 25, 2022** at 5:30 PM to discuss the proposed siting of an Adult Use Retail Cannabis Establishment at 1730 Massachusetts Avenue in Cambridge.

This Community Outreach Meeting will be held in accordance with the Massachusetts Cannabis Control Commission's applicable requirements set forth in M.G.L. ch. 94G and 935 CMR 500.000 *et seq.* A copy of the meeting presentation will be made available at least 24 hours prior to the meeting by emailing rebecca@vicentesederberg.com.

Interested members of the community will have the opportunity to ask questions and receive answers from company representatives about the proposed facility and operations. Questions can be submitted in advance by emailing rebecca@vicentesederberg.com or asked during the meeting.

Join Zoom Meeting: <https://us02web.zoom.us/j/85304954144>

Zoom Meeting Telephone Dial In: +1 646 558 8656 Meeting ID: 853 0495 4144

There were 13 attendees.

The recording can be found here:

https://us02web.zoom.us/rec/share/uaxTV0uUBnvrUaei1_bvBLdrFqbpeiYyDz-p-MfWh8rhrBV9g91mNBPWAJXGVuc.22j2GKEDCKCeb3Mx?startTime=1666732539000

Passcode: N6*5F9B^

Subject: RE: Yesterday's Community Outreach Committee Meeting
Date: Wednesday, October 26, 2022 at 2:27:41 PM Eastern Daylight Time
From: Birnbaum, Robert J.,MD, PhD
To: Rebecca Rutenberg
CC: Phillip Silverman
Attachments: image001.png, image004.png, image005.png

Becca: if you would be so kind, I'm fine with having you include this reformatted and edited comment sent to the CCC and Planning Board with the included footers. Thank You. Best, Bob

Commentary on the Zoom Community Outreach Meeting Regarding the Proposed Cannabis Retail Outlet at 1730 Massachusetts Avenue Cambridge:

I'd like to note my opposition to the proposed cannabis retail outlet. I am a physician scientist, who is a behavioral/mental health care provider, whose private office is located at 1734 Massachusetts Avenue, next door to the proposed cannabis retail outlet. I am speaking for myself and not the building's management or the other behavioral/mental healthcare providers in the building some of whom treat couples, families, adolescents, and children. I am speaking based on my professional expertise, clinical experience treating behavioral/mental healthcare crises in the emergency room at Massachusetts General Hospital, as a neuroscientist, and a concerned resident of the Porter Square community.

The focus of the 'buffer' restrictions on schools is very much to the point. I assume to a large degree those restrictions were put in place dependent on a multitude of justified and perhaps emotional/biased environmental child and adolescent developmental concerns. I would hope it was also based, to some degree, on the neuroscience literature's conclusions about the potential negative effects derived from adverse environmental exposure, particularly for populations at risk and the documented detrimental neurobiological effects of cannabis on the immature and developing neural networks of children and adolescents.

The evidence-based literature on behaviorally and emotionally challenged individuals who are seeking mental health care, describes similar (possibly heightened) vulnerabilities, undergirded by some of the same neural network substrates that are implicated in a school aged child's susceptibility to adverse environmental and chemical exposure. Hence, it seems totally arbitrary to single out one and not the other at-risk population, regardless of the safeguards that have been put in place that were discussed

at the community outreach/engagement zoom meeting.

Lastly, it is my understanding that there is a required buffer of 1,800 feet between two cannabis retail outlets in the city of Cambridge. I don't know if measurements have been taken but this will be the second cannabis retail outlet in the neighborhood on Massachusetts Avenue and they are only 2 blocks apart. I fully understand, and sympathize with, the special case considerations that are being granted for 'empowerment' purposes and community service. However, I am bound by the Hippocratic Oath dictum 'first do no harm' and I believe that oath, to protect the best interests of my patients, compels me to ask the CCC and the Planning Board to seriously consider rejecting the application for this cannabis retail outlet.

A more favorable and compliant location, even if it is in the Porter Square area would be preferable, compassionate toward the patients I serve, particularly at the time of a post pandemic mental health crisis in the US, and more civic minded.

Sincerely,



Robert J. Birnbaum, M.D., Ph.D.

1734 Massachusetts Avenue, Suite 32.2

Cambridge, Massachusetts 02138

Phone: 857-282-2511

Fax: 617-830-7172

Email: birnbaummdphd@gmail.com

Vice President, Continuing Professional Development & Implementation Science

<https://cpd.partners.org/>

Director, Healthcare Knowledge Engineering & Translation Laboratory (KT-Lab)

[Transforming Education to Advance Healthcare Provider Competency | Mass General Brigham](#)

Mass General Brigham

Assistant Professor Psychiatry

Harvard Medical School

he/him/his

399 Revolution Drive, STE 1245, Somerville, MA 02145

P/857-282-2511

F/857-282-5934

E/rjbirnbaum@partners.org

Executive Assistant | Ms. Helen Morrison

P/857-282-0676 | E/hfmorrison@partners.org

NOTE* Please Contact Dr. Birnbaum Directly Regarding Clinical Scheduling or Clinical Concerns

